

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

**TUESDAY 22 APRIL 2014  
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 8 April 2014** **3 - 10**
- 5. Development Control and Enforcement Matters**
  - 5.1 14/00063/M4FUL - Dodson House, Fengate, Peterborough, PE1 5FS** **11 - 26**
  - 5.2 14/00069/WCMM - Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough** **27 - 42**
  - 5.3 14/00072/OUT - Land at Alwalton Hill, East of the A1 and South of Fletton Parkway, Peterborough** **43 - 62**
  - 5.4 14/00197/R3FUL - St Peters Arcade, St Peters Road, Peterborough** **63 - 70**



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 Philippa Turvey on 01733 452460 as soon as possible.

5.5	<b>TPO 2013_08 - Woodland to the North of 1 Linden Close, Barnack</b>	<b>71 - 80</b>
6.	<b>The Orton Longueville Conservation Area Appraisal</b>	<b>81 - 86</b>
7.	<b>Three Month Appeal Performance</b>	<b>87 - 92</b>
8.	<b>Planning Compliance Quarterly Report on Activity and Performance</b>	<b>93 - 96</b>

Committee Members:

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

Substitutes: Councillors: Kreling, Martin and Ash

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – [philippa.turvey@peterborough.gov.uk](mailto:philippa.turvey@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 AN EXTRAORDINARY MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 25 MARCH 2014**

**Members Present:** Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Casey, Todd, Sylvester, Harrington and Lane.

**Officers Present:** Nick Harding, Head of Development and Construction  
John Wilcockson, Landscape Officer  
Jim Daley, Principal Built Environment Officer  
Steve Winstanley, Team Leader – Planning Research and Information  
Hannah Vincent, Planning Lawyer  
Karen Dunleavy, Governance Officer  
Pippa Turvey, Senior Governance Officer

**1. Apologies for Absence**

An apology for absence was received from Councillor Todd.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Minutes of the Meetings held on:**

**3.1 18 February 2014**

The minutes of the meeting held on 18<sup>th</sup> February 2014 were approved as a correct record.

**3.2 4 March 2014**

The minutes of the meeting held on 4<sup>th</sup> March 2014 were approved as a correct record.

**3.3 25 March 2014**

The minutes of the meetings held on 25<sup>th</sup> March 2014 were approved as a correct record.

**4. Exclusion of the Press and Public**

**RESOLVED** that, in accordance with Standing Orders, agenda item 5.1, D1 - Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights, which contained exempt information which revealed that the authority proposed (a) to give under any enactment a notice under of by virtue of which requirements were imposed on a person; or (b) to make an order or direction under any enactment as defined by Paragraph 6 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting when the report was discussed.

## **5. Development Control and Enforcement Matters**

### **5.1 D1 – Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development Rights) Order 1995 Restricting Permitted Development Rights – Walton Road**

The Committee received a report to consider and determine any action required in relation to a planning matter in accordance with section 2.5.1.2 of the Committee's terms of reference in the City Council's Constitution.

**RESOLVED:** (Unanimous) to authorise the issue of the Direction.

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

An Article 4 Direction coming into effect immediately had the clear advantage of removing the threat of the demolition of the building without first obtaining planning permission.

### **5.2 14/00362/CTR – Section 211 Notice of Intent to Carry out Works to Trees in Longthorpe Conservation Area, 333 Thorpe Road, Peterborough**

The application was for a Section 211 Notice submitted by Councillor Marco Cereste, Leader of the Council, of notification to carry out tree work at 333 Thorpe Rd, Peterborough. The work proposed included the reduction of 1 No. Lilac to a similar height to the fence, the removal of the two lowest limbs of 1 No. Acer and the lateral reduction by 2m of the lowest branches of 1 No. Acer.

The main considerations included whether the proposals were in line with sound Arboricultural practice, reasonable and justified having regard to representations received, and whether the trees were worthy of inclusion into a TPO in terms of public visual amenity value, condition and health.

It was officer's recommendation that the works be permitted and no objection was made against the notice.

The Landscape Officer provided an overview of the application and raised the following points:

- The Lilac tree was structurally unsound and not worthy of a TPO.
- Two of the lowest limbs of the Acer tree had entered the adjoining properties garden and neighbours had requested they be removed. The removal of the two tree limbs would not affect the health of the tree.
- The second Acer tree was in poor condition and was not worthy of a TPO. Its removal would allow more light onto the lawn to facilitate growth.

A motion was proposed and seconded to agree that the works be permitted, as per officer recommendation. The motion was carried unanimously.

**RESOLVED:** (unanimous) that the works be permitted and no objection be made against the notice.

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

Under a section 211 anyone proposing to cut down or carry out work on a tree in a

Conservation Area was required to give the LPA six weeks' prior notice. The purpose of this requirement was to give the LPA an opportunity to consider whether the works were appropriate and if not, consider whether a Tree Preservation Order (TPO) should be made in respect to the tree.

The Lilac was in poor condition and was starting to damage the boundary fence line, it was not considered worthy of a TPO due to its structural condition and low visual amenity value.

The Acer was also in poor structural condition, the main trunk curved by 90 degrees at just above ground level and then ascended thereafter, the proposed works were to improve the condition of the lawn which was largely moss. As the tree was in poor structural condition and as it offered very low visual amenity value, the works were acceptable and the tree was not worthy of a TPO.

The works to the Acacia were considered minor and would not compromise the tree's health nor visual amenity value.

## **6. The Longthorpe Conservation Area Appraisal**

The Committee received a report which provided an update on the outcome of the public consultation on the Draft Longthorpe Conservation Area Appraisal and Management Plan.

It was officer's recommendation that the Committee notes the outcome of the public consultation on the Longthorpe Conservation Appraisal, recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change and that the Committee supports the adoption of the of the Longthorpe Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Longthorpe Conservation Area.

The Principal Built Environment Officer provided an overview of the application and raised the following points:

- The consultation had included the expansion of the Conservation Area boundary along the Longthorpe Green and to the plots of 216 to 224 Thorpe Road.
- The consultation had attracted objections from four out of the five residents in these properties.
- As such, the expansion of the Conservation Area boundary had been limited to the frontages of the plots of 216 to 224 Thorpe Road.
- The area close to Longthorpe Green would be protected with the use of TPO's.
- A management plan had been proposed. Part of that plan included the production of a conservation strategy with Sue Ryder to protect the future of Thorpe Hall for the next five to ten years.

Comments and responses to questions raised by the Committee were as follows:

- It was considered appropriate to extend the Conservation Area boundary to the frontages of properties, rather than the properties themselves as the properties were not readily visible from the road and were not considered 'sufficiently special'.
- Extending the boundary to the properties would place an extra burden on the householders, however no burden would be placed on them if only the frontages were included in the Conservation Area.

**RESOLVED** that:

1. The outcome of the public consultation on the Longthorpe Conservation Area Appraisal be noted;
2. It be recommended that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change; and
3. The adoption of the Longthorpe Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Longthorpe Conservation Area be supported.

**Reasons for the decision:**

Adoption of the Longthorpe Conservation Area Appraisal as the Council's planning guidance and strategy for the Area would:

- Fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- Provide specific Conservation Area advice which would be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- Have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment was both appropriate to its context and of demonstrable quality.

**7. The Marholm Conservation Area Appraisal**

The Committee received a report which provided an update on the outcome of the public consultation on the Draft Marholm Conservation Area Appraisal and Management Plan.

It was officer's recommendation that the Committee notes the outcome of the public consultation on the Marholm Conservation Appraisal and supports the adoption of the of the Marholm Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Marholm Conservation Area.

The Principal Built Environment Officer provided an overview of the application and raised the following points:

- The entire village was included in the Conservation Area, excluding the 20<sup>th</sup> Century Council estate properties.
- The consultation attracted three responses, although work had been undertaken with the Parish Council prior and during the consultation process.

**RESOLVED** that:

1. The outcome of the public consultation on the Marholm Conservation Area Appraisal be noted;

2. The adoption of the Marholm Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Marholm Conservation Area be supported.

**Reasons for the decision:**

Adoption of the Longthorpe Conservation Area Appraisal as the Council's planning guidance and strategy for the Area would:

- Fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- Provide specific Conservation Area advice which would be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- Have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment was both appropriate to its context and of demonstrable quality.

## **8. The Bainton Conservation Area Appraisal**

The Committee received a report which provided an update on the outcome of the public consultation on the Draft Bainton Conservation Area Appraisal and Management Plan.

It was officer's recommendation that the Committee notes the outcome of the public consultation on the Bainton Conservation Appraisal, recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change and that the Committee supports the adoption of the of the Bainton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Bainton Conservation Area.

The Principal Built Environment Officer provided an overview of the application and raised the following points:

- Work had been undertaken with the Parish Council throughout the consultation procedure.
- The consultation had attracted 13 comments, most of which were positive.
- The consultation had included an extension to the Conservation Area to the land at the north-western boundary, to include the whole of the original parkland, land at the southern boundary, the medieval manor house and Ufford Road.
- Residents of Ufford Road raised objections to its proposed inclusion in the Conservation Area. As such, the road was removed from the Conservation Area expansion.
- Ufford Road would be protected with the use of TPO's.

Members commented that the presentation to them, on all three of the Conservation Area Appraisals, had been very well crafted.

**RESOLVED** that:

1. The outcome of the public consultation on the Bainton Conservation Area Appraisal be noted;
4. It be recommended that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change; and
5. The adoption of the Bainton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Bainton Conservation Area be supported.

**9. Peterborough Community Infrastructure Levy (CIL) – Draft Charging Schedule (DCS) and Draft Planning Contributions Supplementary Planning Document (SPD) Update**

The Committee received a report which outlined changes to the way local authorities could collect and distribute developer contributions. These changes were being driven by legislative and statutory changes at a national level.

The Committee was invited to make comment in relation to the proposals set out in the report, most notably the proposed Draft Charging Schedule and charge rates, prior to consideration by Cabinet and Council in June and July respectively.

The Principal Built Environment Officer provided an overview of the application and raised the following points:

- The CIL would work in a similar manner to the POIS, which would become unlawful from April 2015.
- The first round of consultation had already been undertaken in November / December 2012 and feedback had suggested rates for commercial and retail developments were too high and the rate for residential developments needed to be more flexible.
- Within this round of consultation three different levels of rates had been identified; low, medium and high.
- A lower CIL would be required from developments that had affordable housing requirements or were considered strategic sites. There was a NIL rate for non-retail commercial developments.
- The spending of CIL funds would not come under the examination process. 15% of funds from a development would be allocated to the Parish Council. Those parishes with Adopted Neighbourhood Plans would receive 20% of the funds from developments in their area.
- The remaining funds would be allocated to projects falling into the themes prioritised by Cabinet.
- As of April 2015 a maximum of five Section 106 agreement funds could be combined.

Comments and responses to questions raised by the Committee were as follows:

- Garages would be included in floor space calculations if attached to dwellings. This would be checked by the Principal Built Environment Officer.
- The combined floor space of flats were used in calculations, excluding any communal floor space.
- The landowner was ultimately liable for the CIL. Developers would take on board the liability through a notice. If the land was sold on to another developer, this liability would have to be transferred.
- Funds from an existing POIS could be used alongside CIL funds.



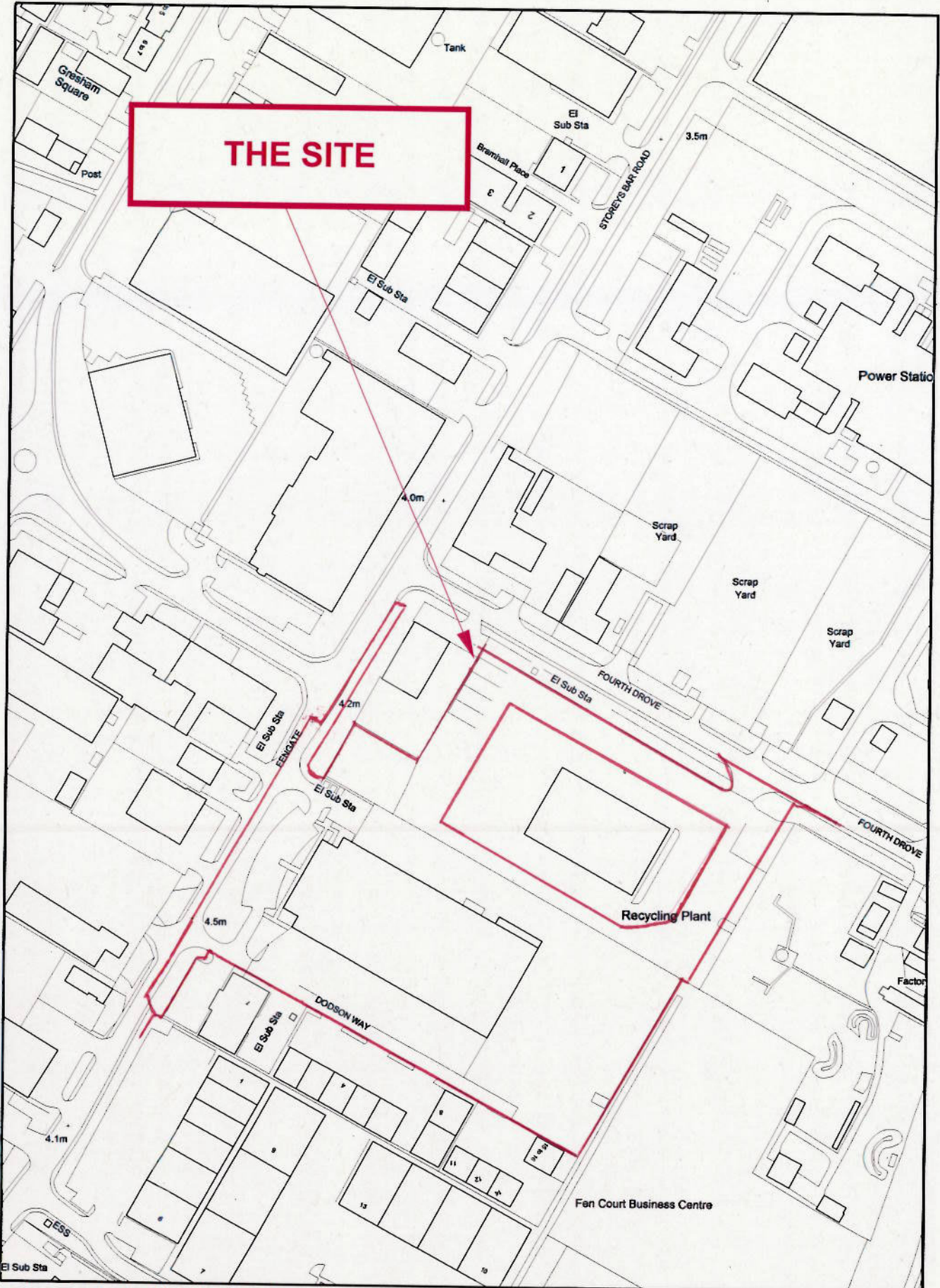
- If a development transferred its requirement for affordable housing to a different site, the original development would be charged at full capacity and a legal agreement would be undertaken regarding the affordable housing and charging on the new site.
- Regarding the allocation of central CIL funds, this would be distributed along the themes prioritised by Cabinet and would go to projects prioritised under these themes. Geographical location would not be considered under the CIL process.
- The charges would be reviewed every three years as standard. There were certain triggers that had also been put into place that would prompt a review of the charges.
- There was no appeal mechanism for developers, however a clause in the regulations allowed for the waiver of the CIL in exceptional circumstances.

**RESOLVED** that:

The Committee commented on the proposals as set out in the report, most notably the proposed Draft Charging Schedule and charge rates, prior to consideration by Cabinet and Council in June and July 2014 respectively.

Chairman  
1.30pm – 2.38pm

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**LOCATION PLAN 14/00063/M4FUL**

Viridor Waste Management, Dodson House, Fengate, Peterborough PE1 5FS

Scale NTS Date 9/4/2014 Name LG Department Planning Services

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**Application Ref:** 14/00063/M4FUL

**Proposal:** Development of Household Recycling Centre and associated works, with retention of existing waste electrical and electronic equipment re-use facility and existing B1 offices

**Site:** Dodson House, Fengate, Peterborough, PE1 5FS  
**Applicant:** Viridor Waste Management

**Agent:** Axis

**Site visit:** 27.01.2014

**Reason referred:** Major application of public interest which is a Council Scheme.

**Case officer:** Mrs T J Nicholl  
**Telephone No.** 01733 454442  
**E-Mail:** [theresa.nicholl@peterborough.gov.uk](mailto:theresa.nicholl@peterborough.gov.uk)

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

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

**Site Description**

The site of Dodson House is rectangular in shape although this application site boundary also includes an area within the adjacent site, currently being developed for the Council's Energy from Waste Facility (EfW) because the EfW and proposed Household Waste Recycling Centre (HWRC) would share an access off Fourth Drove for HGV traffic. The site area is approximately 2.8 hectares. It contains a large rectangular profiled steel clad building the majority of which is unused but was last in use as a factory and has permission for Class B1, B2 and B8 development as well as an extant permission for a waste transfer station (ref 12/01515/M4FUL). Part of the building is presently in use as a Waste Electronic and Electrical Equipment (WEEE) recycling facility and the two storey offices to the front (recently granted a "stand-alone" planning permission for B1 office use (ref 13/01329/R3FUL) are occupied by the Council's Highways and Transportation Team.

Presently, the site can be accessed either off Fengate or from Dodson Way and there is a hard surfaced car park to the front of the building with "overspill" parking to the southern side adjacent to Dodson Way. The majority of the site around the building is hard-surfaced except part of the yard area to the rear which is covered in loose chippings and a landscaped area to the frontage which is grassed.

To the south of the site on the opposite side of Dodson Way are a number of small business units. To the north is the Energy from Waste site currently being developed. To the east is the compound area serving the EfW development and adjacent to that area is the Le Maitre Fireworks Factory. Beyond is the Fen Edge and the Flag Fen Centre lies approximately 600 metres due east. Further employment premises are situated opposite, to the west and along Fengate. The site lies within a General Employment Area allocated by policy SA11 of the Peterborough Site Allocations DPD and identified on the Proposals Map. The site also falls within an area identified on the Proposals Map as an existing waste site.

**Proposal**

The proposal is for the change of use of the existing building to provide a Household Waste Recycling Centre and retention of the WEEE re-use facility and the offices. In order to facilitate

this development, alterations to the vehicular access are proposed as well as alterations to the building and on site infrastructure. The external works to the building and site include the following;

- Demolition of existing two lean-to buildings on the north elevation of the main building and make good with matching cladding
- Changes to various roller shutter doors and personnel doors to the northern and eastern elevations
- Provision of concrete ramps to the northern and eastern elevations to enable cars/light vehicles to enter and leave the HWRC
- Extension to part of the hard surfaced area to the rear of the building (adjacent the east elevation) to create the lorry turning area
- Provision of a fire water tank and pump house in the yard area to the side/rear of the building
- Provision of additional fencing around the site, including acoustic fencing along the southern boundary adjacent to Dodson Way
- Provision of lighting and CCTV
- Provision of a sustainable surface water drainage scheme (details to be agreed later).

The proposal includes changes to the present vehicular access as follows;

- HGVs will use the Fourth Drove entrance/exit via the Energy from waste site once this entrance is completed and brought into use (likely when the EfW becomes operational)
- The access to the north of the building, off Fengate will become an in/out access for visitors to the HWRC only. The revised access will include a short two lane exit and pedestrian refuges to enable safe pedestrian crossing of the access. (Out of public hours this entrance may be used by HGVs/vehicles servicing the site)
- The entrance off Dodson Way will be retained for use by employees working at this site and the adjacent EfW site and visitors to the WEEE (people dropping off electricals), to access the car parking provided to the front and side of Dodson House.
- During the period between the HWRC opening and the access via Fourth Drove being brought into use when the EfW opens, the Dodson Way access is proposed to be used temporarily by HGVs visiting the HWRC and WEEE facilities. It is estimated that this period may last 6-9 months.

Off-site highway works are proposed as follows;

- Provision of a footpath to link the existing footpath just south of Dodson Way to a point up to Fourth Drove
- Works to Dodson Way entrance to reduce the gradient
- Provide bell-mouth entrance to the HWRC off Fengate and widening of Fengate

Internal works to the building will be required to enable a raised platform "deck" to be created to accommodate vehicles. This will enable visitors to place their waste into skips located at the current ground level and for the waste to be segregated in the normal manner. Internal stairs will be constructed to enable staff to move between the two levels. A HWRC office would be placed at one end of the deck. A mechanical ventilation system will also be required to be installed.

If this proposal is permitted, it will replace the current HWRC at Dogsthorpe. The HWRC would likely employ 10 members of staff. The WEEE re-use facility will continue to employ 6 members of staff and to provide training opportunities for people who find themselves long term unemployed.

The proposed opening hours of the HWRC are as follows:

1st October to 31st March

08:00 to 16:00 7 days a week

1st April to 30th September

08:00 to 18:00 with extended opening until 20:00 Mondays and Thursdays

The facility will close at 16:00 on Bank Holidays and 12:00 on Christmas Day, Boxing Day and New Year's Eve

There may be limited HGV movements outside of these hours. This will involve occasional HGVs coming to take material away when skips are full.

The WEEE re-use will continue to operate as present:

08:00 to 18:00 Monday to Saturday

09:00 to 16:00 on Sundays and Bank Holidays,

Only open for customers between 09:30 to 16:00.

## 2 Planning History

Reference	Proposal	Decision	Date
13/00004/SCREEN	Request for EIA Screening opinion for the development of a Household Recycling centre	Comments	29/07/2013
13/01329/R3FUL	Change of use of the offices from B1(c), B2, B8 use to general use B1, B2 and/or B8 use	Permitted	28/10/2013
12/01515/M4FUL	Change of use and minor external works (including partial demolition) to enable the use of the former Ray Smith Group building as a Waste Transfer Station (WTS)	Permitted	27/03/2013
12/00755/MMFUL	Extension of time of application 08/01577/MMFUL – integrated materials Recycling facility	Permitted	05/10/2012

## 3 Planning Policy

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

### 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.

#### **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 Site Allocations DPD (2012)

#### **SA11 - General Employment Areas and Business Parks**

Within the allocated General Employment Areas and Business Parks planning permission will be



granted for employment uses (classes B1, B2 and B8 within the GEAs, classes B1(a) and B1(b) within the Business Parks).

## **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

### **MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development**

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self-sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

### **MW14 - The Scale of Waste Management Provision**

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

### **MW15 - The Location of Future Waste Management Facilities**

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

### **MW16 - Household Recycling Centres**

A network of household recycling facilities easily accessible to local communities will be developed through the Site Specific Proposals Plan, including amongst broad location areas, a site in Peterborough. New developments will contribute towards the provision of household recycling centres, consistent with the RECAP Waste Management Design Guide and additionally through POIS or CIL (in the event this supersedes the current mechanism).

### **MW18 - Waste Management Proposals Outside Allocated Areas**

Waste management development proposals outside allocated areas will be considered favourably where they meet the listed criteria.

### **MW22 - Climate Change**

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.



#### **MW24 - Design of Sustainable Minerals and Waste Management Facilities**

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

#### **MW29 - The Need for Waste Management Development and the Movement of Waste**

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

#### **MW32 - Traffic and Highways**

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

#### **MW34 - Protecting Surrounding Uses**

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

#### **MW35 - Biodiversity and Geodiversity**

Mineral and waste management development will only be permitted where there will likely be no significant adverse effect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

#### **MW39 - Water Resources and Water Pollution Prevention**

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

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

#### **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**

### **Transport & Engineering Services (24.03.14)**

No objections subject to the following being provided;

1. Pedestrian refuge on the HRC access
2. Dodson Way to be re-graded between Fengate and the entrance to the first car park of Vitas Vending to achieve a uniform gradient

3. Landscaping mound to the site frontage be removed to allow suitable vehicle to vehicle visibility splays

All the above and other proposed off site works, parking and turning areas, pedestrian routes and cycle provision to be secured by conditions.

**Drainage Team (01.04.14)**

No objections subject to drainage conditions

**Wildlife Officer (31.03.14)**

No objections. Recommends a condition to secure native shrubs and trees to any landscaping and requests a range of nesting boxes be installed to enhance biodiversity.

**Pollution Team (04.04.14)**

No objections subject to details of ventilation system to be submitted and approved prior to installation

**Environment Agency (07.02.14)**

No objection subject to imposition of a drainage condition.

**Health & Safety Executive (26.03.14)**

No objections

**Anglian Water Services Ltd (02.04.14)**

No objections

**Police Architectural Liaison Officer (29.01.14)**

No objection.

**Local Residents/Interested Parties**

Initial consultations: 35

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No representations have been received.

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

**The Key Issues are as follows;**

1. The principle of the development (the change of use to HWRC)
2. Traffic, Transport and parking issues
3. Visual appearance/street scene
4. Impacts on surrounding users e.g. noise, visual, lighting, air quality/dust, health and safety
5. Drainage
6. Other issues (Biodiversity, Climate Change, Cultural Heritage)

**1. Principle of Development**

Cambridgeshire and Peterborough Minerals and Waste Core Strategy (the MW Core Strategy) policy CS2 sets out a strategic vision for provision of a new generation of facilities across the plan area that achieve higher levels of waste re-use and recycling, such facilities being of a high quality in their design and operation. The facilities can be stand alone or co-located with other waste facilities. Policies CS15 and CS16 set out the factors which should influence the siting of such

facilities (including employment/previously used land, reduction in movement of waste, highway capacity and sensitive receptors etc.) Policy CS16 states that new household recycling centres will be needed in Peterborough.

The proposal is in accordance with the above policies. A more modern HWRC is required for Peterborough as the facility at Dogsthorpe is no longer fit for purpose. The site is within an existing employment area and the proposal will make use of an existing building. It will be located adjacent to the Council's Energy from Waste development and co-located with the WEEE. The site is accessible but is not located close to residential properties. In principle, therefore the provision of a HWRC with the retention of the WEEE and offices is acceptable.

## **2. Traffic, Transport and Parking Issues**

The application proposes a joint access and parking arrangement with the approved Energy from Waste Facility to the North. In summary, HGVs visiting both sites will enter and leave via a widened access off Fourth Drove. Employees and visitors of/to the EfW, HWRC, WEEE and the offices will enter via Dodson Way and use the existing car park to the front of Dodson House and spaces which shall be marked out to the side of Dodson House on the existing hardstanding. Visitors to the HWRC will have a dedicated entrance and exit off Fengate. The proposal therefore separates out the traffic by type of vehicle and to a degree by employee and customer.

Policy CS32 of the MW Core Strategy sets out that waste development will only be permitted where the appropriate means of transport are used and the network is suitable or can be made suitable to accommodate the traffic safely and without affecting residential amenity or the environment. Policy CS14 of the Peterborough Core Strategy contains similar policies but the focus is more on provision of sustainable transport and reducing the need to travel by car. Policy PP13 of the Peterborough Planning Policies DPD states that permission will only be given where the development makes appropriate parking provision for all modes of transport in accordance with the Council's parking standards.

The applicant has submitted a Transport Assessment with the application which deals with anticipated traffic visiting both the proposed HRWC and the EfW, given that the access arrangements will be shared. With regards to the HWRC the anticipated HGV movements will be no more and likely less than would be expected for an industrial building i.e. less than currently permitted for the building. Clearly, a HWRC draws a significant amount of car-borne traffic. The Highway Authority has accepted that the existing wider transport network can absorb this traffic. It will be diverted from the existing HWRC at Dogsthorpe to the proposed site. However, some improvements are required at or near the site to make the development acceptable i.e.

- Reducing the gradient to Dodson Way as it is currently steeper than would usually be permitted - this is required because employees at both Dodson House and the EfW will have to use this access (rather than the choice of access points as currently exists)
- Improvement to visibility for vehicles exiting Dodson Way by removing the landscape mound to the front of Dodson House
- Providing a 2.0 metre wide footpath to join up with the existing footpath (south of Dodson Way up to Fourth Drove)
- Provision of pedestrian refuges to the proposed HWRC entrance off Fengate
- Provision of adequate car and cycle parking

The applicant has agreed to undertake the works set out above and this can be dealt with by the imposition of conditions to ensure that these works are carried out prior to the opening of the HWRC.

With regard to car parking, previous permissions for the EfW and the Dodson House offices have set the required parking levels at 20 and 57 respectively. This amount of parking will stay the same albeit reconfigured within the Dodson House site. It is proposed that 20 spaces will be provided for the HWRC employees and WEEE staff and customers. The Council's parking standards require that one space per full time staff plus drop off/waiting facilities are provided for users of the site. The proposed twenty spaces will meet the staff requirements for the HWRC and

WEEE plus enough space for WEEE customers. The HWRC customers have a separate drive through arrangement. Cycle parking already exists on site for the office staff and the Highway Authority has requested four additional cycle spaces for HWRC/WEEE staff. This will be covered by imposing a condition.

The application sets out that for a temporary period of 6-9 months, HGVs visiting the HWRC and WEEE will need to use the Dodson Way entrance until the Fourth Drove entrance is constructed and available. This is acceptable and will be covered by condition.

Therefore, with regard to traffic, transport and parking issues, the proposal meets the policy requirements set out above and is acceptable subject to conditions.

### **3. Visual appearance/Street scene**

Policy CS24 of the MW Core Strategy requires that all proposals for waste development are required to achieve a high standard of design. This proposal makes use of an existing largely vacant building and only limited external alterations are required to enable the building to be used for a HWRC. From public viewpoints e.g. Fengate and Dodson Way, the building will appear largely the same as it does at present. There will therefore be no visual harm to the street scene or surrounding area.

### **4. Impacts on Surrounding Users**

#### **Noise**

A noise assessment has been submitted with the application. This noise assessment concludes that the proposals will have no detrimental impact upon the nearest noise sensitive receptors i.e. the nearest residential properties (Fengate Mobile Home Park - 650 metres away, properties off Fengate to the south - 880 m away, properties off Padholme Road East - 660 m away or the hotel off Newton Way - 680 m away).

Although the site is within an established employment area and so noise is to be expected, the applicant proposes to erect an acoustic fence varying in height between 3 and 5 metres along the Dodson Way boundary. This is to assist reduction in noise levels to the other commercial units off Dodson Way. The noise assessment states that there will likely be some high peaks in noise during the construction phase of the development but this will be temporary.

The Pollution Control Team raises no objections and advises that noise will be covered in the Environmental Permit required by the Environment Agency. However, details of the ventilation system will need to be submitted for approval.

Policy CS34 of the MW Core Strategy states that waste development will only be permitted where there would be no significant harm to existing or proposed neighbouring land uses or loss to residential or other amenities. It is considered that the development will comply with this policy.

#### **Visual**

As set out above, there are limited external changes to the building proposed. Such changes will not impact upon the surrounding users. Much of the side elevation of the building and yard area to Dodson Way will be screened off by the acoustic fence.

#### **Lighting**

There will be occasions when the HWRC and WEEE facility are open to the public during hours when daylight will be fading. There will also be occasional site operations taking place outside of public hours during hours of darkness. The Highway Authority has requested that lighting needs to be agreed and so to protect both highway safety and surrounding users in accordance with policies CS32 and CS34 of the MW Core Strategy, a condition will be imposed on any approval requiring that details of external lighting are to be submitted and approved prior to erection.

## **Air quality/dust**

An air quality assessment, odour and dust management plan have been submitted as part of the application. These appear to adequately set out on site management measures that will deal with any such issues. A mechanical ventilation system is proposed to be installed within the building to deal with internal odour.

An Environmental Permit will be required from the Environment Agency for the site to operate as a HWRC. The permit will require a working plan to be submitted to the EA as part of the permit process. It is considered that with regard to air quality, dust and odour there is no need to duplicate the Environmental Permitting process in order to control these aspects of the development as the EA will have adequate controls through the permit should issues arise. Confidence can be had that the proposal will comply with policy CS34 of the MW Core Strategy.

## **Health and safety**

On site health and safety is a matter for the site operators and is controlled by other legislation. The relationship of the proposed development to the nearby Le Maitre Fireworks Factory is a material consideration because any potential incident at the Fireworks Factory could affect persons at the site and conversely any planning permission granted could potentially affect the licence/permit granted to the Fireworks Factory by the Health and Safety Executive. However, having consulted the HSE, no objections have been raised and as such the proposal complies with policy CS34 of the MW Core Strategy which requires that there be no significant harm to human health or safety.

## **5. Drainage**

A Flood Risk Assessment submitted with the application sets out that the majority of the site lies within Flood Zone 1 (lowest risk) and two areas in the southeast corner of the site and the northeast corner of the EfW site (where the access will be) are located in Flood Zones 2 and 3. As development has been permitted on both sites, the applicant suggests that no sequential test is needed and this is accepted.

Policy CS22 of the Peterborough Core Strategy sets out that where development is located in Flood Zones 2 or 3 a Flood Risk Assessment will need to demonstrate that there is a positive approach to reducing flood risk overall and that appropriate sustainable drainage systems should be put in place. Policy CS39 of the MW Core Strategy is concerned with the prevention of pollution of surface or ground water resources.

The Flood Risk Assessment recommends the following;

- A Flood Warning and Evacuation Plan be developed in consultation with PCC Emergency Planners
- The detailed drainage design shall be submitted for approval prior to the commencement of the development
- Any works within 7 metres of the top of the bank to the watercourse running to the east of the site will need approval from the PCC drainage team.

The Environment Agency and PCC's Drainage Team raise no objections subject to a condition requiring submission of a surface water drainage scheme.

Anglian Water confirm that the current foul water drains have capacity to take foul water from the development.

It is considered that the proposal will be able to comply with the above policies by the submission of an acceptable surface water drainage scheme which can be covered by a condition.

## **6. Other Issues**

### **Biodiversity**

Policy CS35 of the MW Core Strategy states that waste development will only be permitted where it can be demonstrated that the proposal will result in no significant adverse impact on sites of nature conservation or any landscape feature that is of principal importance for wild flora or fauna. Policy CS21 of the Peterborough Core Strategy goes further and states, amongst other things that the Council will require the inclusion of beneficial features for biodiversity in new developments as

part of good design. The Council's Wildlife Officer has requested that bird boxes be incorporated into the development.

Whilst this proposal does not include a new building, but the adaption of an existing building, if permission is granted and implemented, this will be a "new chapter" in the planning history of the site and as such is new development. The site presently contains very little landscaping of any biodiversity value. There is opportunity here to make a beneficial contribution towards biodiversity in accordance with policy CS 21 by including bird nesting boxes. Although a Corporate matter rather than a planning matter, the Council should be taking a lead on such matters on their own developments. It is therefore proposed to require that bird boxes be provided to comply with policy CS21.

### **Climate Change**

Policy CS22 of the MW Core Strategy states that waste management proposals must take account of climate change for the lifetime of the development. By its nature the proposed HWRC and WEEE will mainly attract customers arriving by car, however, the proposal is to replace the current facility located at Dogsthorpe landfill site. The proposed site is considered to be more accessible to the wider area of Peterborough. The proposed use is making a positive contribution to climate change through the re-use and recycling of materials. The re-use of a largely empty building to provide the facility also makes a positive contribution towards climate change. Surface water will also be required to be dealt with through a sustainable surface water drainage scheme. The proposal is therefore in accordance with policy CS22.

### **Cultural Heritage**

Whilst the proposal is located approximately 600 metres from Flag Fen Scheduled Monument (SM) and visitor centre, there are no deep intrusive ground works that would affect the hydrology of the area and no significant visual changes to the appearance of the site. Therefore the proposal will not affect the preservation or the setting of the SM. Consideration of previous applications for development at Dodson House and responses of the archaeological officer have confirmed that within the site to be developed (i.e. the building and yard area) previous archaeological campaigns of the 1970's, 1980's and 1990's resulted in the area being recorded satisfactorily. There are no nearby listed buildings or Conservation Areas. The proposal is therefore acceptable and complies with policy CS36 of the MW Core Strategy which is concerned with archaeology and the historic environment.

## **6 Conclusions**

The proposed development is both acceptable in principle and in respect of the issues set out above. Where further detail is required this can be dealt with by the imposition of conditions. The development complies with the relevant policies of the development plan and there are no material considerations which weigh against the proposal. In accordance with Section 38(6) of the Town and Country Planning and Compensation Act and with advice contained in the National Planning Policy Framework, as the development accords with an up to date Local Plan, it should be approved.

## **7 Recommendation**

The case officer 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 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan drawing EXT/9602/A/001 PL1  
Existing site layout drawing EXT 9602/A/002 PL1  
Existing elevations drawing EXT/9602/A/006 PL1  
Proposed site layout drawing EXT/9602/A/003 PL5  
Existing building layout drawing EXT/9602/A/004 PL4  
Proposed building layout drawing EXT/9602/A/005 PL4  
Proposed elevations drawing EXT/9602/A/007/PL4  
Proposed sprinkler installation drawing EXT/9602/A/009 PL4  
Fencing plan drawing EXT/9602/A/011 PL5  
Acoustic fence details drawing EXT/9602/A/012 PL4  
Proposed site management plan drawing EXT/9602/A/013 PL5

Reason: To clarify what is hereby approved.

- C 3 Prior to the erection of any external lighting, details of the lighting (including its positioning, lux values and measures to prevent light spillage outside the site) shall be submitted to and approved in writing by the local planning authority. No external lighting shall be erected except in accordance with the approved details.

Reason: To prevent any danger by way of glare or dazzle to highway users in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD, policy CS14 of the Peterborough Core Strategy and policy PP12 of the Peterborough Planning Policies DPD.

- C 4 The Household Recycling Centre shall not be brought into use until the areas shown as parking and turning on the approved plan have been drained, surfaced, and the parking marked out in bays, and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles. At least 57 spaces shall be provided for employees and visitors to the offices and at least 20 spaces shall be provided for employees and visitors to the Household Recycling Centre and WEEE re-use.

Reason: In the interest of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

- C 5 The Household Recycling Centre shall not be brought into use until the areas for the loading and unloading of vehicles as shown on the approved plans have been drained and surfaced [or other steps as may be specified], 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 for the loading and unloading of vehicles.

Reason: In the interest of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 6 The Household Recycling Centre shall not be occupied until space has been laid out within the site for 4 additional staff bicycles (additional to the existing provision shown on the approved proposed site layout drawing EXT/9602/A/003 PL5) to be parked, and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In order to promote the use of sustainable modes of transport, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

- C7 Prior to the Household Recycling Centre being brought into use, the following works shall be carried out and completed in accordance with the details shown on the approved Proposed Site Layout drawing EXT 9602/A/003 PL5;
- A 2m wide connecting footway between the existing footway north of Titan Drive to the existing footway on the south of Fourth Drove.
  - Widening of the existing northern access to Dodson House and the construction of 2 pedestrian refuges.
  - Construction of a right-turn lane into the northern access to Dodson House.
  - Regrading (levelling out) of the Dodson Way junction, including removal of landscaped mound to the north.

Reason: In the interests of highway safety, and to promote the use of sustainable modes of travel, in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, policy CS14 of the Adopted Peterborough Core Strategy DPD and policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C8 The Household Recycling Centre shall not be brought into use until the pedestrian access routes have been constructed / marked out in accordance with the approved plans.  
Reason: In the interest of Highway safety, in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, policy CS14 of the Adopted Peterborough Core Strategy DPD and policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C9 Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:
- a scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
  - a scheme of working hours for construction and other site works;
  - a scheme for construction access from the Parkway system, including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load and unload clear of the public highway and details of any haul routes across the site;
  - a scheme for parking of contractors vehicles;
  - a scheme for access and deliveries including hours.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: Reason: In the interest of Highway safety, in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, policy CS14 of the Adopted Peterborough Core Strategy DPD and policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C10 Within 12 months of the Household Recycling Centre being brought into use, all HGVs visiting the HRC shall enter and leave the site via Fourth Drove as shown on approved "proposed site layout" drawing EXT 9602/A/003 PL5. The exceptions to this are that (1)



outside of the approved opening hours to the public, HGVs may enter and leave via the Fengate access to the HRC and (2) during an emergency.

Reason: In the interest of Highway safety, in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, policy CS14 of the Adopted Peterborough Core Strategy DPD and policy PP12 of the Adopted Peterborough Planning Policies DPD.

C11 No development shall take place until a 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, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

1. Full detailed surface water calculations to ensure adequate surface water drainage facilities on site for all events up to and including 1% (1 in 100 AEP) plus climate change;
2. Confirmation that the hierarchy of drainage has been followed;
3. An assessment of overland flood flows; and
4. Details of how the scheme shall be maintained and managed after completion for the lifetime of the development

Reason: To prevent the increased risk of flooding, both on and off site in accordance with policy CS22 of the Peterborough Core Strategy and policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C12 Prior to the Household Recycling Centre being brought into use, details of a flood warning and evacuation plan as suggested in the submitted Flood Risk Assessment, shall be submitted to and approved in writing by the local planning authority. The HRC shall thereafter operate in complete accordance with the approved details.

Reason: To protect human health and safety in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C13 The materials to be used in the external surfaces of the new buildings and the refurbished and replaced parts of the existing building shall be in accordance with the details shown on the approved Proposed Elevations drawing EXT 9602/A/ 007 PL4 and the Proposed Sprinkler Installation drawing EXT 9602/A/009 PL4.

Reason: In the interest of good design and the visual appearance of the development in accordance with policy CS24 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C14 Prior to the Household Recycling Facility being brought into use, all boundary and acoustic screen fencing shall be erected in accordance with the approved details on drawings EXT 9602/A/011 PL5 (proposed fencing plan) and EXT/A/012 PL4 (acoustic fence details). All new pallisade fencing shall be painted dark green.

Reason: In the interests of the visual appearance of the development and the amenity of the neighbouring unit holders on Dodson Way in accordance with policies CS24 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C15 Prior to the installation of any mechanical or alternative ventilation system, full details of the system and its position (including all flues) within and external to the building shall be submitted to and approved in writing by the local planning authority. The ventilation system shall be installed and shall be fully operative in accordance with the approved details prior

to the household recycling centre being brought into use. Thereafter, it shall be retained and operative in full working order.

Reason: In order to limit odour in the interests of human health and amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C16 The Household Recycling Centre shall not be open to the public except during the following hours:

1st October to 31st March - 08:00 to 16:00 7 days a week

1st April to 30th September - 08:00 to 18:00 7 days a week with extended opening until 20:00 on Monday and Thursdays

Notwithstanding the above, the HRC shall close to the public at 16:00 on Bank Holidays and at 12.00 noon on Christmas Day, Boxing Day or New Year's Day.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C17 The stand alone B1 office space (i.e. not the ancillary staff office space to the WEEE and Household Waste Recycling Centre) shall only occupy the space to the front of the building located over the ground and first floors, as shown on the approved "proposed building layout" drawing EXT 9602/A/005 PL3.

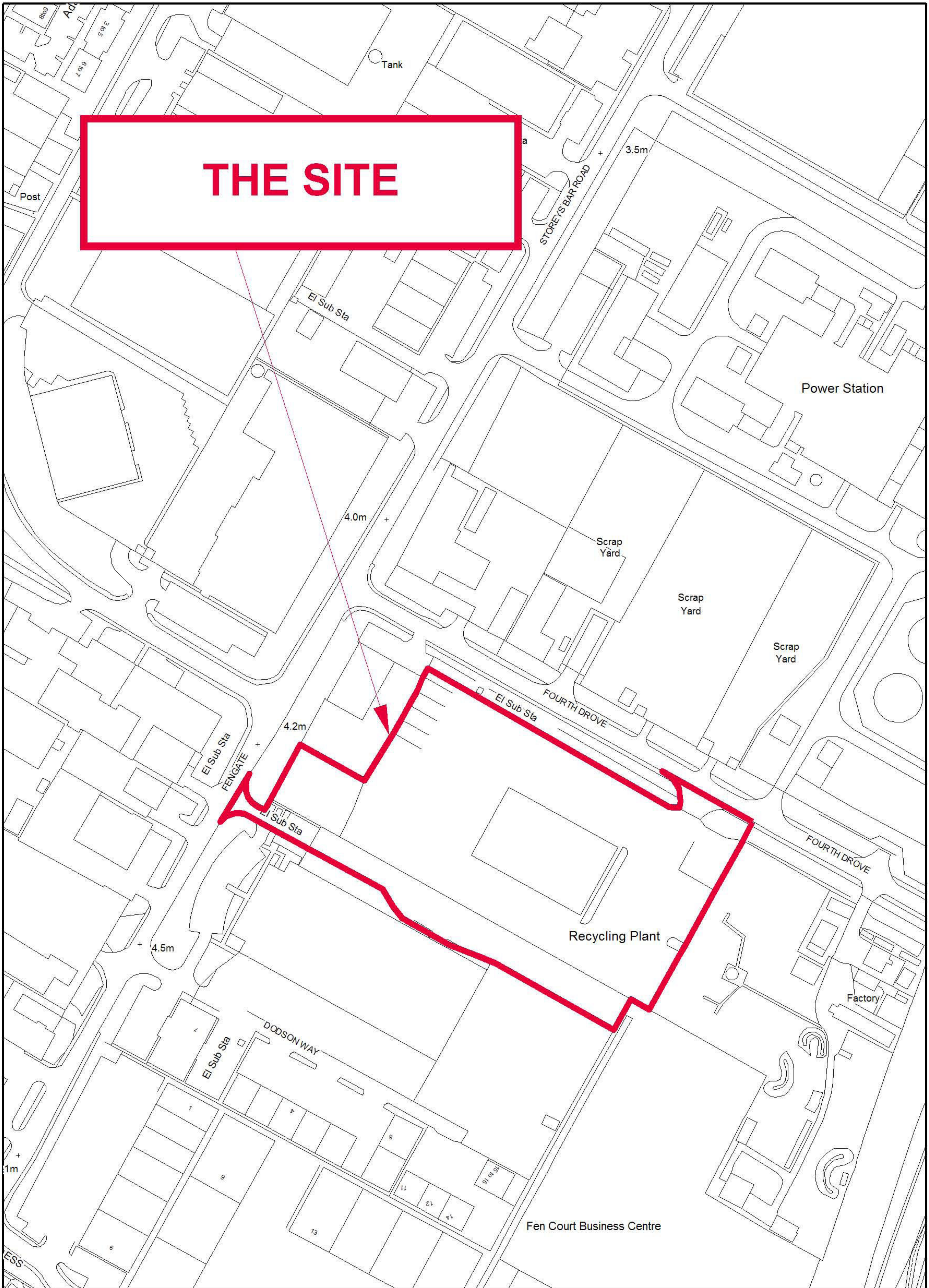
Reason: To clarify what is hereby approved and to ensure that office space permitted is restricted in order that adequate parking is available for the varying uses proposed in accordance with policy PP13 of the Peterborough Planning Policies DPD.

- C18 Prior to the Household Recycling Facility being brought into use, biodiversity enhancement in the form of bird boxes shall be provided on site in accordance with a scheme that shall have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of providing beneficial enhancement to biodiversity in accordance with policy CS21 of the Peterborough Core Strategy.

Copies to Councillors: N Shabbir. M Y Todd. J Johnson





**LOCATION PLAN 14/00069/WCMM**

Viridor Waste Management Ltd, Grosvenor Resources Ltd, Fourth Drive, Fengate

**Scale** NTS      **Date** 9/4/2014      **Name** LG      **Department** Planning Services

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**PCC GIS**





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**Application Ref:** 14/00069/WCMM

**Proposal:** Variation of conditions C1 (Commencement of development), C2 (Approved plans), C3 (Facing materials), C4 (Lighting), C7 (Landscape details and management), C8 (Fencing), C13 (Programme of archaeological work), C15 (Provision of retention of cycle parking), C16 (Cyclist/pedestrian provision) C18 (Access points), C20 (Construction management plan), C22 (Surface water drainage) C24 (Hydrological monitoring) and C26 (Protection of wildlife) of planning permission 12/01409/WCMM for Energy from Waste Facility, in order to incorporate minor material amendments to the approved scheme

**Site:** Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough  
**Applicant:** Viridor Waste Management Ltd

**Agent:** Axis

**Site visit:** 31.01.2014

**Reason referred:** Major application of public interest which is a Council Scheme.

**Case officer:** Mrs T J Nicholl  
**Telephone No.** 01733 454442  
**E-Mail:** theresa.nicholl@peterborough.gov.uk

**Recommendation:** **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

### **Site Description**

The site of the proposed Energy from Waste (EfW) facility is located on land off Fourth Drove within the Fengate Industrial Estate, on the eastern edge of the built-up area of Peterborough, approximately 2.5km to the east of Peterborough City Centre.

The site covers an area of 1.9 hectares and was previously occupied by the Council's Materials Recycling Facility (MRF), which was operated by Viridor. It is presently being developed for the EfW facility under the current permission 12/01409/WCMM.

The site is bounded:

- to the north by Fourth Drove, with a scrap yard (Sims Metals) and a car body repair shop (Lovells) beyond
- to the east by an existing fireworks factory (owned by Le Maitre Ltd), with a sewage treatment works, Flag Fen archaeological site and agricultural land beyond
- to the south by an industrial building (the former Ray Smith Group building) and associated car parking, and
- to the west by Fengate, with industrial and commercial uses beyond.

The perimeter of the site is secured with a palisade fence, with gates to the existing vehicular access to the site, which is taken from Fourth Drove to the north. The primary road link to the area is the A1139 which in turn links to the A1.

The Fengate Industrial Estate contains a mix of industrial and similar uses, including those referred to above. In addition, there is an existing power station (Peterborough Power Station), located approximately 160m to the north of the application site boundary. Peterborough Power Station is a gas-fired power station operated by Centrica. The power station was commissioned in 1993 and remains in use. The power station is expected to have a life of approximately a further 25 years.

The nearest residential properties to the application site are located on North Bank Road to the west and on Palmers Road to the north. Both areas of residential dwellings are located approximately 1km from the site. There is also a residential caravan park located approximately 800m to the south west of the site at Second Drove. There are a number of houses and farms within the fenland area to the east of the site, including Masons Farm, Poplar Farm and Northey Bungalow. These properties are at least 1km from the application site.

## **Proposal**

The permitted scheme and that which has been implemented is that granted under 12/01409/WCMM for an Energy from Waste Facility with a maximum throughput of 85,000 tonnes per annum.

The facility is designed to burn residual waste (residual waste is the non recyclable waste) collected by the Council and also some residual waste from Cambridgeshire and other adjoining local authorities, subject to the provision of a condition which restricts the limits on the areas from which waste could be accepted.

As approved, the plant would operate continuously, 24 hours a day, with the exception of shutdown periods for essential maintenance. Waste would be delivered to the facility between 06:00 and 22:00 Monday to Saturday inclusive and 08:00 and 16:00 on Sundays and Bank Holidays. Around 25 staff would be employed.

An Environmental Permit for the operation of the facility has been granted by the Environment Agency. This provides the regulatory control over the facility to ensure that it complies with all relevant environmental restrictions.

The permission is subject to obligations under Section 106 of the Town and Country Planning Act 1990 which secured the payment of financial contributions towards drainage works (£16,756); and set out requirements for the carrying out of hydrological monitoring. The financial contribution has been paid because this development has commenced.

The applicant wishes to make several amendments to the approved scheme, some of which are related to the proposed Household Waste Recycling Centre (HWRC - under separate planning application) on the adjacent site and some of which are relatively minor design alterations.

The amendments which relate to the proposed HWRC include revised access arrangements including widening of the existing access off Fourth Drove, changes to internal roadways and vehicle routing, changes to internal pedestrian routing and car parking, relocation of the weighbridge and office, water tank, cycle and smoking shelters, a new coach drop off point, new fencing and gate arrangements and removal of on street parking currently provided on Fourth Drove. These changes are necessary in order to provide a shared HGV access and egress for both the EfW and proposed HWRC off Fourth Drove and to enable staff and visitor parking to be provided on the neighbouring site (in the ownership of Peterborough City Council) and where the proposed HWRC would be if approved. The staff and visitor vehicular access/egress would be off Dodson Way.

The proposed design changes include repositioning of doors, reduction in the diameter of the main chimney stack from 2.5 to 1.55 metres, increase in the height of the administration block from 13.1 to 14.5 metres, relocation of tanks, change to roof cladding from Kingspan to Tata Roofdek, internal changes to office block arrangement and introduction of additional equipment and amendment to the pipe bridge to the Air Cooling Condensers.

The following matters are not affected by the proposed changes;  
 No change to the application boundary  
 No alterations to the footprint, orientation and overall height of the main EfW building  
 No alterations to the location, height or anticipated levels of emissions from the chimney stack  
 No changes to the technology or processes to be carried out within the EfW  
 No changes to the waste throughput or the amount of energy that could be potentially exported.

To enable these changes to be made the applicant proposes to amend the following conditions;  
 Condition 2 - The list of approved plans  
 Condition 3 - Reference to the Design and Access Statement to be replaced with the revised materials board drawing  
 Condition 4 - Replace reference to the external lighting and CCTV drawing  
 Conditions 7 and 8 - Replace reference to the Landscape and Fencing drawing  
 Conditions 15 and 16 - Amend to reference the proposed bicycle and smoking shelter drawing

The current and implemented planning permission was subject to a number of pre-commencement conditions which have been discharged. These conditions relate to commencement of development, archaeology, Construction Management Plan, De-watering and Ecology. One further pre-commencement condition (prior to the commencement of the building) relating to surface water drainage is still being considered at the time of writing. As well as amending the conditions stated above, the Local Planning Authority has the opportunity to amend, remove or add other conditions as necessary as a result of the current development and planning position and as a result of the changes being proposed. This will be further discussed in later in the report.

The previously approved scheme was subject to an Environmental Assessment, the contents of which still need to be taken into account as part of the consideration of this application. The applicant has submitted an addendum to the previous ES in order to consider any changes to environmental impact as a result of the changes to the development, the main issue of relevance here being transport due to alterations to the access arrangements.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
12/01409/WCMM	Variation of conditions C2 and C5 of planning permission 09/00078/MMFUL dated 06/05/2010 (Construction of an 'Energy from Waste' facility) - Condition 2 to refer to the submitted drawings (which amend the visual appearance of the building) and Condition 5 to refer to the revised throughput of 85,000 tonnes per annum at a calorific value of 9,700 kJ/kg or equivalent	Permitted	07/03/2013

## **3 Planning Policy**

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

### **National Planning Policy Framework**

#### **Section 12 - Development Affecting Non-Designated Heritage Assets**

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

## **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 12 - Conservation of Heritage Assets**

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

## **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.

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

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

## **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

### **MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development**

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).



### **MW15 - The Location of Future Waste Management Facilities**

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

### **MW22 - Climate Change**

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaptation will be encouraged.

### **MW23 - Sustainable Transport of Minerals and Waste**

Sustainable transport of minerals and waste will be encouraged and new and enhanced facilities to enable this will be encouraged. Transport Zones and Transport Safeguarding Areas will be defined and designated in the Site Specific Proposals Plan. There will be a presumption against development which could prejudice a protected area for transport of minerals and/or waste.

### **MW24 - Design of Sustainable Minerals and Waste Management Facilities**

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

### **MW29 - The Need for Waste Management Development and the Movement of Waste**

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

### **MW32 - Traffic and Highways**

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

### **MW34 - Protecting Surrounding Uses**

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

### **MW35 - Biodiversity and Geodiversity**

Mineral and waste management development will only be permitted where there will likely be no significant adverse affect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

### **MW39 - Water Resources and Water Pollution Prevention**

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

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

### **Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:**

Requests for planning obligations whether CIL is in place or not, are only 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**

### **Transport & Engineering Services (20.02.14)**

No objections subject to conditions concerning parking, turning and unloading and access arrangements along Fourth Drove (removal of on street parking)

### **Landscape Architect (Enterprise) (24.01.14)**

No objections

### **Wildlife Officer (06.02.14)**

No additional impacts on protected species or habitats are likely to occur as a result of the proposed variation of conditions. I would wish to see the temporary compound restored for wildlife purposes.

### **Archaeological Officer (23.01.14)**

All archaeological requirements remain as previous

### **Anglian Water Services Ltd (17.02.14)**

No comments as does not appear to be relevant to Anglian Water

### **English Heritage (05.02.14)**

No comments; Determine in accordance with National and Local policy and advice.

### **Environment Agency (12.02.14)**

No objections but refer to previous comments with regard to the condition requiring the drainage scheme to be submitted. This suggested that further detailed information would need to be submitted in order to satisfy PCC's drainage team.

### **National Grid (30.01.14)**

There is apparatus within the vicinity of the site which may be affected by the proposal. The contractor should contact National Grid.

### **Natural England - Consultation Service (13.02.14)**

No objections with regard to statutory nature conservation sites. Protected species - follow Natural England's standing advice

**Police Architectural Liaison Officer (29.01.14)**

No objections

**Health & Safety Executive (26.03.14)**

No objections

**Local Residents/Interested Parties**

Initial consultations: 755

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Two letters of objection have been received which raise the following issues;

The Planning Department and people living in and around Peterborough should read the findings of Global Alliance for Incinerator Alternatives, The Myths and Facts which would make up our minds that we do not want this to go ahead.

I object to any increase in the agreed size or throughput of this facility as it will greatly increase the already poor quality air in the City, leading to health problems for our citizens.

**5 Assessment of the planning issues**

**The main considerations are**

1. Whether the changes to the proposed design and layout (including access arrangements) of the Energy from Waste Facility are acceptable in comparison to the approved scheme and in accordance with the development plan and other material considerations
2. Any other issues and/or changes that have arisen in terms of policy and/or physical works since the last application was approved that need to be taken account of e.g. conditions that have been discharged.

Consideration of this Section 73 application should be limited to those issues affected by the proposed changes to the scheme and any consequential changes occurring as a result. This is not an opportunity to go back to first principles and consider whether Energy from Waste scheme is acceptable on this site. This has already been established by the extant planning permission and subsequently through the necessary procurement procedures that resulted in the award of the contract to deliver the EFW scheme to Viridor. The approved scheme has been lawfully commenced on site.

**1. Whether the Changes to the approved design and layout are acceptable**

**Access, parking etc.**

With regard to the changes to access arrangements, the approved scheme contains condition 18 which requires an access only from Fourth Drove and egress only from Fengate. The proposed amendments include vehicular access and egress for HGVs visiting the site from Fourth Drove only. Employees and visitors to the site will not be able to use this access but instead will access via the car park on the adjacent site via Dodson Way. The overall number of vehicles visiting the development will remain the same. The changes would allow HGVs visiting the EfW and the neighbouring site to use the singular access off Fourth Drove which would be widened to facilitate HGVs going in and out at the same time. The proposals also separate out the HGV traffic from car traffic and therefore reduce pedestrian movement (from employees and visitors) in those areas of the site where HGVs will be manoeuvring.

At present, on street parking is permitted on Fourth Drove which is an adopted highway. The Transport Assessment submitted with current application sets out that in line with advice from the

Highway Authority, the on street parking bays on Fourth Drove (between Fengate and the access to the site) will be removed in order to better accommodate two-way HGV traffic movements. The applicant carried out parking demand surveys in Spring/Summer 2013 which show that parking demand is generally at a limited level and that removal of the on street parking would not result in a material impact on the operating conditions along this route.

The provision of a cycle shelter is retained albeit it is relocated within the site to an acceptable and accessible location.

The Highway Authority has raised no objections to the proposals subject to conditions requiring the provision and retention of on-site parking and turning areas and the removal of the on street parking on Fourth Drove prior to the occupation of the development.

Policy CS32 of the Core Strategy requires that waste development proposals are acceptable in terms of sustainable transport, highway network and suitable access to serve the site. Policy CS32(b) states that minerals and waste development will only be permitted where the access and highway network are suitable and CS32(c) states that any highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity. As volume of traffic to the site is not changing it is only the change in access arrangements that is pertinent. It is considered that the proposal is acceptable as it meets the above policy requirements and the Highway Authority raise no objections. Suitable conditions will be imposed to satisfy the Highway Authority requirements.

### **Visual appearance and design**

With regard to the changes in the visual appearance of the layout of the site and the design of the building, overall these changes will be barely noticeable from the scheme as previously approved because the overall building envelope and footprint remains as approved and the position and height of the chimney is the same (albeit a smaller diameter of chimney is proposed). The changes to the building elevations are relatively cosmetic in the context of the scale of the development and will not result in significant changes in visual appearance or affect the amenity of any neighbouring occupiers (no residential). As such the proposal complies with policies MW24 and MW34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy which are concerned with the design of waste management facilities and their impact upon surrounding uses.

### **Impact on Flag Fen Scheduled Monument**

Similarly, as the position and scale of the EFW building are as approved there will be no further impact upon the hydrology of Flag Fen and the approved hydrology strategy will remain as valid. This will be covered via a further unilateral undertaking as it has been previously. English Heritage has not objected and advises that we rely on national and local policies and PCC archaeological advice. PCC's archaeologist does not object subject to the existing hydrological strategy remaining in force. In terms of national policy, Flag Fen as a Scheduled Monument is a heritage asset of the highest significance. With the hydrological strategy in place the proposal may lead at worst to less than substantial harm to the asset but the likelihood is that no harm will be caused. This matter has already been considered and accepted previously and the proposed amendments do not alter this scenario. Therefore the proposal is in accordance with policy CS17 of the Core Strategy and paragraphs 132 and 134 (in particular) of the NPPF.

### **Health and Safety**

The Health and Safety Executive has confirmed that it has no objections to the application with regard to the relationship with the Le Maitre Fireworks Factory to the rear of the site.

### **The Environmental Assessment**

The applicant has provided an addendum to the Environmental Statement submitted previously

which sets out that apart from changes in transport/vehicular access, in all other respects the conclusions of the previous ES remain valid. This is accepted and the changes to the access arrangements have been adequately dealt with.

## **2. Other issues**

### **Discharge of Pre-commencement Conditions**

The permission granted under 12/01409/WCMM was subject to several pre-commencement conditions. These have been discharged with the exception of surface water drainage details. The material submitted with the discharge of condition applications is still relevant and acceptable with regard to the current proposals. The pre-commencement conditions will therefore be amended to require compliance with the already approved material. The matters approved relate to the Construction Management Plan, De-Watering Concept and Monitoring and Mitigation Contingency document, Phase 1 Habitat Survey, Archaeology Written Scheme of Investigation (partially discharged).

At the time of writing this report, the surface drainage scheme for the site remains to be submitted and approved. It has been agreed with the developer in consultation with PCC Drainage Team, that there would be no harm in the works to the building taking place ahead of the drainage scheme being approved but that no other hard surfacing should be laid ahead until the drainage scheme is agreed. It is therefore proposed to amend the drainage condition to reflect this current agreed position.

### **Construction Hours**

The current condition 5 restricts deliveries and construction work to between 07:00 to 19:00 Monday to Saturday. It is considered that for a project of this size, requiring abnormal load deliveries that this is too restrictive. It is proposed to re-word the condition so that if there needs to be an exception to these hours, such as abnormal load delivery, 24 hours' notice shall be given to the local planning authority. There will be minimal risk to residential occupiers given the location of the site.

### **Section 106 Unilateral Undertaking**

The current permission is subject to a unilateral undertaking which required the payment of a contribution to the Padholme Catchment Drainage Scheme and that the developer undertake the Hydrological Monitoring Scheme. The contribution has already been paid therefore if this application is approved it will need to be subject to a legal agreement to cover the Hydrological Monitoring Scheme only.

### **Policy**

The government has recently published its Planning Practice Guidance which is a material consideration in the determination of planning applications. However, there is nothing contained within this guidance that introduces new issues or would affect consideration of the application as set out above.

## **6 Conclusions**

This application seeks to vary several conditions to enable alterations to be made to the access arrangements for the Energy from Waste facility, parking and various layout and design matters, none of which significantly affect the overall appearance of the development as approved. The in principle issues have been previously accepted and the proposed changes do not warrant a re-visit of these issues. The applicant has provided an addendum to accompany the previous Environmental Assessment which adequately covers any changes to the environmental assessment of the scheme as a result of the changes to layout and design. The previous

Environmental Statement with the addendum adequately demonstrate that with mitigation the proposal will not have significant impacts on the environment that would warrant refusal of the proposals. The main area of change is transport due to the alteration in access arrangement. The Highway Authority raises no objection subject to conditions and the proposal accords with policy CS32 of the Core Strategy. In all other respects the proposal complies with the adopted Development Plan policies as set out above and does not conflict with the NPPF or the advice contained in the recently published Planning Practice Guidance. The application is therefore recommended for approval subject to revised conditions and the entering into of a legal agreement in respect of hydrological monitoring.

## 7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the following conditions:

C 1 The development hereby permitted shall be carried out in complete accordance with the following submitted documents and plans:

1033150-00 Version A	Site Location Boundary Drawing
1033150-02 Version H	Proposed Site Layout (EfW)
1033150-11 Version J	Landscape and Fencing
1237 001 Rev C	Proposed South West Building Elevations
1237 002 Rev C	Proposed North East Building Elevations
1237 003 Rev C	Proposed North West Building Elevations
1237 004 Rev C	Proposed South East Building Elevations
1237 009 Rev B	ACC Elevations
1237 011 Rev C	Proposed Site Sections
1237 013 Rev C	Proposed Office Layouts
1237 018 Rev B	Materials Board
1237 036 Rev A	Bicycle and Smokers Shelter
1237 038	Fire Water Tank and Pump House

Environmental Statement and appendices  
 Environmental Statement addendum reports  
 Groundwater Monitoring Strategy - except where amended by provisions of the legal agreement  
 Summary of De-Watering Concept by Project Dewatering Ltd dated 21.08.2013  
 Monitoring and Mitigation Contingency Document by Project Dewatering Ltd emailed by G Scott 02.10.2013  
 Construction Management Plan and plan MA\_11125\_SK001 Rev 2  
 Phase 1 Habitat Survey dated 22.06.2012  
 Archaeology Written Scheme of Investigation by Mouchel dated 14.12.2012  
 Reason: To clarify what is hereby approved

C 2 The development shall be carried out in complete accordance with the submitted details of materials set out on drawing 1237 018 Rev B Materials Board.

Reason: In the interests of good design and the visual appearance of the development in accordance with policies CS2, CS24 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD

C 3 Notwithstanding the details shown on drawing 1033150-14 Version I Indicative Lighting and CCTV, no lighting shall be erected unless in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the location, design and lux levels of each light together with details to minimise light pollution to neighbouring land and the night sky.

Reason: In order to protect surrounding users and wildlife from light pollution in accordance with policies CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD

- C 4 The annual throughput of the Energy from Waste Plant shall not exceed 85,000 tonnes at a Caloric Value of 9,700kj/kg or equivalent.

Reason: The application including the Environmental Statement has been assessed on the basis that this is the maximum throughput per annum. Any changes to this would require submission of revised environmental information regarding the relevant potential effects including on air quality, transport and need in accordance with policies CS2, CS15, CS22, CS23, CS29, CS32, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 5 During construction

Construction works including the delivery of materials and removal of waste materials from the site shall only take place between:

07.00 - 19.00 hours Monday to Saturday

Should there need to be an exception to this (for example due to abnormal load delivery) the developer shall provide the local planning authority with at least 24 hours' notice that such works/deliveries are to take place.

During normal operation

Deliveries to the site shall only take place between:

06.00 - 22.00 hours Monday to Saturday

08.00 - 16.00 Sunday, Bank Holidays and Public Holidays.

Reason: In the interests of the amenity of surrounding/nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 6 The development hereby approved shall not be occupied until the grassed area, vegetated verge and all of the fencing has been provided in accordance with drawing 1033150-11 Version J Landscaping and Fencing. All metal/galvanised fencing shall have a painted finish in green as shown on the approved Materials Board drawing 1237 018 Rev B. All such landscaped areas and fencing shall be retained as such thereafter.

Reason: In the interests of the visual appearance of the development in accordance with policies CS2 and CS24 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 7 With the exception of any acoustic fencing, all new and replacement fencing shall be designed to allow free flow of floodwater to ensure that the floodplain can be utilised during a flood event unless it can be demonstrated that adequate flood plain mitigation is in place.

Reason: In the interest of the visual appearance of the development and to assist with flood mitigation in accordance with policies CS2, CS24 and CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 8 The development hereby permitted shall only be carried out in accordance with the supplementary flood risk information undertaken by Anna Butler (for and on behalf of Atkins Ltd) and dated 5 November 2009. In particular all electrical equipment shall be mounted no lower than 2.7 metres above Ordinance datum and provided with water resilient housing. The applicant shall confirm completion of the approved scheme, in writing, to the Local

Planning Authority within one month of it being so completed. Thereafter no additional electrical equipment shall be installed except in compliance with the recommendations of the above supplementary flood risk information.

Reason: To reduce the impact of flooding on the development in accordance with the provisions of paragraph 103 of the NPPF.

- C 9 If, during development, contamination not previously identified in the risk assessment set out in Chapter 11 of the Environmental Statement, is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained approval in writing by the Local Planning Authority, an addendum to the Method Statement detailing how this unsuspected contamination shall be dealt with. The development, thereafter, shall not proceed except in accordance with the approved addendum Method Statement.

Reason: In order to protect and safeguard the health of future occupiers of the site and surrounding land in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C10 Prior to the development being brought into operation a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include steps to be taken to ensure that noise is minimised from plant and machinery which could include plant modification, enclosures, screening, location and maintenance and monitoring of noise from the facility. The plan shall demonstrate how the noise limit set out below shall be achieved. The noise management plan shall also include a scheme for noise monitoring to be undertaken by the operator in the instance of being requested to do so by the Local Planning Authority if a reasonable complaint is received.

Any assessment of noise levels shall give consideration to low frequencies which, unless suppressed to a low energy level can cause resonant excitation of windows and lightweight building panels at considerable distances.

At all times noise levels emitted from the site shall not exceed 51dB LAeq, 15 minutes as determined at the nearest noise sensitive receptor. The requirement is to be waived for start up periods, the duration of which shall be included in the noise management plan.

In the event of a reasonable complaint, as perceived by the Local Planning Authority, monitoring shall be undertaken in accordance with the agreed scheme contained within the noise management plan including the submission of the results to the Local Planning Authority.

Except where set out in the approved noise management scheme, the development shall be operated at all times in accordance with the approved scheme.

Reason: To protect the amenity of nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C11 Prior to the first occupation of the facility details of the reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Local Planning Authority. The approved reversing alarms shall be utilised on mobile plant for the duration of the development.

Reason: To protect the amenity of nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C12 No development shall take place except in complete accordance with the approved archaeological Written Scheme of Investigation by Mouchel dated 14 December 2012, 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 adopted Peterborough Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

C13 At least 75% by weight of the municipal solid waste and at least 75% by weight of the commercial and industrial waste shall be sourced from the following area:

1. The administrative area of Peterborough City Council
2. The administrative area of Cambridgeshire County Council, and
3. a radius of up to 50km from the site.

Weighbridge records shall be made available to the Local Planning Authority within one week of such a request being made and they shall set out the originating location and type of waste imported to the facility.

Reason: To ensure that the majority of both permitted waste streams is located within a reasonable distance of the development in the interests of sustainability in accordance with policies CS2, CS15 and CS29 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C14 The building shall not be brought into use until the approved cycle shelter and pedestrian routes have been constructed in accordance with drawing 1033150-02 Revision H Proposed Site Layout Plan (EfW) and drawing 1237 036 Revision A, the approved Bicycle and Smokers Shelter Plan. The cycle shelter shall be retained as such thereafter.

Reason: In the interests of promoting sustainable journeys to work in accordance with policy CS14 of Peterborough Core Strategy DPD.

C15 The building shall not be brought into use until

(1) a 2 metre wide footway along the eastern side of Fengate from Dodson Way to Fourth Drove, including pedestrian crossing points has been constructed

(2) Parking for 19 cars (to include 2 disabled spaces) within the car park to the front of Dodson House have been provided together with adequate alternative parking to serve the employees and visitors to Dodson House

(3) The access/egress to Fourth Drove has been provided/constructed (shown on the site layout (EfW) drawing 1033150-02 Revision H), and

(4) On street parking on Fourth Drove between the site access and Fengate has been removed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include measures to ensure that at least 19 parking spaces are permanently available within the car park to the front of Dodson House for use of employees and visitors to the EfW facility. The development shall only be brought into use and continue to operate in accordance with the approved details/scheme.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C16 The development shall not be carried out except in complete accordance with the approved Construction Management Plan and accompanying drawing MA\_11125\_SK001 Revision 2.

Reason: In the interests of highway safety and waste minimisation in accordance with policies CS28 and CS 32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C17 Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system shall be sealed with no discharge to any watercourse, land or underground strata. Any associated pipe work shall be located above ground and protected from accidental

damage. All filling points and tank overflow pipe outlets shall be detailed to discharge into the bund.

Reason: To prevent pollution of ground and surface water in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C18 Prior to the permanent surfacing of any hardstanding or parking areas, details of the proposed surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in accordance with the approved scheme.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies, with an overall capacity compatible with the site being drained.

The applicant shall ensure that any existing oil interceptors at the site have sufficient capacity to operate effectively when taking into account any additional discharge of surface water from the proposed development. No contaminated runoff shall be discharged to the surface water drainage system.

Reason: To prevent pollution of ground and surface water in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C19 Details of the means of operation of the unmanned weighbridge shall be submitted to and approved in writing by the Local Planning Authority prior to any waste being received. The unmanned weighbridge shall not be operated except in accordance with the approved details.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C20 The development shall not take place except in complete accordance with the Summary of De-Watering Concept by Project Dewatering Ltd dated 21 August 2013 and the Monitoring and Mitigation Contingency document by Project Dewatering Ltd (emailed by G Scott on 2 October 2013) unless amended under the provisions of the legal agreement.

Reason: In the interests of the preservation of the archaeological remains present within Flag Fen Schedule Monument in accordance with policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the provisions of the NPPF.

- C21 Prior to the decommissioning of the facility hereby permitted a scheme, including a timetable for the demolition of the buildings and plant and decommissioning of the land shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning shall take place only in accordance with the approved scheme.

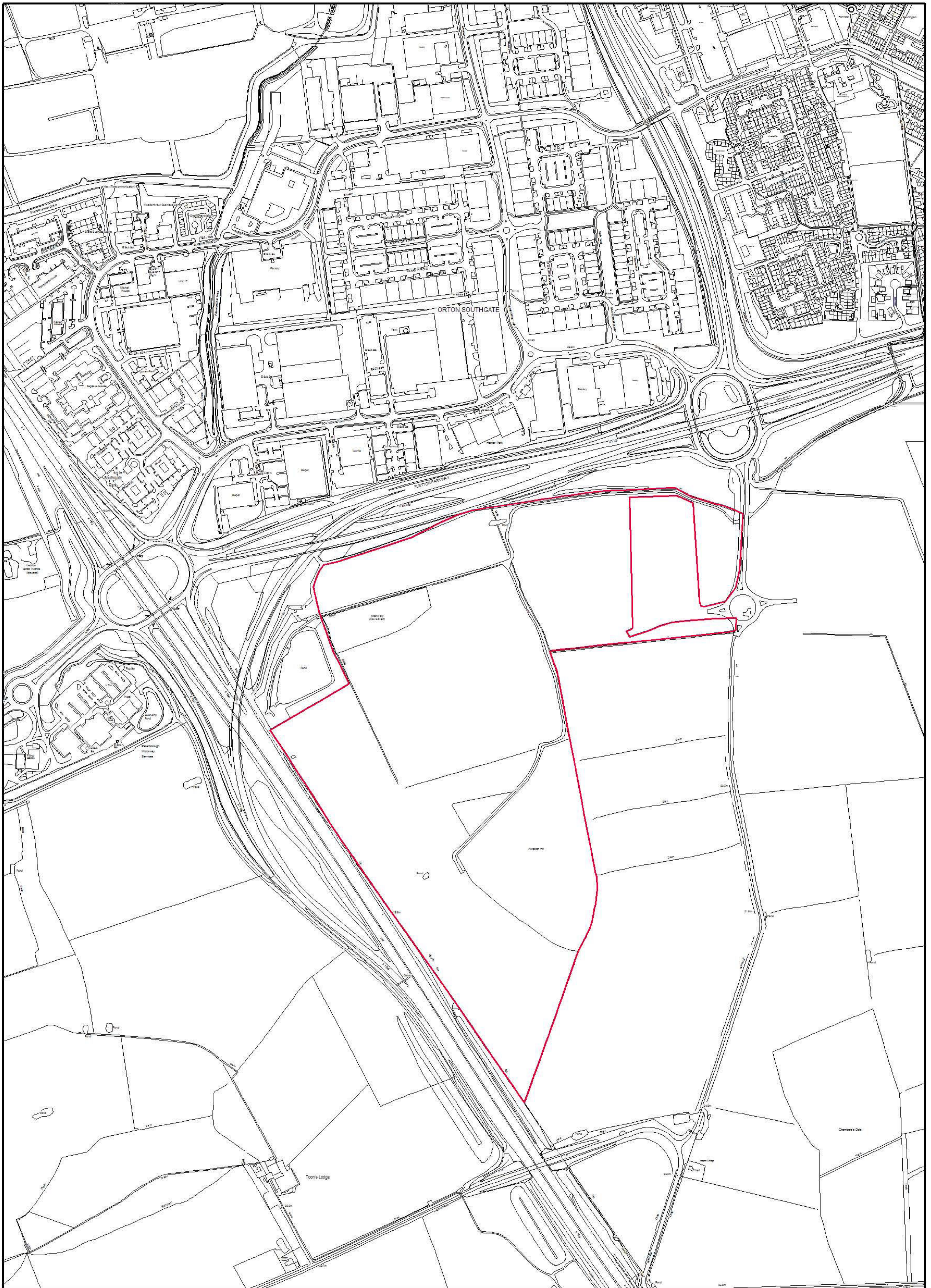
Reason: In order to reduce the risk of pollution, impact on surrounding occupiers and to remediate the land so that it is capable of being reused in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and as set out in the core planning principles of the NPPF.

- C22 The development shall not take place except in accordance with the updated Phase 1 Habitat Survey by Mouchel dated 22 June 2012 specifically implementation of the recommendations contained within Section 4.5 of this report.

Reason: In the interests of the protection of wildlife in accordance with policy CS21 of the Peterborough Core Strategy.

Copies to Councillors N Shabbir, M Todd, J Johnson





**LOCATION PLAN 14/00072/OUT**

Land At Alwalton Hill East Of The A1 And South Of Fletton Parkway Peterborough

Scale NTS      Date 9/4/2014      Name LG      Department Planning Services

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**PCC GIS**





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**Application Ref:** 14/00072/OUT

**Proposal:** Development of warehousing and distribution (B8) units with ancillary office space with a maximum total floorspace of 168,958 sq metres, together with access roads, parking, service areas, utility infrastructure, and landscaping

**Site:** Land at Alwalton Hill East of the A1 and South Of Fletton Parkway, Peterborough

**Applicant:** Mr M Eckersall  
Roxhill (Peterborough) Ltd

**Agent:** Mr David Shaw

**Site visit:** 26.03.2014

**Case officer:** Miss V Hurrell  
**Telephone No.** 01733 453480  
**E-Mail:** victoria.hurrell@peterborough.gov.uk

**Recommendation:** That the proposed increase in building height be approved and the Director of Growth and Regeneration be given authority to grant planning permission subject to the signing of the S106 and necessary conditions, subject to satisfactory assessment of the Environmental Statement.

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

**The Site and Surroundings**

The application site which is some 46.30 hectares in size is located at the south western edge of the district. It is allocated for employment development in the adopted Site Allocations DPD (policy SA9 refers).

There is also an extant outline planning permission for the development of warehousing and distribution units (B8 uses) up to a maximum of 172 000 square metres, with ancillary office space, access roads, car parking, service yards, new woodland and landscaping planting

Access into the site is from junction 1 of the Fletton Parkway via the Great Haddon employment area which lies to the east/south east and which has consent for 65 hectares of employment land comprising a mix of B1 (office and light industry), B2 (general industry) and B8 (warehousing and distribution) uses.

One warehouse unit, known as the Geo Post development (application reference 13/00144/FUL) has recently been completed and this area is excluded from the application. The site includes the Alwalton Hill woodland and a couple of wildlife ponds which have been constructed as part of the extant planning permission along with some new landscaping in the southern corner. The remainder of the site is currently still in agricultural use.

Further to the east, beyond the Great Haddon Employment Area is Orton Pit a site of international ecological importance for its populations of Great Crested Newts and Stoneworts. Beyond Orton Pit is the township of Hampton.

To the north of the site is the Fletton Parkway beyond which is the township of Orton including the industrial area of Orton Southgate. To the west is the A1(M) with an associated attenuation pond in

the north west corner adjacent to junction 17. On the other side of the A1(M) is the village of Haddon. To the north west are the villages of Alwalton and Chesterton.

To the south of the site and the Great Haddon employment area are a number of existing residential properties along the Old Great North Road and the proposed Great Haddon residential area where an urban extension comprising up to 5350 homes with associated facilities including a new district centre and schools is proposed. The settlement of Norman Cross lies beyond the Great Haddon core area along with a Scheduled Ancient Monument. The village of Yaxley lies to the south east of the A15. The villages of Stilton and Folksworth are located to the south west on the western side of the A1(M) (accessed from junction 16).

The surrounding residential areas of Hampton and Orton, the existing properties on the Old Great North Road and the proposed Great Haddon core area lie within the Peterborough Unitary area. The other villages referred to (Haddon, Stilton, Folksworth, Alwalton, Chesterton and Yaxley) lie within the area administered by Huntingdonshire District Council.

### **The Proposal**

As indicated above this site has an extant outline planning permission for up to 172 000 square metres floorspace for B8 uses (warehousing/distribution) with ancillary offices (application reference 06/00346/OUT). Approval was then given for a detailed layout (under application 09/00725/REM) which was speculative. Although this permission could be implemented the applicant has not done so as the consented unit sizes do not meet the current industry standards (please see further comments under section 5 below).

The timescale for the submission of detailed applications was controlled by the original outline permission and this time period has now expired. The applicant cannot therefore apply for an alternative site layout under the existing permission (although as indicated they could build out the consented scheme). The unit which has been constructed (Geo Post) was approved under a separate full application for this reason.

In order to meet the demands of the market the applicant has chosen to submit a new outline planning application with all matters reserved for detailed consideration at a later date. The amount of floorspace being applied for is the same as the original permission minus the area which has already been built out (so 168 958 square metres).

The original outline permission limited the building heights to no more than 14.8 metres. This application seeks to increase the consented building heights to 20 metres (except within zone 1 where the maximum height would remain at 15 metres) again to allow for greater market flexibility, based upon the industry standards, and to avoid the need to make further full applications if an occupier wants to construct a building with a maximum height of 16 or 17 metres. Building heights were only limited under the original consent to 14.8 metres as this was the height assessed in the supporting Environmental Statement.

As with the previous scheme the application also seeks consent for associated access roads, parking, servicing areas, utility infrastructure and landscaping.

The original application was accompanied by an Environmental Statement. An updated addendum to this has been prepared in support of this application.

### **Recommendation**

As indicated, the only substantive change to this application is the increase in the building height and it is the only issue that has generated any concerns from either statutory consultees or members of the public. As such the Planning and Environmental Protection Committee is being asked to consider whether the proposed increase in building height is acceptable with authority being delegated to the Director of Growth and Regeneration to grant planning permission subject to officers finalising their assessment of the other technical matters (to which there are no objections in principle), to draft conditions and to complete a S106 Agreement. The applicant is in

the process of submitting revised information in a format which is compliant with the Environmental Impact Assessment Regulations.

This approach is being taken given the Committee timings over the election period so that the applicant can know at this early stage whether the principle of increased building heights is acceptable. Officers will then be able to progress the application in line with Committee's decision without undue delay in order that the applicant can continue to promote the site and to liaise with potential occupiers.

## 2 Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
06/00346/OUT	Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Permitted	08/09/2006
09/00725/REM	Details of siting, design and external appearance of the warehouse buildings (5 individual units with maximum of 172,000 sq metres floor space) with ancillary offices, car parking and service yards and the landscaping of the site including strategic landscaping, new woodland lakes and ponds the provision of public art (Reserved Matters to application 06/00346/OUT)	Permitted	16/10/2009
11/00966/NONMAT	Non Material amendment to planning application 06/00346/OUT - Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Comments	12/07/2011
11/00967/NONMAT	Non Material amendment to planning application 09/00725/REM - Details of siting, design and external appearance of the warehouse buildings (5 individual units with maximum of 172,000 sq metres floor space) with ancillary offices, car parking and service yards and the landscaping of the site including strategic landscaping, new woodland lakes and ponds the provision of public art (Reserved Matters to application 06/00346/OUT)	Comments	11/07/2011
11/01251/DISCHG	Discharge of conditions 13 (Ecological management strategy), 15 (Approved protection scheme), 16 (Tree felling/pruning specification ), 17 (Arboricultural method statement ), 18 (Landscaping) of Planning Permission (06/00346/OUT) Development of warehouse and distribution units ( max of 5 individual units with a max of 172,000 sq	Determined	26/09/2011

	metres floorspace) with ancillary office space together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding		
11/01252/DISCHG	Discharge of conditions C2 (Woodland Management Plan) C3 ( Ponds) and C4 (Badger Tunnels) of planning permission 09/00725/REM - Details of siting, design and external appearance of the warehouse buildings (5 individual units with maximum of 172,000 sq metres floor space) with ancillary offices, car parking and service yards and the landscaping of the site including strategic landscaping, new woodland lakes and ponds the provision of public art (Reserved Matters to application 06/00346/OUT)	Determined	22/12/2011
11/01350/DISCHG	Discharge of condition 8(construction management plan) of planning permission 06/00346/OUT - Development of warehouse and distribution units ( max of 5 individual units with a max of 172,000 sq metres floorspace) with ancillary office space together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Determined	30/09/2011
11/01478/DISCHG	Discharge of condition C7 (flood risk/drainage) of planning permission 06/00346/OUT - Development of warehouse and distribution units ( max of 5 individual units with a max of 172,000 sq metres floorspace) with ancillary office space together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Determined	30/10/2012
11/01888/NONMAT	Non-material amendment to planning permission 06/00346/OUT - Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Comments	01/12/2011
11/02048/DISCHG	Discharge of Conditions C18 (landscaping objectives and management), C26 (details of access roads/junctions) and C27 (scheme for tying in proposed access road with public highway) of planning permission 06/00346/OUT - (Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car	Determined	14/05/2012



12/00268/DISCHG	parking, service yards, new woodland, landscaping, lake, ponds and screen bunding) Discharge of C12 (Off site highways works) of planning permission 06/00346/OUT- (Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding)	Determined	11/04/2012
12/00830/NONMAT	Non-material amendment to planning permission 06/00346/OUT dated 08/09/2006 (Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding) - to change the approved master plan 7640-P001 Rev E, as stated in the non-material amendment, to a revised master plan 1204/11/PL06	Comments	13/06/2012
12/01007/DISCHG	Discharge of Condition C10 (A1M improvements) of planning permission 06/00346/OUT - Development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screen bunding	Determined	07/09/2012
13/00440/FUL	Construction of B8 Distribution Unit with ancillary offices, parking, servicing areas and landscaping, together with access road and temporary drainage	Permitted	09/07/2013

In addition to the above, a number of applications on the adjacent Great Haddon employment area are also of relevance in the determination of this application. As indicated under Section 1 there is an existing outline planning permission for employment development at Great Haddon (reference 09/01368/OUT). This limited building heights to 15m with 17m allowed on plot E7 at the south. Subsequent to this a number of detailed applications have been made including for the new access road which serves Alwalton Hill, drainage infrastructure and landscaping. An application was made in 2012 to increase the building height on plot E2.1 to allow a building of up to 35 metres in order to meet the requirements of a specific occupier, Yearsleys (application reference 12/01334/WCPP). There was no change to the consented building heights on the other plots. Following further assessment of the transport impacts approval was also given for a change in timings to the works to junction 17 of the A1(M) and junction 1 of the Fletton Parkway to allow a specified number of vehicle trips during the peak before the improvements are carried out (application reference 13/01118/WCPP).

### **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 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 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 - Light Pollution**

Lighting should be designed to limit pollution on local amenity, intrinsically dark landscapes and areas of nature conservation.

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

#### **CS03 - Spatial Strategy for the Location of Employment Development**

Provision will be made for between 213 and 243 hectares of employment land from April 2007 to March 2026 in accordance with the broad distribution set out in the policy.

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

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

#### **CS12 - Infrastructure**

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

#### **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.

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

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

#### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

#### **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 Site Allocations DPD (2012)**

#### **SA09 - Urban Extensions**

Identifies sites for B1, B2 and B8 employment uses in accordance with Core Strategy policy CS3.

### **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, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

### **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.

### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

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

### **Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:**

Requests for planning obligations whether CIL is in place or not, are only 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**

### **Internal Consultations**

#### **Landscape Architect (Enterprise) (02.03.14)**

No objections to the proposal, agrees with the conclusion of the Visual Assessment that the impact on landscape character would be negligible and that significant change to the visual impact would only be from one limited part of the public footpath.

#### **Landscape Officer (10.03.14)**

No objections in principle.

#### **Conservation Officer (05.03.14)**

No objections. From the supporting information there would not appear to be any adverse impact upon heritage assets.

#### **Wildlife Officer (06.03.14)**

No objection subject to a condition requiring the submission and approval of an updated Ecological Management Strategy which sets out all ecological mitigation measures, management and monitoring details.

#### **Section 106 Major Group**

S106 should be secured in line with the original permission.

#### **Transport & Engineering Services (25.02.14)**

No objections subject to conditions in respect of improvement works to junction 17 of the A1(M) and junction 1 of the Fletton Parkway. A framework Travel Plan should be submitted. This should be similar to the Travel Plan for the Great Haddon employment area as the same issues will be shared by both sites. There would be an advantage in the two sites being considered together in terms of things like bus travel.

#### **Pollution Team**

No comments received

#### **Archaeological Officer (26.02.14)**

No objections subject to a condition requiring further archaeological assessment of the sensitive areas of the site previously identified.

#### **Drainage Team (04.03.14)**

No objections subject to the submission and approval of details design. Have some comments over certain aspects of the proposal and the potential for future applications.

#### **Minerals and Waste Officer (Policy) (19.02.14)**

No objections. A substantial area of the site lies within the Waste Consultation Area associated with the west of Peterborough site W1AE. It is recommended that future occupiers are notified of this potential use of the neighbouring site.

#### **Rights of Way Officer**

No comments received

#### **Planning Policy & Research**

No comments received

#### **Waste Management (14.02.14)**

No comments

#### **Neighbourhood Management - Cate Harding**

No comments received

**Passenger Transport**

No comments received

***External Consultees***

**GeoPeterborough (Designated Sites) (13.02.14)**

Would request that the opportunity is made for GeoPeterborough to sample and record the underlying sediments which lie within and adjacent to the RIGS areas as development takes place.

**Peterborough Local Access Forum**

No comments received

**The Open Spaces Society**

No comments received

**Ramblers (Central Office)**

No comments received

**Highways Agency - Zones 6, 8 & 13 (12.03.14)**

No objections subject to the imposition of a condition re the timing of the works to Junction 17 and the imposition of traffic counters on the road into the site.

**National Planning Casework Unit**

No comments received

**English Heritage (27.02.14)**

Does not wish to offer any advice on this application. It should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

**Environment Agency (10.03.14)**

No objections subject to the imposition of a condition stating that no development shall take place until a surface water drainage scheme for the site based upon the principles in the submitted Surface Water Management Strategy has been agreed.

**Natural England - Consultation Service (04.03.14)**

No objections. Satisfied with the conclusion of the revised ES that the current proposal including increased building heights will not have an adverse effect on Orton Pit SSSI/SAC or on other habitats and species taking into account the proposed mitigation and enhancement measures. The applicant should be required to submit revised Ecological Management Strategy to detail all the ecological mitigation measures to be implemented as part of the revised proposal.

**Opportunity Peterborough**

No comments received

**Cambridgeshire Bat Group**

No comments received

**Campaign To Protect Rural England**

No comments received

**Farcet Parish Council**

No comments received

**Anglian Water Services Ltd (06.03.14)**

No objections in principle. Request a condition requiring the submission and approval of a details drainage strategy.

**The Wildlife Trusts (Cambridgeshire)**

No comments received

**British Telecom**

No comments received

**Fire Community Risk Management Group (10.03.14)**

Ask that adequate provision be made for fire hydrants by way of a condition or S106 Agreement.

**Cambridgeshire County Council**

No comments received

**Middle Level Commissioners (25.02.04)**

No comments

**Sport England (13.02.14)**

No comments.

**Yaxley Parish Council**

No comments received

**Orton Waterville Parish Council (20.02.14)**

No comments.

**Councillor N North**

No comments received

**Councillor D Seaton**

No comments received

**Councillor S Scott**

No comments received

**Councillor P Hiller**

No comments received

**Greater Peterborough Partnership**

No comments received

**Hampton Parish Council (26.03.14)**

Object to the application. The Parish Council is concerned that the request for 20m buildings is outside the Peterborough City Council Planning Guidance which refer to a maximum height of 15m as cited in the original application approved in 2006. The only completed building Geo Post blends well with the surroundings. 15m was also agreed for the remaining buildings when the City Council approved the cold store building.

**Huntingdon District Council**

No comments received

**Peterborough Environment City Trust**

No comments received

**Ramblers (Central Office)**

No comments received

**RSPB (Eastern England)**

No comments received

**Police Architectural Liaison Officer (19.02.04)**

No concerns in respect of the proposal.

**Sustrans**

No comments received

**Building Control Surveyor**

No comments received

**Alwalton Parish Council**

No comments received

**Haddon Parish Council**

No comments received

***Local Residents/Interested Parties***

Initial consultations: 1396

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

Three letters from individuals have been received in relation to this application. These raise the following issues/objections:-

\* The buildings should not be any higher than 15m

\* There is insufficient justification for the increase in building height. The fact is that the history of this development shows that it is unlikely to be completed in the foreseeable future. What is happening is that land is being 'cherry picked' in an attempt to develop those parts with the best vehicle access thus salvaging something from failure. The increase in building height means these buildings will dominate the formerly pleasant countryside for miles around. Meanwhile public money has been wasted on road 'improvements' to facilitate development. Residents are faced with years of uncertainty and disruption.

\* Concerns about the impact of the proposed work on junction 1 to traffic turning into and out of Orton Southgate. Suggest a filter lane is added from the A1139 Orton Parkway onto the ramp on to the eastbound A1139. If this is not possible then as a minimum the proposed traffic light solution should be extended to help alleviate this issue.

A letter of objection has been received from the Norman Cross Action Group objecting to the increase in building height. It considers that the existing Geo Post building blends very well with its surroundings and that therefore the decision to limit the building heights to 15m was sound.

The Civic Society has commented that illustrative material does not significantly increase the visual prominence of the proposal. However, it considers that two important viewpoints, arguably the most important, have not been illustrated. These are the view from the north boundary carriageway of the A1(M) and from the exit slip road off Fletton Parkway. This should also take into account the widened Parkway.

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

As set out under section 1 the site is allocated for employment development in the adopted Site



Allocations DPD (reference SA 9.5 and SA12). In addition there is an extant planning permission for B8 development (with ancillary office development) on this site which could be implemented in its entirety. No additional floorspace is proposed from that originally granted approval and this application takes into account that which has already been built out. As such the principle of development is acceptable.

The only substantive change to the scheme is the increase in buildings heights from 14.8 metres to 20 metres with the exception of zone 1 where building heights will remain at 15 metres.

### **Why an Increase in Building Height?**

The applicant is seeking to increase the building height in view of the industry standards for distribution units of this nature which require certain building heights depending upon the building footprint in order to make them as operationally efficient as possible.

The original scheme was purely speculative and since permission was granted nearly 8 years ago the commercially accepted requirement on warehousing heights has changed significantly. This change is predominately due to improvements in materials handling equipment allowing items to be moved and stacked at greater heights from ground levels. This updated technology has been adopted by the main stream occupiers of warehouses in the UK.

As such, there is now an acceptance within the industry that modern warehouses will be built to a height to create greater volume, and so capacity, allowing an occupier to maximise the asset they are operating from. The applicant has advised that companies will be extremely reluctant to occupy a new building which is built to a lower height, in the same way they would be reluctant to invest in any other technology or asset which is based on a design that has been superseded. The institutions that fund many of these buildings also now require increased height to ensure that their investments are financially sustainable over time.

The applicant has, however, advised that the request for a maximum 20m building height does not imply that all the buildings which are eventually constructed at Gateway Peterborough will be built to this level; however the flexibility to provide this height will allow Peterborough to remain at the forefront of the UK as a modern, business friendly location. It will also ensure the City maximises the use of its employment allocated development land, targeting 'best in class' buildings rather than promoting secondary buildings that risk making Peterborough a secondary location for this industry.

The applicant has provided examples of buildings under construction or having been completed in the last 18 months, in locations similar to Peterborough, alongside the height of the building and the occupier, to demonstrate the importance of this issue. This illustrates that the height tends to increase with the floorspace size of the building. The building sizes are comparable to those which would be accommodated on the application site, even the largest although this would take up a substantial part of it.

<b>LOCATION</b>	<b>SIZE</b>	<b>OCCUPIER</b>	<b>BUILDING HEIGHT</b>
Aylesford, Maidstone	110,000 sq ft	Kent County Council	15.2m
Brackmills, Northampton	110,000 sq ft	Speculative Unit	16m
Warth Park, Raunds	130,000 sq ft	Airwair	16m
Central Park, Bristol	175,000 sq ft	Farmfoods	16.7m
Gateway Rugby	235,000 sq ft	H&M	16m
Magna Park, Milton Keynes	300,000 sq ft	AG Barr	19.8m
Elizabeth Way, Harlow	350,000 sq ft	Poundland	19m
Magna Park, Milton Keynes	675,000 sq ft	John Lewis	18.8m

The applicant has advised that if a potential occupier cannot get the additional height they will either have to look at a bigger footprint resulting in less efficient use of land or more likely at

alternative sites outside of Peterborough where the planning permission allows for a higher building. This is reflected in the high levels of vacancy of low rise warehouse buildings in other parts of the city.

### **Recommendation to Committee**

As the increase in building height is the only aspect of the proposal to which any objection has been received it is the only matter which members of the Planning and Environmental Protection Committee are being asked to consider with authority being delegated to the Director of Growth and Regeneration to issue planning permission subject to satisfactory compliance with the Environmental Impact Assessment Regulations (there are no objections from any statutory consultees including the Highways Agency, Natural England and the Environmental Agency), drafting of conditions and the signing of the 106 Agreement. This will be based upon the original Agreement (given there is no change in the amount of floorspace being provided) and cover matters such the Travel Plan, a bus service for employees and contributions toward green infrastructure improvements.

This approach is recommended given the timing of the submission of the application in relation to the election period and the fact that it would be unreasonable for the applicant to have to wait a number of months for a decision on this key aspect of the scheme which will impact how they market the site and the discussions which can take place with interested parties in the interim period. Delegation to officers on these other aspects will allow the application to be progressed and determined during this interim period in line with Committee's decision on the building heights.

### **Visual Impacts of the Proposal**

The original outline application for development at Alwalton Hill was accompanied by a Landscape and Visual Assessment as part of the Environmental Statement. This assessed the landscape/visual impacts and put forward landscaping mitigation including additional woodland planting and a 15m landscaping buffer adjacent to the A1(M). The Officer's report to the Planning and Environmental Protection Committee acknowledged that the proposal would result in a significant visual impact notably from the A1(M), Fletton Parkway and the high land to the west (the A605) as the character of the site would be transformed. The visual impacts (with the proposed mitigation measures) were, however, accepted in view of the wider economic benefits of the scheme.

An updated Landscape and Visual Assessment has been submitted in support of this application. This Assessment considers any changes to the baseline environment within and surrounding the site since 2006, the significance of any effects on the character of the surrounding landscaping from the proposed increase in the maximum building height parameters and the significance of the visual effects resulting from the proposed increase in the building height parameters compared to the currently approved building heights.

As this is an outline application building locations are not fixed at this stage. The assessment is, therefore, based on the overall development area available and the building heights. Certain building footprints have, however, been assumed for the purpose of the wire frames, being the most likely layout of the site based upon the maximum building footprint specified in the parameters plan (335 metres by 170 metres). In addition the assessment assumes finished floor levels (based upon drawing number P02 Rev A) which involve cut and fill within the site to create level plateaux for the buildings.

Although the wire frames assume a certain building layout the conclusions of the assessment are based upon the overall quantum of development and would allow alternative building layouts without the need for further assessment (provided they remain within the extents and maximum parameters indicated on the parameters plan). The application still includes planting adjacent to the A1(M) and additional woodland planting. Whilst this is unlikely to screen the buildings in their entirety it will screen lower elements and help soften the impacts.

Since this original application was approved Alwalton Hill has become an allocated employment site and additional employment development has been consented at Great Haddon (which is also an allocated employment site) including a 35 metre high building on plot E2.1. As such it has been accepted that the character of this part of the city is to change completely. With the approval of the Great Haddon development the context within which the proposal has to be considered has changed significantly.

Within the site the only notable change since 2006 which is of relevance to the visual assessment is the removal of plantation woodland within the northern area of the site known as Milton Folly. Removal of this vegetation was in accordance with the original outline permission and it was not taken into consideration when the visual assessments were prepared. In addition, one or two individual trees have been removed but these were not significant in terms of the landscape character of the site.

The site is not within or adjacent any areas of best landscape.

#### *Visibility of Increased Building Heights*

A plan has been prepared which shows the zone of the theoretical visibility of the original building heights with the current proposal, factoring in the consented buildings within the Great Haddon employment area. The only notable new area of visibility would be from the south east although from this location the increased building heights would be seen beyond the consented Great Haddon buildings which are closer through gaps or as roofs above them. The views from these locations would, therefore, remain unchanged from the consented developments.

Another new area of potential visibility is indicated as being 5km from the site to the south west (south of Stockhill Lodge). However from here the buildings, if seen at all, would be seen as distant roof tops with the buildings within the Great Haddon employment area closer.

In light of this the assessment concludes that the proposal would not give rise to any increased effects on the landscape character and the effects of the increased height are assessed as negligible. This conclusion is accepted by Officers.

#### *Impact to the East (Hampton)*

The Visual Assessment considers the impact of the proposal on Hampton to the east. From this direction the Alwalton Hill buildings lie beyond Great Haddon which is itself some 700m away beyond Orton Pit. The assessment concludes that the impact of the proposal would be negligible. In light of the juxtaposition of the buildings and the separation distance this conclusion is supported by Officers. It is not, therefore, considered that the application could be resisted on this basis.

#### *The Impact to the South (the Old Great North Road, the Great Haddon Core Area, and beyond)*

The Visual Assessment includes a view point from along the Old Great North Road. Given the location of the site and the presence of the Great Haddon buildings which will be in front, the assessment concludes that overall visibility of the Alwalton Hill buildings will not change and the impact is therefore negligible. Officers are in agreement with this conclusion.

The potential impact upon Norman Cross Scheduled Ancient Monument has been considered. The assessment shows that from this viewpoint the proposed increase in building height would be barely noticeable and that the buildings would remain largely screened behind the consented Great Haddon buildings. English Heritage has been consulted on the application and raised no objection advising that the application should be determined on the basis of local conservation advice. The Council's Conservation Officer has reviewed the proposal and raised no objection. As such the impact upon the Scheduled Ancient Monument and its setting is considered to be acceptable.

In view of the separation distance and the presence of the Great Haddon urban extension between them neither is it considered that the proposal would have any adverse impact upon Yaxley including its heritage assets.

It is not, therefore, considered that the proposal would have any significant adverse impact upon the area to the south of the site.

#### *Impact to the West*

As with the earlier applications the potential impact of this development from the west is of the greatest significance. However, in light of the previous applications and allocation of both Alwalton Hill and Great Haddon for employment uses the change in character of the landscape has already been accepted in principle.

The Visual Assessment considers the impact from the higher land of the A605 and concludes that the effect arising from the taller buildings is the same as the consented scheme. In either case there is a view looking down onto a number of large commercial buildings and the assessment concludes that the impact of the proposal is therefore negligible. Officers are in agreement with this conclusion and do not consider that the application could be resisted on this basis.

The Assessment includes a view point from Haddon village. Taller buildings would be more visible than the consented scheme but the impact is assessed as being negligible. Whilst the buildings would be slightly more visible, in view of the separation distances (approximately 400 metres to the nearest house and approximately 1km to the village itself) and the presence of the A1(M) which forms a physical barrier, it is not considered that the impact would be unacceptable.

The Assessment also includes a viewpoint from Morborne. Taller buildings would be slightly more visible but the assessment concludes that in light of the distance to the application site (in the region of three kms) there would be no material impact. This conclusion is accepted by Officers.

#### *Impact to the North*

The Visual Assessment looks at the potential impact of the development from the Oundle Road Bridge/Junction 18 of the A1(M) nearer the village of Chesterton. This shows some visibility of the new buildings and the consented scheme at Great Haddon. The assessment concludes that the impact of the increased building heights would be of low significance. This conclusion is accepted by Officers.

The Assessment also looks at the potential impact from the bridleway leading to Orton Goldhay. It concludes that the increase in building height will not be discernable given that the buildings would be seen beyond the Great Haddon development. As such the assessment concludes that the impact is negligible. Officers are in agreement with this conclusion.

Orton lies on the other side of the Fletton Parkway and Alwalton Hill is adjacent to a commercial area. It is not therefore considered that the increased building height would have any unacceptable adverse visual impact on this area.

It is not therefore considered that there would be any unacceptable impact to the north.

#### *Conclusions*

The Visual Assessment concludes that overall the proposed increase in building heights would not give rise to any significant increase in overall visibility of the development within the surrounding landscape.

The increased building heights would result in them being more visible from some viewpoints than the consented scheme although the assessment concludes that the impact is generally negligible. The view point where the increase would be most noticeable is from the A605. However, the consented development and the consented Great Haddon buildings will already be visible and the

increase in building heights would not significantly alter the view which will also be softened in the future by the landscaping.

The Visual Assessment has been reviewed by the Council's Landscape Architect who is in agreement with its conclusions and who has raised no objections. No objections have been received from English Heritage in relation to the impact on Norman Cross Scheduled Ancient Monument or the Council's Conservation Officer.

Whilst it is acknowledged that the increase in building heights will have some impacts Officers are in agreement with the conclusions of the Visual Assessment and do not consider that the proposal is unacceptable, particularly in light of the potential economic benefits which the increase in building heights would bring in terms of the marketability of the site and the ability of the developer to attract potential investors.

#### *Response to the Objections*

Two letters of public representation have been received objecting to the increased building heights along with letters from the Norman Cross Action Group and the Hampton Parish Council. These have set out that an increase in height would be contrary to the Council's Planning Guidance when the original application was approved. The only reason that the original application capped the building heights at 14.8 metres was because that was the height which the Environmental Statement was prepared on the basis of therefore it was appropriate to do so. Had the application been submitted on the basis of 20 metre buildings in the first place and found to be acceptable then this is the height limit which would have been conditioned.

The comments about the development not being completed in the future and sites being 'cherry picked' are noted. However development of this scale does take time to build out and is dependent upon the market which has been difficult for the last few years. It is the role of the planning system to ensure that sufficient land is available with the appropriate consents in place as and when the demand does arise. Investment in infrastructure is part of this. As indicated above the current application would allow greater flexibility to the applicant in promoting the site.

The Peterborough Civic Society has not raised any objection to the application but have commented that two additional illustrative viewpoints should be provided in terms of the view northbound on the A1(M) and leaving Peterborough via the Fletton Parkway. Whilst these comments are noted these additional viewpoints are not considered necessary to determine the application. Whilst the site is visible from the A1(M) travelling north drivers are doing so at speed and have only glances of the site. As such it is not considered that they will be able to discern the increase in building height. The situation is similar in respect of Fletton Parkway, drivers will be travelling at speed with glimpses of the buildings, as happens at the moment in respect of the existing commercial development at Orton Southgate. There will also still be a reasonable separation distance with the Parkway of some 20 metres minimum to the edge of the site (the separation distance to any building is likely to be greater given the need for circulation space around it) and drivers will be looking down into it. As such it is not considered that the increase in building height would have any unacceptable impact from these viewpoints.

#### *Conditions*

If members are minded to approve the increase in building height it is recommended that authority be delegated to the Director of Growth and Regeneration to write suitably worded conditions to control the maximum building heights based upon the finished floor levels indicated.

#### *Ecological/Landscape Implications of the Increased Building Height*

The increase in building height on the Alwalton Woodland and ecological features within the site and adjacent to it has been assessed as part of this application.

It is not considered that there would be any unacceptable impact on the retained woodland and new woodland planting will be secured as part of the scheme. The Council's Landscape Officer has raised no objections.

Given the separation distance with Orton Pit it is not considered that the increased in building height would result in any additional shading beyond that which has been accepted as part of the Great Haddon development. Natural England has raised no objections to the proposal.

Neither is it considered that the proposal would have any unacceptable adverse impact upon existing newt ponds within the site. Ecological mitigation measures will be secured as part of the proposal as they were with the original application. No objections have therefore been received from the Council's Wildlife Officer.

## **6 Conclusions**

Subject to the imposition of conditions and the signing of a S106 Agreement, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

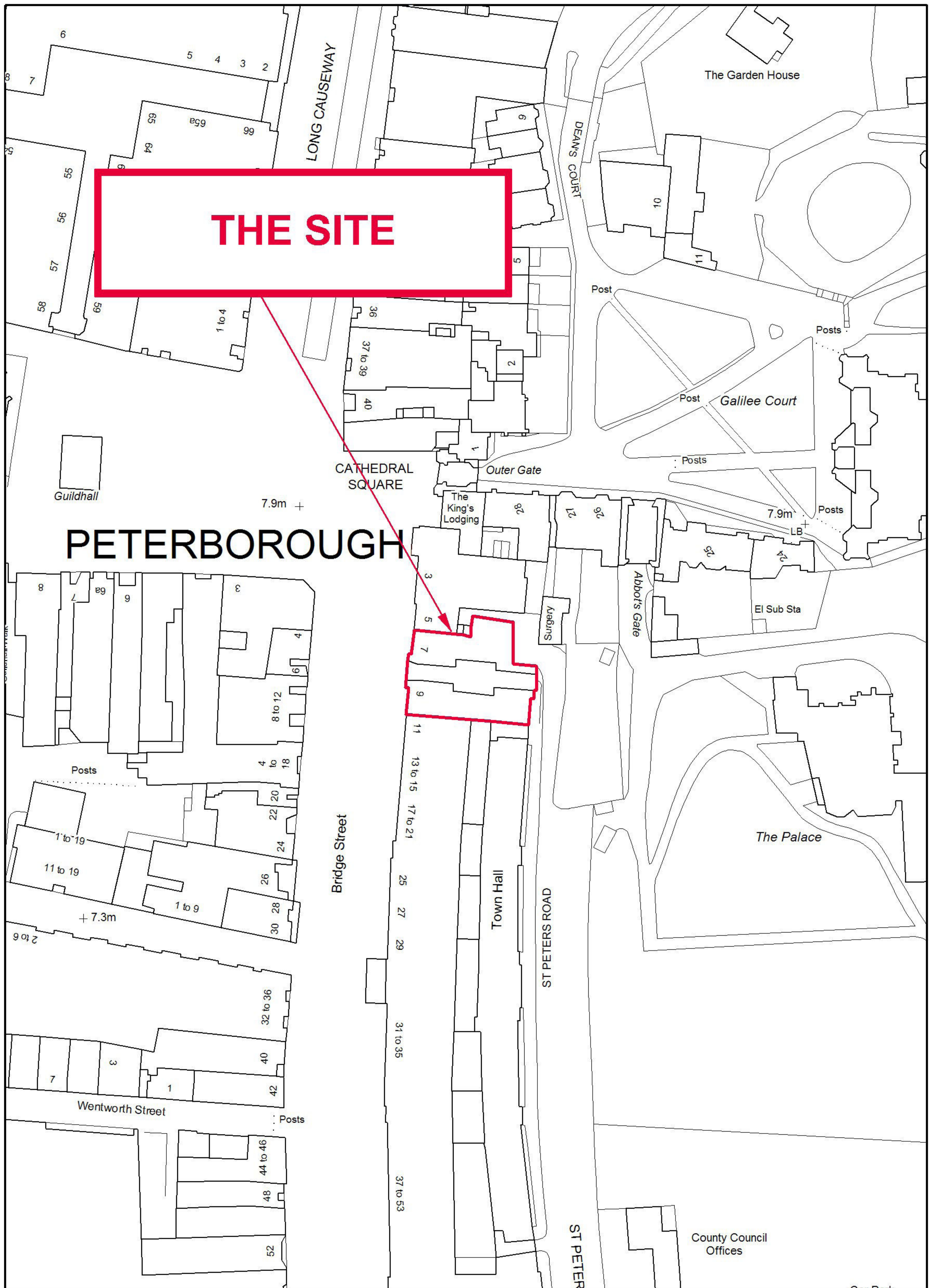
- The build out of the consented scheme for this site (under outline permission 09/00346/OUT) would result in a complete change to the character of the existing site and a development which, in view of the ground levels, can be seen from outside of the site. It is acknowledged that 20 metre high buildings on the site would be more visible from some viewpoints than the consented 15 metre high buildings, however the additional impact is not considered significant. In addition, this is an allocated employment site and the National Planning Policy Guidance places strong emphasis upon supporting economic growth. There are no areas of best landscape adjoining the site and it would not result in any unacceptable harm to the Schedule Ancient Monument to the south west or surrounding Conservation Areas. The visual impact of the buildings is therefore considered to be acceptable in accordance policies CS16 and CS17 of the Adopted Core Strategy.
- The taller buildings would not result in any unacceptable impact upon Orton Pit SSSI/SAC in terms of shading. Neither is it considered that the proposal would have any unacceptable adverse impact upon any other species. It would result in some additional shading of Awalton Woodland but this is not considered to be significant and new landscaping forms part of the scheme. The development is, therefore, considered to be acceptable in accordance with policy CS21 of the Adopted Core Strategy, Section 11 of the National Planning Policy Framework' and policy PP16 of the adopted Planning Policies DPD.

## **7 Recommendation**

The case officer recommends that Committee approves the increase in building height with the Director of Growth and Regeneration be given authority to grant planning permission subject to the signing of the S106 and necessary conditions, subject to satisfactory assessment of the Environmental Statement.

Copies to Councillors S M Scott OBE. D A Seaton and N V North





**LOCATION PLAN 14/00197/R3FUL**  
 St Peters Arcade, St Peters Road, Peterborough

**Scale NTS      Date 10/4/2014      Name LG      Department Planning Services**

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**PCC GIS**





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**Application Ref:** 14/00197/R3FUL

**Proposal:** Installation of fixed glazed screens at both ends of St Peter's Arcade

**Site:** St Peters Arcade, St Peters Road, Peterborough,  
**Applicant:** Peterborough City Council

**Agent:** Amey

**Referred by:** **Councillor Serluca**  
**Reason:** Level of public interest in the proposal  
**Site visit:** 11.03.2014

**Case officer:** Mr M Roberts  
**Telephone No.** 01733 454410  
**E-Mail:** mike.roberts@peterborough.gov.uk

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

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

**Site and Surrounding Area**

The Arcade is located within the east side of Bridge Street in close proximity to Cathedral Square. It is quite prominent within the general street scene. The Arcade building is a part of the north flanking element of the Town Hall. It comprises of stone quoins at both of the openings. Within the Arcade there is the Destination Information Centre, a restaurant and there is planning permission to provide for 2 small shops. The eastern access is approached by both a small number of steps and a lengthy ramp from St Peters Road to permit access by all.

The route though the Arcade has been used unencumbered for so many years that a right of way has been established albeit this has not yet been granted formal recognition (the process of such recognition is in hand).

The application site lies within the identified City Centre Conservation Area and the building (which forms part of the Town Hall) is included within the list of Buildings of Local Importance (set out in Policy PP17 of the Peterborough Planning Policies DPD (2012).

**Proposal**

The application seeks planning permission for the erection of clear glazed screens at either end of the St Peters Arcade to afford the Arcade some protection in inclement weather for the public and the businesses therein. The screens would, in effect, narrow down the width of the entrances at either end of the Arcade to 2 metres and the height of the entrances to 2.8 metres (when the application was first received, the gap proposed was 1.75 metres but this has been increased to 2 metres). The proposed glazing screens would have the City Armorial on them.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
<b>12/01959/R3FUL</b>	Change of use to A1 retail, installation of glazed door screens at both ends of the Arcade and remodelling of the existing access ramp and balustrade.	Withdrawn	7/03/2013
<b>13/01316/R3FUL</b>	Refurbishment of office units within the arcade inclusive of change use to A1, remodelling of existing access ramp and balustrade in St Peters Road.	Permitted	15/05/2013

## **3 Planning Policy**

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

### **Planning (Listed Building and Conservation Areas) Act 1990**

#### **Section 66 - General duty as respects listed buildings in exercise of planning functions**

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

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

#### **Section 12 - Conservation of Heritage Assets**

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

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

#### **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.

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

#### **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, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

### **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.

### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

### **Peterborough City Centre DPD (Submission Version) (2014)**

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. 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.

### **CC03 - City Core Policy Area**

New development must, where appropriate, improve the quality of the townscape and public realm; protect important views of the Cathedral; preserve or enhance the heritage assets of the area; and protect and enhance existing retail areas.

## **4 Consultations/Representations**

### **Conservation Officer (19.02.14)**

The building (The Town Hall and flanking ranges north and south) are locally listed buildings. The arcade was designed as an open passageway, and clearly some appreciation of this and character will be eroded by the proposed works.

The requirement for the glazing to provide an improved micro-climate in the arcade for the benefit of businesses and customers is understood and on these grounds the principle is acceptable.

There is no detail of the profile of the framework and this would be necessary to be approved by way of a condition. The building has an Art Deco flair and it would be inappropriate if the proposed framework is simply constructed of box sections of aluminium. Frames of that era should be secured. The scheme as proposed shows the framework for the screens to fix to stone columns, however by recessing the outer edges of the framework to the rear of the columns would have a better appearance which would protect the columns from having unnecessary works to them and to minimise the amount of framework visible from both ends to support the glazing. This should have no material impact upon the need for the screening of the Arcade. Should the framework be physically attached to the columns at each end of the Arcade, the appearance could be 'messy' as the quoins have deep mortar set behind the face of the stonework. The gaps would have to be filled by some form of fillet/packing and the rustification of the quoins would look awkward.

### **Transport & Engineering Services (20.02.14)**

The route through the Arcade has over time become a right of way. There are no objections in principle to the installation of some form of screen although it must have an opening of at least 2 metres in width to allow for the passage of pedestrians through the Arcade. This is the minimum width that the Local Highway Authority will accept for a pedestrian footway/footpath. Any change to the extent of the right of way, however, including change to the width, must be subject to formal legal requirements and a legal process including public consultation must be followed. Consideration of planning issues does not grant permission to amend the extent of the highway.

### **Building Control Surveyor (10.02.14)**

The proposal requires Building Regulation. Part M of the Regulations applies.

### **Property Services (13.02.14)**

Has any consideration been given to the use of the arcade by cyclists accessing St Peters Road from Bridge Street to avoid the designated pedestrianised area of Bridge Street?

Whilst cyclists should dismount at the point of entry, a narrowed entrance and exit will make access more difficult; a person walking with a bike alongside occupies more space than a pedestrian alone. In addition, not all cyclists will dismount and creating a bottleneck of through traffic may increase the risk of incidents.

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

Initial consultations: 16

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

Objections have been received concerned that by restricting the width of the two openings the proposal would restrict the passage of the public through the Arcade and also on the grounds that the glazing would not be sympathetic to the character and appearance of the Arcade. It has also been commented that the proposal would contravene the right of way status of the Arcade and the legislation relating to rights of way. Finally, it is suggested that the application has not fully acknowledged the presence of the right of way.

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

The main considerations are:

- Impact of the proposal upon the character and appearance of the Arcade and the streetscene
- Impact of the proposal upon the passage of people through the Arcade

### **a) Impact of the proposal upon the character and appearance of the Arcade and the streetscene**

It is acknowledged that St Peters Arcade was historically designed as an open passageway through the Town Hall building and, that as a result of the proposed glazed screens, some of this open character and the appreciation of openness would be lost. However, the City Council's Conservation Officer has not raised any objections to the proposal and advised that the harm that would result would be less than substantial. It is noted that the Conservation Officer has advised that the screens should be positioned behind the stone columns of the Arcade to give a better appearance and, that the detail of the frames to be used is key and should be submitted for approval. These requirements can be secured by way of conditions

The proposed screening would result in an improved micro-climate within the Arcade, to the overall benefit of businesses and customers and the future optimal use of this heritage asset. This improved micro-climate would ensure the optimal use of the Arcade, preserving its heritage value for the future.

On balance, it is considered that the proposal would fulfil the aim to improve the internal environment of the Arcade and that this benefit outweighs the limited harm that the screens would have upon the integrity of the locally listed heritage asset. Accordingly, the proposal is in accordance with paragraphs 131 and 134 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy CC3 of the Peterborough City Centre DPD (Submission Version) (2014).

### **b) Impact of the proposal upon the passage of people through the Arcade**

The proposal would retain a right of passage through the Arcade on a 24 hour basis. The 2

metre wide openings at either end of the Arcade are considered appropriate for the type of footfall through the Arcade. This is a position supported by the Local Highway Authority, who have raised no objections.

It is noted that concerns have been raised with regards to the use of those areas immediately behind the screens by vagrants as overnight shelter. However, the Arcade is already a location where vagrants sometimes take shelter and it is considered that the proposal would not make the situation any worse.

With regards to concerns in relation to the public right of way, it should be noted that the granting of planning permission does not negate the need for the City Council (as Applicant/Developer) to obtain the requisite right of way consents to narrow the width of the right of way where the screens are to be installed. This would be undertaken most likely through a gating order and not through a diversion or extinguishment.

On the basis of the above, the proposal would not have an unacceptable impact or restriction upon the free flow of pedestrians through the Arcade link of St Peters Road and Bridge Street, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

## **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 proposal will provide increased protection for the tenants and the patrons of the Arcade from inclement weather, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011);
- the design, appearance and location of the screens is considered appropriate for their purpose and would not result in unacceptable harm to the appearance of the Arcade, in accordance with paragraphs 131 and 134 of the National Planning Policy Framework (2012), Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy CC3 of the Peterborough City Centre DPD (Submission Version) (2014); and
- whilst the screens would result in the narrowing of a rights of way at either end of the Arcade, the proposed width of 2 metres would not significantly compromise the accessibility to users, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

Consideration of the planning application does not grant permission for any change to the highway rights through the Arcade which will have to be subject to a separate legal process, which will include public consultation.

## **7 Recommendation**

The Director of Growth and Regeneration 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 Notwithstanding the submitted information and prior to the commencement of development, details of the profile of the materials and framework to be used in the glazed screens shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the setting, character and the appearance of the St Peters Arcade, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 3 Notwithstanding the submitted information, the glazed screens, at both the openings to St Peters Arcade, shall be positioned behind the stone columns in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the setting, character and the appearance of the St Peters Arcade, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 4 Notwithstanding the submitted information, the gap between the glazed screens at either end of the Arcade shall be of a width no less than 2 metres.

Reason: To ensure that there is sufficient space for users of the Arcade to pass one another when entering/exiting the Arcade, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors M Nadeem, N Khan MBE, M Jamil





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**PROPOSED:** Provisional Tree Preservation Order 8\_2013 Woodland to the north of 1 Linden Close, Barnack.  
**REFERRED BY:** Director of Growth and Regeneration  
**REASON:** Objections have been raised to the provisional TPO  
**CASE OFFICER:** John Wilcockson  
**TELEPHONE:** 01733 453465  
**E-MAIL:** john.wilcockson @peterborough.gov.uk

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## **1 SUMMARY/OUTLINE OF THE MAIN ISSUES**

Officers have served a provisional Tree Preservation Order (TPO) 8\_2013 Woodland to the north of 1 Linden Close, Barnack, following a request from a local resident who was concerned about the potential loss of the woodland. Following the public consultation period, objections have been raised.

The main considerations are:

- **Is the woodland worthy of inclusion into a TPO in terms of public visual amenity value, condition and health?**
- **Are the proposals reasonable and justified having regard to any representations received?**

An objection has been raised in respect of the Tree Preservation Order and Committee are asked to determine the application accordingly in accordance with para 2.5.1.2 (f) of the Council's Constitution.

The Director of Growth & Regeneration recommends that the TPO is **CONFIRMED**.

## **2 DESCRIPTION OF SITE AND SURROUNDINGS**

The woodland is located in Barnack on a piece of land between Linden Close and Paynes Field adjacent to Uffington Rd. There are a number of structurally poor TPO trees to the north on Uffington Rd and a number of mature TPO trees to the south of the site.

The woodland contains a mix of naturally regenerated good, reasonable and poor quality trees with all age ranges represented in the block with an upper age in the region of 5-10 years. The block provides public visual amenity value when viewed from Uffington Road and without doubt contributes to the overall landscape as viewed on approach to the village on Uffington Road, from Pilsgate Road and similarly from the Public Right of Way (PROW).

The woodland is therefore considered to be worthy of protection by way of a Tree Preservation Order.

## **3 CONSULTATIONS/REPRESENTATIONS**

### **INTERNAL**

PCC Wildlife Officer made the following comments:-

*I consider that this group of trees provide a locally valuable wildlife habitat for birds and other associated woodland species including priority UK BAP species such as reptiles, amphibians, hedgehogs and bats. This feature is also of value as a green infrastructure corridor in the local landscape.*

### **EXTERNAL**

Mrs M. Joy Lee (woodland owner) made the following comments during the consultation period via written correspondence and email on the provisional Tree Preservation Order:-

1. The area is of former agricultural use up until modern machinery made the management impossible.
2. The owner has letters dating back to 1989 suggesting that the site was suitable for development.
3. The site is not a woodland but has subsequently been colonised.
4. No trees have been planted and the site is covered with over grown scrub.
5. The site is of no significance in terms of wildlife.
6. The trees are immature, a poor mix, provide no amenity value are and a blot on the landscape.
7. The amenity assessment score only just meets the minimum requirement for inclusion into a TPO.
8. In response to the Wildlife Officer's comments - Lizards need water to produce and there is no water on site, gardens would provide opportunities for this along with more nesting sites for birds.

Mr Charles Richardson of Richardson Chartered Surveyors (Agent) made the following comments during the consultation on the provisional Tree Preservation Order:-

1. The parcel of woodland is natural regrowth in the region of 4-5 years old.
2. When the City Council applied to develop the adjacent land in 2007, they acknowledged that this area was open countryside.
3. A Walnut in the same location has historically been protected with a TPO, why at that point in time was this woodland not considered worthy of inclusion into that TPO?
4. Hawkeye (PCC spatial mapping program) shows the site clear of any significant trees in 2010.
5. There is no historic value.
6. There is no special wildlife value nor rare trees.
7. They have no visible landscape function.
8. As an unthinned mature crop, there will be light loss for properties and safety concerns.
9. To the north there are trees protected by a TPO and to the south of the site there are trees which provide a pleasing backdrop.
10. The future growth of these trees would obscure the TPO Walnut and mature trees to the south. As self-set trees, they would become whippy with no visual value and prone to splitting and wind blow.
11. It is considered that thee trees will become a nuisance to neighbours due the fact that they are self sets and subject to windblow.

Barnack Parish Council made the following comments:-

"The Council is against the Order because the trees within the woodland are not significant and the site is not likely to be managed as the owner does not live locally."

## **NEIGHBOURS**

Emails of support for the TPO were received from and are summarised as:-

18 Barnack residents.

7 from surrounding villages.

21 non-locals includes Peterborough/Stamford and further afield.

## **COUNCILLORS**

None

## **4 REASONING**

### **a) Introduction**

A Tree Preservation Order (TPO) is a legal order made by local planning authorities to preserve important trees, groups of trees or woodlands that have a public amenity. A request for a TPO was submitted surrounding concerns for the loss of the tree linked to the threat of development. An initial site assessment was made of the tree on site as per "Tree Preservation Orders : A Guide to the Law and Good Practice".

Under Section 201 of the Town & Country Planning Act, a TPO was served on the 6<sup>th</sup> December 2013 (Appendix 1).

Under the DETR guidance, people affected by the order have a right to object or make comments on any of the trees or woodlands covered before the Local Planning Authority (LPA) decide whether the order should be made permanent (Confirmed), the following advice is provided to LPA's regarding objections:-

***If objections or representations are duly made, the LPA cannot confirm the TPO unless they have first considered them. To consider objections and representations properly it may be necessary for the LPA to carry out a further site visit, which would in any case be appropriate if the LPA had not yet assessed fully the amenity value of the trees or woodlands concerned. Any objection or representation made on technical grounds (for example, that a tree is diseased or dangerous) should be considered by an arboriculturist, preferably with experience of the TPO system.***

***Discussion between the LPA and any person who makes an objection is encouraged. Discussion can lead to a greater mutual understanding of each side's point of view. This in turn can help clarify the main issues which will have to be considered by the LPA before they decide whether to confirm the TPO. Alternatively, discussions can lead to the withdrawal of objections.***

The owner objected to the serving of the TPO on the 27<sup>th</sup> Dec 2013 and as per the above best practice, discussions were entered into via telephone and email.

### **Officer Response to the objection to the Provisional TPO**

The area in question was open countryside historically, but has since then become wooded through neglect and subsequent colonisation through pioneer species. The Walnut directly south of Payne's Field was protected as part of TPO 15 in 2006 prior to the sale of Peterborough City Council land, this is standard procedure whereby trees are worthy of retention. At that point in time, there was no perceived threat on the area subject to this current provisional TPO, presumably due to the trees being young.

The site was identified in 2005 as being allocated for development but has since been removed following the 2012 Local Plan revision.

In terms of suitability for planning purposes, this TPO has not been served to prevent any development, but purely to protect the habitat that has now come into being. If planning permission were applied for to develop the site, the appropriateness of keeping the woodland in part or in full would be dealt with as part of the proper consideration of the proposal.

In terms of the TPO Amenity Assessment, DETR guidance suggests that .. *Local Planning Authorities may make TPOs if it appears to them to be expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area .....TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.*

The PCC adopted scoring sheet is prepared to demonstrate the site has been considered in line with a structured, systematic approach, there is a certain amount of subjectivity in this process and scores can be interpreted in different ways depending on who carries out the survey. The assessment was scored erring on the side of caution giving lowest possible scores. The survey itself was carried out in November 2013, in reality if carried out in summer, the health condition section of the assessment for these trees may well have increased many of the ratings to 3 which would have greatly increased the final overall score.

The comments made about the wildlife value from the owner and the Agent are an assumption, there will without doubt be associated species of flora and fauna that develop along with any thicket stage copse. Added to this, there was a colony of Common Lizards on the adjacent development site which may well have migrated into this copse. Equally, the copse will offer habitat for bird species and add to the local network of green corridors generally which will in turn, support the migration of various species.

Peterborough City Council's Wildlife Officer made the following comments - *I consider that this group of trees provide a locally valuable wildlife habitat for birds and other associated woodland species including priority UK BAP species such as reptiles, amphibians, hedgehogs and bats. This feature is also of value as a green infrastructure corridor in the local landscape.*



It is contested that a number of small gardens would provide more nesting sites than this woodland block as suggested by the owner. Purely on numbers of trees alone, this block would provide a greater opportunity for nesting sites than a small number of gardens with typical domestic landscaping.

The species mix does not justify the clearance of the site, mono-culture plantings still support a range of flora and fauna that would not be found in domestic gardens.

It has been suggested that self set trees become whippy and are prone to splitting and wind blow. This is a sweeping statement and largely depends on management and future growth. It is highly unlikely in that sheltered position that wind blow would become an issue. If thinned then these issues should never arise. If not thinned or managed, natural self-selection will come into being with the remaining stems being the more robust specimens.

It is not disputed that the trees are of a young age, they will however achieve maturity if the woodland remains and the site can be managed accordingly moving forward for the benefit of the village inhabitants in terms of landscape value but also in terms of biodiversity. The woodland itself could be thinned in future to identify a number of "final crop" trees, this could reduce any light/proximity concerns and if appropriate support a proposed planning layout. The TPO trees to the south of the site are approaching biological senility and in all likelihood, some will need to be felled over the coming decades. This TPO will provide future cover, wildlife and landscape value in place of those trees that will inevitably be lost.

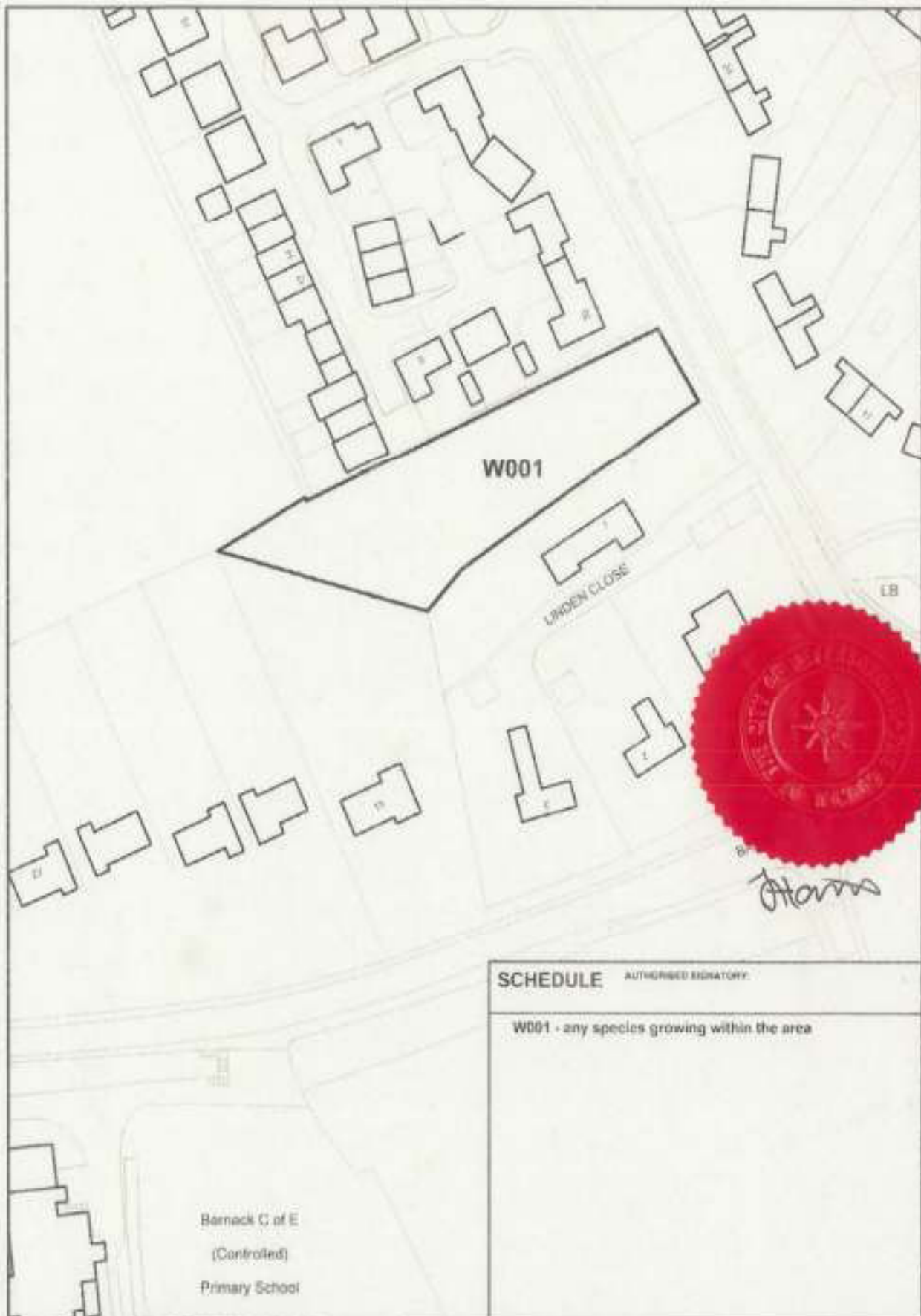
## **5 CONCLUSIONS**

It is the opinion of the Case Officer that the TPO should be Confirmed for the following reasons:-

- The woodland offers public visual amenity value and it is considered that the loss would be of detriment to the greater public and the landscape in this location.
- The City Council should seek to protect any trees that are considered to be under threat and worthy of retention in line with the formally adopted Trees and Woodlands Strategy.
- The woodland could provide 50 yrs + visual amenity value based on its current condition.

## **6 RECOMMENDATION**

The Director of Growth and Regeneration recommends that this provisional TPO is CONFIRMED.



**TREE PRESERVATION ORDER 08/2013**  
 Opposite 20 Uffington Road

Scale 1:1000 Date 12/11/2013 Department Serco GIS Support Name GIS Team



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<b>PLANNING &amp; ENVIRONMENTAL PROTECTION COMMITTEE</b>	AGENDA ITEM No. 6
<b>22 APRIL 2014</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	<b>Cllr Cereste</b> - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	<b>Jim Daley</b> Principal Built Environment Officer <b>Simon Machen</b> Director of Growth and Regeneration	Tel: 01733 453522 Tel. 01733 453475

## THE ORTON LONGUEVILLE CONSERVATION AREA APPRAISAL

R E C O M M E N D A T I O N S	
<b>FROM</b> : Jim Daley - Planning Services	<b>Deadline date</b> : N.A.
That Committee:	
<ol style="list-style-type: none"> <li>1. notes the outcome of the public consultation on the Orton Longueville Conservation Area Appraisal (Appendix 1)</li> <li>2. supports the adoption of the Orton Longueville Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Orton Longueville Conservation Area</li> </ol>	

### 1 ORIGIN OF REPORT

- 1.1 A review of the Orton Longueville Area was carried out in 2013 as part of the Council's ongoing review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Orton Longueville Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

### 2 PURPOSE AND REASON FOR REPORT

- 2.1 This report is submitted to the Committee for approval of the Orton Longueville Conservation Area Appraisal and Management Plan. A PDF file of the appraisal has been sent to members. This report provides an update on the outcome of the public consultation on the Draft Orton Longueville Conservation Area Appraisal and Management Plan.
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.3.1 to be consulted by and comment on the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

### 3 TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

## **4 BACKGROUND**

- 4.1 The draft Appraisal was subject to public consultation from 17 January to 28 February 2014. A copy of the document was published on the Council's website, and copies were provided to Orton Longueville Parish Council, Ward members and English Heritage. A letter and summary leaflet were sent to all properties in the village and other interested parties, including planning agents and Peterborough Civic Society.
- 4.2 7 representations were received and these are summarised together with the Conservation Officer's response in Appendix 1. The Appraisal has been revised to take account of some of the representations received and the approved version will be available on the Council's web site.
- 4.3 It is proposed to retain the existing conservation area boundary (Appendix 2).

## **5 ANTICIPATED OUTCOMES**

- 5.1 The Orton Longueville Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas'. The Appraisal identifies the special character of the Orton Longueville Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

## **6 REASONS FOR RECOMMENDATIONS**

Adoption of the Orton Longueville Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfill the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

## **7 ALTERNATIVE OPTIONS CONSIDERED**

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

## **8 IMPLICATIONS**

- 8.1 There are no specific financial implications for the City Council identified in this report, at the present time.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council

- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

## **9 BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005



## APPENDIX 1

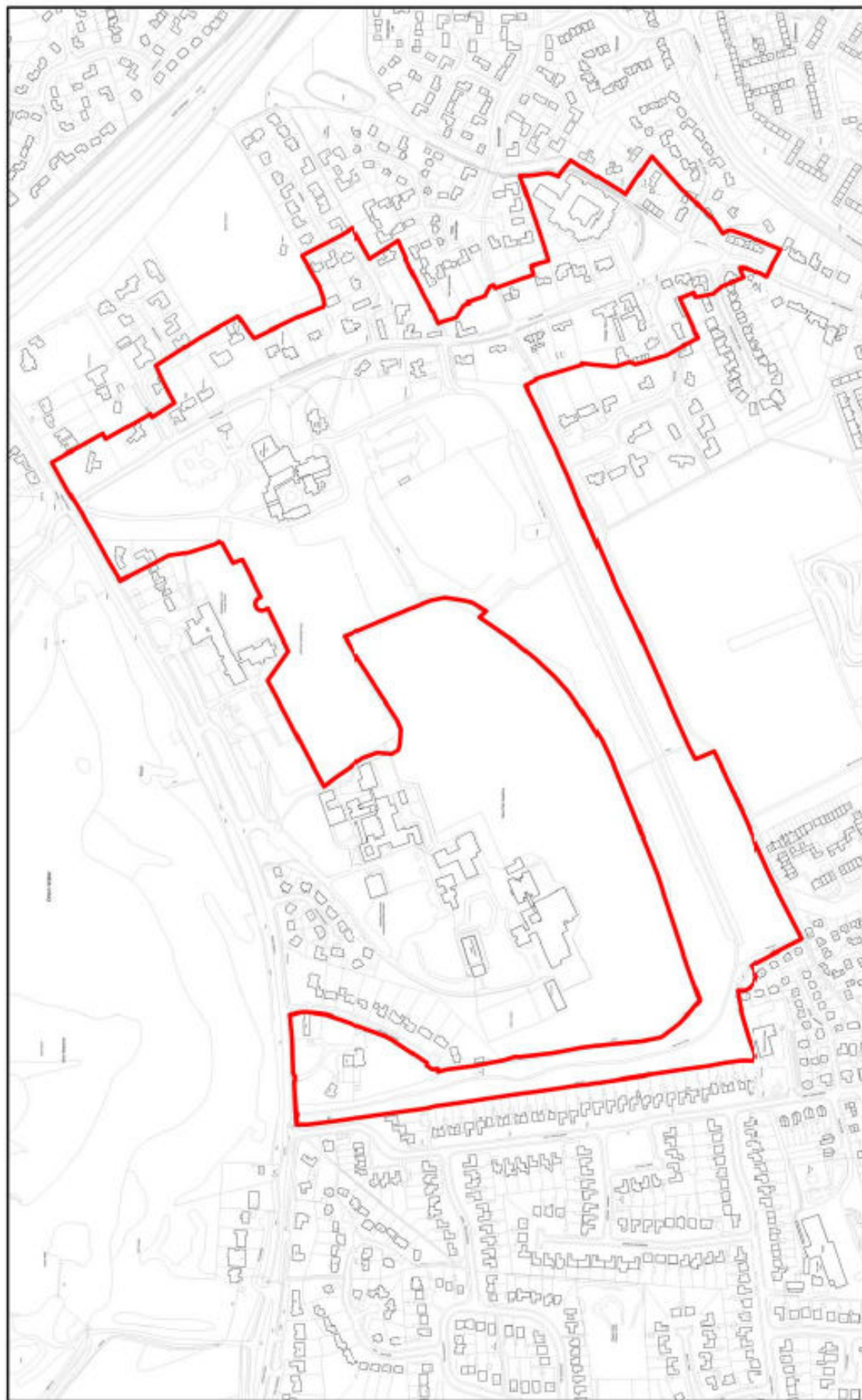
### Summary of comments received at the consultation stage of the Orton Longueville Conservation Area Appraisal, together with the Council's response to the issues raised.

	Comments
<b>English Heritage</b>	English Heritage welcomes the preparation of up-to date appraisals for all conservation areas and believe they are an important tool in the proper management of development in such areas. The report appears very comprehensive, with good use of historic and contemporary maps and photographs to help explain the special historic and architectural interest of the place. The management plan set out in Section 12 sets out proposals to help manage the areas and we would welcome the chance to discuss the use of Article 4 Directions to provide further protection for key unlisted buildings.
Comments	Comments noted.
<b>Resident</b>	Support and approve the management plan. Extend the area to include the green fields to the south up to the BMX track? (bounded by Engaine to the east, Benyon Grove to the south and Bringhurst to the west). The fields merge with the woodland and should be considered a conservation area too.
Comments	Comments noted. A conservation area should have definable 'special character'. Conservation areas can include land and properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process the land suggested was considered for possible inclusion in an extended conservation area. It is considered that the green space does not possess any definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation area and fulfil the criteria of conservation area designation. The land is part of the open space of the Orton Township built in the 1970's. To include the land in an extended conservation area would weaken the strength of the overall conservation area.
<b>Resident</b>	Had previously advised the Woodland Trust that ivy was choking some of the Wellingtonia Cedars in Orton Woods and noticed that nothing has been done about it.
Comments	Comments noted. The Woodland Trust manages the woodland comprising the Long Walk owned by PCC. Comments passed to the Wildlife Trust and who have replied to the resident: the Woodland Trust's official position regarding ivy on trees is to consider this an important wildlife habitat for invertebrates, nesting birds and roosting bats. Scientific testing shows no loss of growth or accelerated decline can be attributed to the presence of ivy. Excessive growth amongst the crown of a tree is not desirable. While it remains on the stem there is little cause for concern. The management plan for the woods is available on-line. Removal of ivy would improve the aesthetics of the avenue and the Woodland Trust proposes to test ivy cutting on one of the worst affected trees to see how this responds. This work will take place in the autumn.
<b>Resident</b>	The conservation area should be extended to include Mary Armyne Road rather than just the first few houses. The street has a very distinct period 50's character and shares the gentle relaxed feel of the rest of the conservation area. The character of the street has been preserved.
Comments	Comments noted. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process Mary Armyne Road was considered for possible inclusion in an extended conservation area. It is considered that the properties, whilst of interest do not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation area and fulfil the criteria of conservation area designation and weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain. Positive development control policies in the DPD Planning Policies document can play a positive role in retain the character of the street.
<b>Resident</b>	Support the appraisal. Concern with the soft edge to the green and other verges in the village. Increasing problems with parking and verges have suffered badly. A problem at The Green where visitors to the residential home park cars on the verges of the green. Can part of the green be given over to hard standing (grasscrete) to increase parking availability?
Comments	Comment noted. No other specific comment on this matter raised by residents. It is agreed that parking enforcement (double yellow lines) and kerbs would not be appropriate from a visual point of view as well as achieving effective enforcement. Recent visits to the Green,

	including at weekends and early evenings has not shown a parking problem, however, this can be monitored. The green is outside the ownership of the residential home and converting part of the green to parking would need to be carefully considered. This matter can be kept under review and discussed with Orton Longueville Parish Council should the matter intensify to a point where a solution to protect the green is required.
<b>Resident</b>	Welcome the comprehensive survey of the village. It would be helpful to include the full web page address of the appraisal in the document to make it easier for people to access. Concern at the amount of ivy growing on the Wellingtonia trees outside the boundaries of Orton Hall (the Long Walk) and which is damaging the trees. Can the ivy be removed regularly to enhance the appearance of the Long Walk and guard the health of the trees?
Comments	This comment is noted. The web address of the Council is provided from where the document can be searched. Providing the current full web address of the appraisal is avoided because of the possibility of a future 'broken' web links. (See comments made above on issue of ivy growth)
<b>Peterborough Civic Society</b>	A thorough review and appraisal of the conservation area. In the absence of specific funding certain areas of the management plan are likely to remain a 'wish list'. 1. Is there a case for an extension of the conservation area at the NE corner as a buffer zone along Oundle Road frontage towards the Parkway flyover and embankment to reinforce the well treed entrance to the village at the junction? 2. The further use of Article 4 Direction properties is appropriate. Consider the use of an Article 4 direction at nos. 23-31 The Crescent? Error at para. 9.2 – 2b for inclusion in Article 4 Direction 3. The repair of stone boundary walls is necessary and likely the need for PCC to use its statutory powers to achieve repairs. The phased reconstruction of substantial lengths of some walls is not too far away. 4. The Long Walk has many gaps and a comprehensive scheme or replanting will require substantial support. Recommendation at 12.3 is welcomed as a means to arrest a steady decline as maturity is reached and exceeded.
Comments	Comments noted 1. As part of the appraisal process the area suggested along Oundle Road was considered for possible inclusion in an extended conservation area as well as including only the frontages of both side of Oundle Road for landscape contribution. It is considered that the properties, whilst of interest do not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation area and fulfil the criteria of conservation area designation. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. It is considered that to include the area in an extended conservation area would weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain. Other measures to protect the landscaped character of the area will be examined. 2. Nos. 23-31 The Crescent were considered for possible protection under an Article 4 Direction Order. However, it is considered that as most properties have made significant alterations to the elevation to The Village the loss of character does not justify making an Article 4 Direction Order. 3. Comments noted. Amendment to correct error at para 9.2 made. 4. Comments noted.

**APPENDIX 2**

**Orton Longueville Conservation Area boundary**



**Title** Orton Longueville - Conservation Area  
**Department** Planning & Building  
**Scale**  
**Date** 3rd April 2014  
**Name** CE

**DRG. No.**

**PCC GIS**

**PETERBOROUGH CITY COUNCIL**

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<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 7</b>
<b>22 APRIL 2014</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Cereste, Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer:	Nick Harding (Group Manager, Development Management)	Tel. 454441
Reporting Officer:	Andrew Cundy (Area Manager, Development Management)	Tel. 453470

### THREE MONTH APPEAL PERFORMANCE

RECOMMENDATIONS	
<b>FROM :</b> Director of Growth and Regeneration	<b>Deadline date :</b> not applicable
That Committee notes past performance and outcomes.+	

#### 1. PURPOSE AND REASON FOR REPORT

- 1.1 It is useful for Committee to look at the Planning Service's performance at appeals and identify if there are any lessons to be learnt in terms of appeal outcomes. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

#### 2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>n/a</b>
---------------------------------------------	-----------	-------------------------------------------	------------

#### 3. MAIN BODY OF REPORT

- 3.1 The number of appeals lodged has fallen this last three months from 9 to 5 compared to the previous three months. A total of 13 appeals have been determined which is 3 more than the previous three months.

	01/04/2013 – 30/06/2013	01/07/2013 – 30/09/2013	01/10/2013 – 31/12/2013	01/01/2014 – 31/03/2014
<b>Appeals Lodged</b>	8	11	9	5
<b>Method of Appeal</b>				
a) Householder	2	5	5	1
b) Written Reps	5	5	3	4
c) Informal Hearing	1	1	1	0
d) Public Inquiry	0	0	0	0



	01/04/2013 – 30/06/2013	01/07/2013 – 30/09/2013	01/10/2013 – 31/12/2013	01/01/2013 – 31/03/2013	01/04 30/0
<b>Appeals Determined</b>	7	5	10	13	
Appeals Dismissed	4	3	9	8	
Appeals Allowed	2	2	1	4	
Split Decision	0	0	0	1	
Appeals Withdrawn	1	0	0	0	
Success Rate	67%	60%	90%	67%	
Householder	0	2	6	5	
Written Reps	5	3	1	8	
Informal Hearing	1	0	3	0	
Public Inquiry	1	0	0	0	

3.2 In the last three months the Council's decision was upheld in 67% of the cases.

3.3 The table in Appendix 1 gives a summary of the appeal outcomes in the last 3 months with a commentary where there is scope for service improvement.

#### 4. IMPLICATIONS

4.1 **Legal Implications** – The proposed changes have been prepared and will be consulted on in accordance with guidance issued by national government. There are no legal implications.

4.2 **Financial Implications** – This report itself does not have any financial implications. However, in the event that the Council or appellant has acted unreasonably in terms of the planning decision or appeal, an award of costs may be made against or in favour of the Council.

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
1	<b>13/01478/PRIOR - 48 Hall Lane, Werrington, Peterborough</b> - Single storey rear extension)	Committee (T)	Allowed	The inspector stated that given its siting, the limited eaves height, and the presence of the boundary fence that only a relatively small section of the blank side wall of the proposal would be visible from the garden and ground floor windows of no.46. The inspector recognised that the roof pitch of the proposed extension would slope away from the boundary and the ridge height would be considerably lower than in the main part of the dwelling. The inspector concluded that whilst parts of the extension would be visible from the garden of no. 46 and from ground floor rooms, including from lounge patio doors, it would not have a significant impact on the amenity and living conditions experienced by the occupiers as a result of overbearance or impact on their outlook. Further the inspector added that the reasonable use of the extension would not cause significant adverse effect in terms of noise and as it would be located broadly to the north of no. 46 there would not be a significant overshadowing impact.	No
2	<b>13/01370/TRE - 4 Eathwaite Green, Walton, Peterborough</b> - Fell 1 X Birch - 1995_11_TO21 Birch	Delegated	Dismissed	The inspector concluded that insufficient justification has been demonstrated to warrant the removal of the Silver Birch tree. Specifically the applicant failed to justify the removal of the tree on the grounds of instability. Further the inspector did not consider that the negative impact on the house is sufficiently severe to justify removal of the tree.	No
3	<b>13/00372/FUL - 237 Lincoln Road, Peterborough</b> - Continued use of ground floor lounge as office (class A2)	Delegated	Allowed	In reaching his decision the inspector gave significant weight to the relatively small area of office floor space proposed and the fact that there are other commercial/business uses in the immediate vicinity of the site. Taking this on board the inspector concluded that the use would not be out of character with the area. Further the inspector noted that the adjoining district centre is a busy and vibrant area containing a wide range of shops, offices and local services and was not persuaded that the proposal would have a significant or harmful effect on the vitality or viability of the district centre given the small area of floor space involved.	No

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
4	<b>13/00256/ADV - Aldi Foodstore Ltd, Whittlesey Road Stanground, Peterborough</b> - One high level double-sided signcase featuring a corporate logo between two existing posts	Delegated	Allowed	Given the relationship with the existing building, the mixed character of the area, the location relative to the highway, and the distance to residential properties the inspector concluded that the proposal would not result in an unacceptable impact on visual amenity, appear incongruous, be harmful to the character and appearance of the area, or have a poor relationship with the existing building.	No
5	<b>12/01856/FUL - 31 Crawthorne Street, Eastfield, Peterborough</b> - Change of use from commercial premises into 22 HMO student bedsits	Delegated	Dismissed	Whilst the inspector found that the proposal would have an acceptable effect on the safety and convenience of users of the highway network he concluded that the scheme would result in a significant adverse impact on the living conditions experienced by the occupiers of no. 21, which could not be addressed by a suitably-worded condition. Specifically given the proximity of four windows (in the southern elevation of the subject premises) to the garden and patio of no. 21 and the proposed use of the rooms, the proposal would cause a significant loss of privacy and overlooking to the detriment of the occupiers' living conditions.	No
6	<b>13/01263/FUL - 70 - 80 Storrington Way, Werrington Peterborough</b> - Extension to retail floorspace with two flats above	Committee (T)	Dismissed	The inspector concluded that the proposal would significantly diminish forward visibility in Amberley Slope on a bus route and in an area where it is to be expected that people of all ages and degrees of mobility would be crossing the road.	Yes – Full Award – The Council's decision to refuse permission was made in the absence of a full and balanced assessment of the issues. The inspector advised that it would have been wiser for members to defer the decision.

	PROPOSAL	DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee	APPEAL ALLOWED OR DISMISSED?	INSPECTOR'S REASONING	AWARD OF COSTS?
7	<b>13/01481/HHFUL - 37 Lavington Grange, Parnwell Peterborough</b> - Rear ground floor extension	Delegated	Allowed	The inspector concluded that as <ul style="list-style-type: none"> <li>- the proposal would only be partially visible from the highway</li> <li>- a sizeable rear private amenity area would be retained</li> </ul> that the proposed extension would not have an unduly harmful effect on the character and appearance of the area. Further the inspector concluded that the proposed extension would not have a significantly harmful effect on the living conditions of occupiers of 36 Lavington Grange, with particular reference to outlook. The inspector added that there is a considerable degree of separation, including across a public highway and, and as such, found that there would be no undue harm to the outlook or privacy to the occupiers of No 49.	No
8	<b>13/00706/ADV - Elm Tree Farm Helpston Road, Etton Peterborough</b> - Advertising hoarding mounted on mobile trailer	Delegated	Dismissed	The inspector found that hoarding occupies a prominent position adjacent to the road, and because of its size appears as an unduly assertive feature in this location. The inspector considered that the hoarding which is remote from and unrelated to the business it advertises, appears out of place and wholly at odds with its rural surroundings. The inspector concluded that the hoarding is harmful to the character and appearance of the surrounding rural area and thus detrimental to visual amenity.	No
9	<b>13/00790/FUL- 561 - 563 Lincoln Road, Peterborough-</b> Retrospective application for outbuilding and bin store	Delegated	Split Decision Dismissed – Outbuilding / Allowed bin store	The inspector recognised that the Council raised no objections to the bin store and thus he had no reason to dissent from this view.  The inspector concluded that the presence of staff in the shelter both during the day and into the late evening would be likely to result in noise and disturbance that would be harmful to the occupiers of the neighbouring dwellings. The inspector added that this would be especially harmful during night-time hours when the comings and goings of staff, lighting and general noise arising from the use of the building would be likely to result in unacceptable disturbance being caused to the occupiers of the nearby houses.	No



	<b>PROPOSAL</b>	<b>DELEGATED OR COMMITTEE DECISION? T= turnover of officer recommendation at committee</b>	<b>APPEAL ALLOWED OR DISMISSED?</b>	<b>INSPECTOR'S REASONING</b>	<b>AWARD OF COSTS?</b>
10	<b>13/01060/FUL- 2 - 4 High Street, Eye, Peterborough -</b> Revert 2-4 High Street into two dwellings and construct a single storey rear extension and raise pitch to roof	Delegated	Dismissed	The inspector concluded that the proposal would harm, rather than preserve or enhance the character or appearance of the Eye Conservation Area. Specifically - that that the proposed additional front door would appear cramped, disrupting the architectural symmetry of the front elevation - that the raising of the rear elevation would alter the roof profile and in so doing would significantly change the character of the building - that the proposed new uPVC windopws and doors would not be in keeping with the historic character of the building	No
11	<b>13/01227/HHFUL - 41 Waterloo Road, Millfield, Peterborough -</b> Proposed two storey side extension	Delegated	Dismissed	The inspector considered that the extension (adding more than 50% to the width of the house) would compete with the scale of the host dwelling and detract from its appearance. Further the inspector considered that the closing of the gap between the houses (nos. 39-41) and the stark difference in appearance of the dwellings would result in an incongruous development that would unacceptably detract from the character and appearance of the area.	No
12	<b>13/00652/OUT - 95 Thorpe Road, Peterborough -</b> Construction of a 2 bedroom dwelling	Committee	Dismissed	The inspector considered that the subdivision of the garden area and associated built development would be significantly harmful to its character and appearance. More specifically the reduction in the width and length of the garden serving number 95 would reduce its openness and would detract from the setting of the property. The Inspector concluded that the harm to the character and appearance of the site and to the surrounding area would still be significant and unacceptable, irrespective of the local listing	Refused
13	<b>13/00765/HHFUL - 26 Apsley Way, Longthorpe, Peterborough -</b> Construction of two storey rear, first floor front and single storey front extension, and installation of first floor side facing window (part retrospective)	Committee (T)	Dismissed	The inspector was concerned that the proportions of the extension would not respect those of the existing house. The inspector added that the width of the extension would be excessive and would give a bulky and dominant appearance. The inspector concluded that the rear extension would be visible from the rear gardens of a number of adjacent houses in Apsley Way and Wayford and given the attractiveness of the estate design and the open character of the rear garden, this would be particularly prominent and intrusive.	No

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 8</b>
<b>22 APRIL 2014</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer:	Nick Harding (Group Manager, Development Management)	Tel. 454441
Reporting Officer:	Paul Smith (Development Implementation Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE JANUARY TO MARCH 2014**

<b>RECOMMENDATIONS</b>	
<b>FROM :</b> Director of Growth and Regeneration	<b>Deadline date :</b> April 2014
That Committee notes past performance and outcomes.	

**1. PURPOSE AND REASON FOR REPORT**

1.1 It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

**2. TIMESCALE.**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>n/a</b>
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**3. MAIN BODY OF REPORT**

3.1 In the last quarter of 2013/4 a total of 147 service requests were received (usual average, 150 cases per quarter). Taking into account the number of cases closed over the period (167 cases) as at 31 March 2014 there were 198 live cases being investigated / in the process of being resolved.

3.2 The Technical Services Team acknowledged 99% of new service requests within 3 working days this quarter, well above the target of 80% and 97% of initial site visits were made within 7 days of the service request being received.

3.3 A total of 11 enforcement notices were issued in the quarter and 8 enforcement notices issued in previous quarters have been checked and were found to have been complied with.

3.4 There were 3 less cases received than the quarterly average of 150. The number of cases closed was 17 above the quarterly average. There was 1 successful prosecution case, a breach of TPO, this quarter.

3.5 Please see the attached Appendix 1 for further details of the Planning Compliance Team Quarterly Report on Activity and Performance.

#### 4. **IMPLICATIONS**

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

4.2 **Financial Implications** – This report itself does not have any financial implications

## **APPENDIX 1**

### **INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – Qtr 4 (Jan-March 2014)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	147	<i>The number of cases received was 3 below the average for a quarter</i>
Complaints Resolved (cases closed as % of cases received)	167 (113.61%)	<i>The number of cases closed was 17 above the average for a quarter and we closed 20 more than we received</i>
Complaints on Hand/Pending	198/141	Cases on hand has fallen by 37 since Last Quarter and the number of cases pending has risen by 14.

#### **Enforcement Notices Served**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
Breach of Condition Notice	1	Not complying with one or more conditions
Planning Contravention Notice	1	Requisition for information
Operational Development Notice	4	Physical building works
Change of Use Notice	3	Unauthorised use is required to end
Advert Action Notice (28 days)	2	Requires removal of unauthorised advert
<b>Total Notices Served</b>	<b>11</b>	

#### **Enforcement Notices Complied With**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
Breach of Condition Notice	1	Not complying with one or more conditions
Section 215 Notice	1	Untidy land or buildings
Planning Contravention Notice	2	Requisition for information
Operational Development Notice	3	Physical building works
Change of Use Notice	1	Unauthorised use is required to end
<b>Total Notices Complied with</b>	<b>8</b>	

#### **Court Action Agreed**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments</b>
None		

#### **Prosecutions**

<b>Type of Notice</b>	<b>No.</b>	<b>Comments, including cost awards</b>
Breach of TPO	1	The occupier was fined £500 plus £50 victim surcharge and the Council received a full costs award of £525.25. The occupier has to pay a total of £1075.25.

#### **Performance Measures**

	<b>Description</b>	<b>% / Time</b>	<b>Comments</b>
	% of cases closed within 8 weeks if No Breach found.	75%	1% less than last quarter - Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	28 weeks	Down by 16 weeks
LPI	% of complaints acknowledged within 3 working days.	99 %	1% more than last quarter - Target of 80%



LPI	% of site inspections carried out within 7 days of acknowledgement.	97 %	6% more than last quarter - Target of 80%
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<b>Cumulative Compliance Performance</b>			
Description	Target	This quarter	Yearly average
Enforcement cases closed within 8 weeks if no breach found.	80% within 8 weeks	75 %	82 %
Acknowledgement of enforcement complaints.	80% within 3 working days	99 %	97 %
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	97 %	96 %

#### Notable Cases

- i) 13/00095/ENFAD (13/00706/ADV - Appeal of Refusal dismissed) Advert removed
- ii) 13/00230/ENFTR 14 The Drive - Breach of TPO prosecution.
- iii) 14/00007/ENFREP 1035 Lincoln Road - Car repairs/sales/storage Breach Remedied
- iv) 14/00054/ENFBCN 42 Thurning Avenue - Care Home Breach of condition Remedied
- v) 14/00053/ENFBCN Vawser Lodge - Mud on Road Breach Remedied
- vi) 14/00090/ENFACC Ravensthorpe Primary School - Mud on Road Breach Remedied