

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

**TUESDAY 4 JULY 2017**

**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.

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

**4. Minutes of the Meeting Held on 16 May 2017** **3 - 8**

**5. Development Control and Enforcement Matters**

**5.1 16/00080/MMFUL - Land Adjacent To Horsey Toll Farm** **9 - 34**  
**Whittlesey Road Stanground Peterborough.**

**5.2 16/02419/OUT - Land To The South Of Oakdale Avenue** **35 - 82**  
**Stanground Peterborough.**

**Emergency Evacuation Procedure – Outside Normal Office Hours**

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**Committee Members:**

Councillors: G Casey (Vice Chairman), L Serluca, C Harper (Chairman), Bull, P Hiller, J Stokes, S Martin, Clark, Iqbal, Bond and C Ash

Substitutes: Councillors: Bisby, Sylvester, N Sandford and B Saltmarsh

Further information about this meeting can be obtained from Dan Kalley on telephone 01733 296334 or by email – [daniel.kalley@peterborough.gov.uk](mailto:daniel.kalley@peterborough.gov.uk)

**CASE OFFICERS:**

Planning and Development Team: Nicholas Harding, Lee Collins, Paul Smith, Mike Roberts, Janet MacLennan, David Jolley, Louise Lovegrove, Vicky Hurrell, Sundas Shaban, Amanda McSherry, Sam Falco, Matt Thomson, Michael Freeman, Jack Gandy

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 THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 16 MAY 2017**

**Members Present:** Councillors Harper (Chairman), Serluca (Vice Chairman), Bull, Casey, Hiller, Stokes and Sylvester.

**Officers Present:** Lee Collins, Development Management Manager  
Vicky Hurrell, Principal Development Management Officer  
Simon Ireland, PCC Highways  
Chris Gordon, Planning and Highways Lawyer  
Dan Kalley, Senior Democratic Services Officer

**1. Apologies for Absence**

Apologies were received from Councillor Martin.

**2. Declarations of Interest**

None were received.

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

Councillor Serluca advised that, with reference to item 5.1, upon legal advice, she would be withdrawing from the Committee for that item and making representation as a Ward Councillor.

**4. Minutes of the Meeting Held on 14 March 2017**

The minutes of the meeting held on 14 March 2017 were approved as a correct record.

**5. Development Control and Enforcement Matters**

**5.1 17/00604/HHFUL – 63 Peake Close, Woodston, Peterborough**

The Committee was presented with a revised application seeking the erection of a two storey extension to the dwelling. The extension was to have a pitched roof, a ridge height, a gable and a depth that would match those of the existing dwelling.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report and update report. In addition the Committee were informed that the planning department had accepted Councillor Serluca's assertions that the area between the side elevation of the dwelling and the east flank boundary was, in fact, situated to the South East. Furthermore planning officers agreed that the shared rear boundary with No.2 Prospero Road was 2m and not 1.5m and that the shared rear boundary with No.1 Prospero Road was 1.84m and not 2m.

Councillor Serluca addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The applicants wanted to create a family home for themselves and upgrade the property from its current derelict state.
- Committee needed to look at the application subjectively. This would improve the public realm and address vulnerability to crime.
- This application would make a positive contribution to the built and natural environment and not have a detrimental impact on the character of the area.
- Both neighbours at No1 and No2 Prospero Road were supportive of the application and welcomed the upgrading of the property.
- This would not have a negative impact on neighbour's amenities.

The Committee discussed the application and commented that it was rare for the Committee to go against officer recommendations, however it was felt that this application would enhance the local area. In addition the Committee noted that the neighbours had both written letters of support for the extension.

A motion was proposed and seconded to agree that planning permission be approved, contrary to officer recommendation. The motion was carried unanimously.

**RESOLVED:** (unanimously) that planning permission is **GRANTED**

**Reasons for the decision:**

- The application would not result in an adversely overbearing impact upon the amenities of the occupiers of no.1 and no.2 Prospero Close.

**5.2. 16/02328/ADV – 85 Mayors Walk, West Town, Peterborough**

The Committee was presented with an application seeking advertisement consent for two externally illuminated advertisements. The first sign was to be 2.5m high from the ground and measuring 3.6m in width. The second sign was to be 2.5m high from the ground and measuring 3.2m in width.

The Principal Development Management Officer provided an overview of the application and highlighted a number of key issues within the report and update report.

In response to questions from the Committee the Principal Development Management Officer confirmed that this application was solely for the consent to erect advertisements. The applicants for each shop would still need to get planning permission approved for their individual units.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was carried unanimously.

**RESOLVED:** (unanimously) that planning permission is **GRANTED** subject to the conditions set out in the report.

**Reasons for the decision:**

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 would not unacceptably harm the appearance of the application site or the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The surrounding highways would retain their current levels of safety, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

### 5.3 17/00405/HHFUL – 333 Thorpe Road, Peterborough

The Committee was informed that this application would be read in conjunction with item 5.4 of the agenda as it related to the same property.

The application sought the planning permission for a new 3 light dormer to the garage and the conversion of the loft of the early 19<sup>th</sup> century element to the south of the tower. This would provide accommodation by raising the ceiling and inserting a new internal staircase. In addition three roof lights were proposed to the west facing roof.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report and update report.

The Committee welcomed the report and were in agreement that the only reason the application had come to Committee was because the applicant was a Peterborough Councillor, otherwise this would have been straightforward and therefore the Committee had no reservations in supporting the application.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was unanimous.

**RESOLVED:** (unanimously) that planning permission is **GRANTED** subject to relevant conditions and authority being delegated to Officers to review the bat survey, agree appropriate mitigation measures including any additional conditions and any necessary design changes along with any associated changes to the wording of the conditions set out at the end of this report.

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

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

- The proposal would protect and preserve the setting of this grade 1 listed building subject to the imposition of conditions. The proposal therefore complies with section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the National Planning Policy Framework, policy CS17 of the adopted Core Strategy and policy PP17 of the adopted Planning Policy Framework.
- Subject to conditions, the works will preserve the character and appearance of the Longthorpe Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act

1990 (as amended), Section 12 of the National Planning Policy Framework, policy CS17 of the adopted Core Strategy and policy PP17 of the adopted Peterborough Planning Policies DPD (2012).

- Bats have been identified on the site. However it is considered that subject to further surveys and agreement of appropriate mitigation measures that the impact can be acceptably mitigated in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.
- The proposal would not have any adverse impact upon existing trees in accordance with policy PP16 of the adopted Planning Policies DPD.
- The proposal would not have any adverse impact upon neighbour amenity and therefore accords with policy PP3 of the adopted Planning Policies DPD.

#### **5.4 17/00406/LBC – 333 Thorpe Road, Peterborough**

This application was taken in conjunction with item 5.3 above.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was unanimous.

**RESOLVED:** (unanimously) that planning permission is **GRANTED** subject to relevant conditions with authority being delegated to Officers to agree any design changes along with any changes to/ further conditions as maybe required to ensure suitable mitigation for bats.

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

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

- The proposal would protect and preserve the setting of this grade 1 listed building subject to the imposition of conditions. The proposal therefore complies with section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the National Planning Policy Framework, policy CS17 of the adopted Core Strategy and policy PP17 of the adopted Planning Policy Framework.

#### **5.5 17/00629/HHFUL – 11 Pembroke Grove, Glington, Peterborough**

The Committee was presented with an application seeking planning permission for a ground floor extension. The external materials of the extension would match the existing dwelling. Three roof lights are proposed and a large window and patio door on the rear elevation.

The Principal Development Management Officer provided an overview of the application and highlighted a number of key issues within the report and update report. Members were informed that Glington Parish Council were due to discuss the application on the same day as the Committee, however no objections from local residents had been received.

The Committee discussed the application and agreed that as no objections had been received that the recommendation should delete any reference from Glinton Parish Council as Peterborough City Council were the deciding authority for planning applications and were satisfied with this application.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation, with the removal of the reference to Glinton Parish Council.

**RESOLVED:** (8 voted in favour, none against and 1 abstained) that planning permission is **GRANTED** subject to relevant conditions.

**Reasons for the decision:**

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 would not result in an unacceptable impact to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The proposal would not result in unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

**5.6 17/00338/HHFUL – 11 Broadway Gardens, Peterborough**

The Committee was presented with an application for a single storey flat roof extension to the rear linking to the part conversion of the existing garage. The single storey extension was to span the whole width of the rear elevation of the dwelling.

The Development Management Manager provided an overview of the application and highlighted a number of key issues within the report.

The Committee welcomed the report and were in agreement that the only reason the application had come to Committee was because the applicant was a Peterborough City Council member of staff, otherwise this would have been straightforward and therefore the Committee had no reservations in supporting the application.

A motion was proposed and seconded to agree that planning permission be approved, as per officer recommendation. The motion was unanimous.

**RESOLVED:** (unanimously) that planning permission is **GRANTED** subject to relevant conditions.

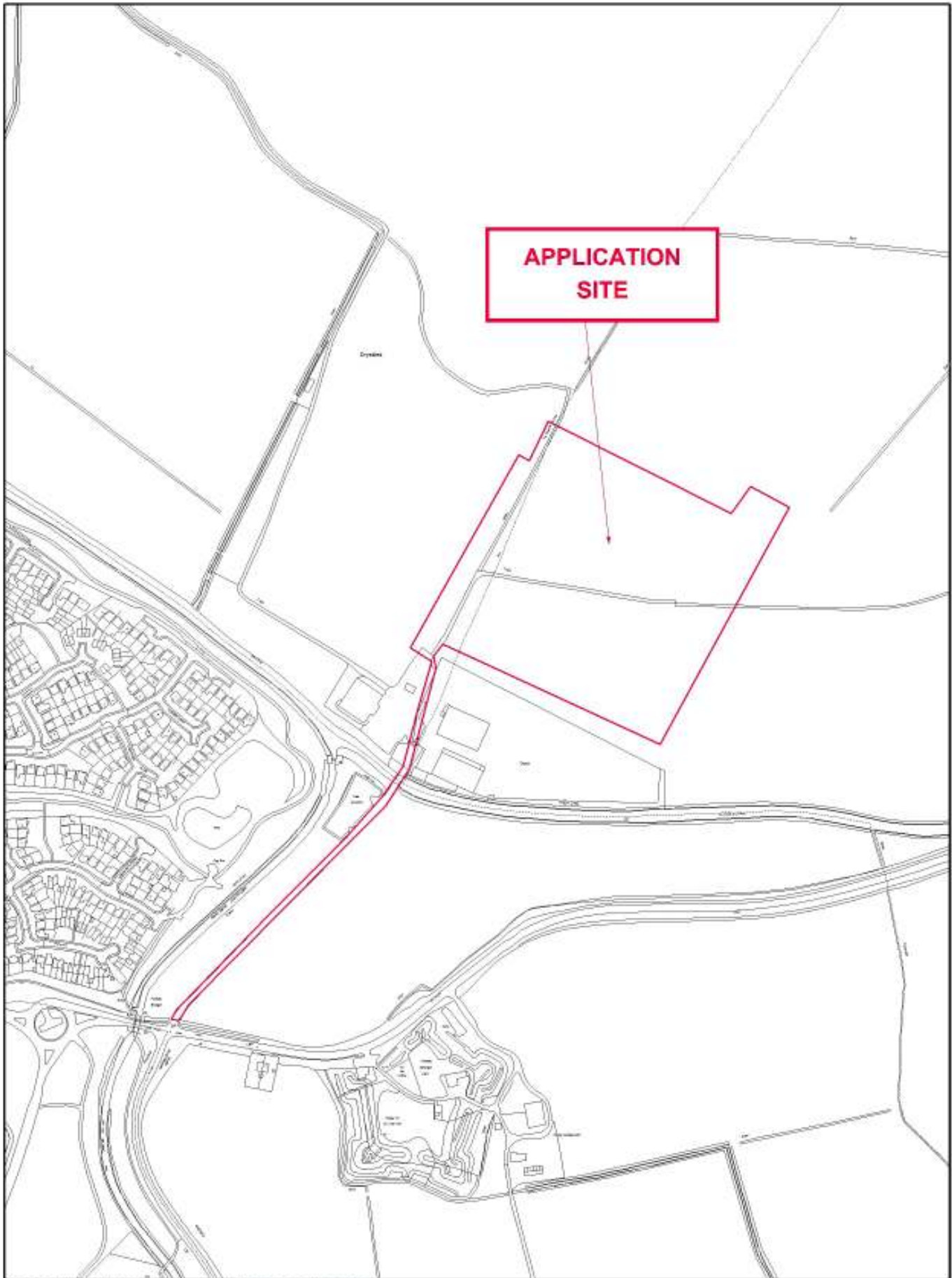
**Reasons for the decision:**

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 conversion of part of the existing garage and the rear extension to the dwelling would not adversely impact upon the character and appearance of the conservation area in accordance with policy PP17 of the Peterborough Planning Policies DPD
- The part conversion of the garage to a habitable room and the rear extension would not impact upon the amenities of the occupiers of the two adjoining dwellings in accordance with policy PP3 of the Peterborough Planning Policies DPD.

Chairman  
1.30pm – 2:23pm





**LOCATION PLAN 16/00080/MMFUL**

Land Adjacent To Horsey Toll Farm, Whittlesey Road

Scale NTS Date 22/6/2017 Name AA Department Planning Services



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## Item Number 1

### Planning and EP Committee

**Application Ref:** 16/00080/MMFUL

**Proposal:** Erection of Gas to Grid Anaerobic Digestion Plant to comprise four digester tanks, technical operations building, silage clamp, storage lagoons, four liquid waste tanks, Gas Flare, Gas Upgrading System (GUS) and Gas Entry Unit (GEU), separator, cooling unit, transformer, heating kiosk and two underground propane tanks

**Site:** Land Adjacent To Horsey Toll Farm, Whittlesey Road, Stanground, Peterborough

**Applicant:** ET Biogas Ventures Ltd

**Agent:** Mr Steve Catney  
JH Walter LLP

**Referred by:** Director of Growth and Regeneration

**Reason:** EIA Development

**Site visit:** 08.06.2015

**Case officer:** Mr A O Jones  
**Telephone No.** 01733 454440  
**E-Mail:** alan.jones@peterborough.gov.uk

**Recommendation:** REFUSE

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

### 1. Background to the proposal

The proposal was originally submitted in 2015 to Cambridgeshire County Council (CCC), before also being submitted to Peterborough City Council (PCC) (as application reference 15/00842/MMFUL). The applicant did not engage with either Council for pre-application advice to establish the most appropriate procedural approach for dealing with a cross-boundary application. The application was subject to Environmental Impact Assessment. Consultation on the proposals was undertaken by both planning authorities. Following a request for further information the application was formally withdrawn on 14.01.2016.

The application, of which the proposals were essentially unchanged, was re-submitted to the two authorities (i.e. CCC and PCC) on 15.01.2016 accompanied by an Environmental Statement. Authority to delegate determination (i.e. establish a single determining planning authority) was agreed between the two planning authorities such that PCC would be the determining authority. Consultation was then undertaken by PCC and a request to the applicant for further information was issued on 06.05.2016 (such information requests are known as 'Reg. 22' requests). Further to the request, the applicant was provided with detailed guidance based on 10 points that comprised the request for further information (email of 27.05.2016), and clarification of further points was also provided (email of 10.06.2016).

Sufficient time was granted to the applicant to submit the requisite further information. The applicant acknowledged they would be unable to meet the agreed deadline for the submission of further information, and requested that a decision was made on the proposals on the basis of the

information supplied thus far (namely the Environmental Statement as registered on 15.01.2016).

## **2. Site and surroundings**

The proposal site is approximately 6ha of arable land, and includes a short length of ditch which connects into the wider land drainage network to the east, straddling the boundary of Peterborough, Fenland and Cambridgeshire between Stanground and King's Delph. Open fields extend to the north, where the Peterborough to Whittlesey railway line, running east / west rises above the surrounding flat landscape. Beyond the railway line lies the River Nene and associated Nene Washes (SSSI, SPA, SAC and Ramsar site).

Stanground, and the area known as 'Park Farm', lie beyond open fields to the west, forming the edge of the Peterborough urban area. Park Farm is flanked by a combined foot and cycleway, forming part of both the Peterborough Green Wheel, and National Cycleway. Alongside the combined foot and cycle way flows the old course of the River Nene - a navigable waterway also known as King's Dyke. Stanground South, also known as 'Cardea' lies to the south west. Kings Delph lies to the east of the proposal site, forming a ribbon development alongside the A605 leading to Whittlesey.

Access to the site is provided to the south, through Horsey Toll Farm, via a shared private road, bridging the King's Dyke, used by several businesses, including a crane hire site, leading to the A605, opposite the B1095 road leading to Ponders Bridge. Horsey Toll Scheduled Monument lies beyond the A605 to the south of the proposal site, separated by a small field and the cluster of uses sharing the private access track. The Stanground South bypass (new route of the A605) lies some 100m west of the junction with the B1095.

The site falls within the Peterborough Fens landscape character area, and the Horsey Toll sub area. In the broader setting, Peterborough Cathedral can be viewed some 3.7km to the west. Looking from the site towards King's Delph and Whittlesey to the east, a number of wind turbines and chimneys associated with the King's Dyke brickworks can be observed.

## **3. Proposal**

The proposal is for an anaerobic digestion (AD) plant, with ancillary facilities including lagoons. The AD plant will be run on 'feedstock' (i.e. the material fed into the facility). The annual feedstock comprises approximately 18,000 tonnes of energy crops from Horsey Toll Farm, a further 20,000 tonnes of energy crop imported to the site, and 26,000 tonnes of waste coming from the food supply chain. The plant is understood to be intended as a facility capable of processing 64,000 tonnes of feedstock as per the feedstock breakdown described above, however the accompanying Air Quality Assessment has reviewed a 100,000 tonne facility.

The gas produced by the AD plant will be blended with propane (to meet the requirements of the gas distributor) before being exported to the gas grid. The AD plant will produce up to 700 cubic metres per hour of biomethane gas to export to the gas grid. In addition to the gas output, digestate, (the material left over following completion of the AD process) is also produced. Approximately 48,000 tonnes of digestate will be produced annually, and will be used as fertiliser, both within Horsey Toll Farm and exported to the other feedstock source farms.

The proposed facility (other than the access track) will sit behind landscaped bunds to all sides, measuring 20m wide and 3.2m high. The bunds will be created from the material excavated to enable the facility to sit on a base some 6m below surrounding ground levels. A bentonite (clay) wall will be placed around the facility (as an 'underground barrier') to isolate it from any surrounding groundwater.

The facility comprises 4 circular domed tanks, grouped on the western side of the proposal site, with a diameter of approximately 35m each, at a height of approximately 16m, of which 13.9m will be above surrounding ground level, leaving approximately 9m of the domes visible above the top

of the landscaped bunds.

To the east of the domed tanks, in the centre of the site, sits a technical building / reception hall measuring some 65m by 40m, at a height (to ridge) of approximately 13m, of which 11.6m will be above surrounding ground level, leaving approximately 6m of the building visible above the top of the landscaped bunds. The reception building, where food waste will be delivered, incorporates a negative pressure system and air treatment (biofilter) to control odour. Food waste will be directly fed into the digestate tanks, negating the need for any outdoor storage or handling.

A feedstock / silage clamp, for crop storage, will be located on the eastern side of the proposal site, measuring some 110m by 40m. At a maximum height of approximately 6m, the silage clamp will not rise above the surrounding landscaped bunds.

An array of additional ancillary equipment, including, for example a gas flare, a CHP (combined heat and power) unit and a gas upgrading system will be located predominately along the northern side of the proposal site and not rising above the height of the reception hall. Propane tanks, each of 12 tonnes capacity, will be located in the north east corner of the site. The CHP unit is described as a 499kW generating unit, and is understood to be intended for on-site use. A sub-station (for off-site electrical connectivity) is described as one of the elements of the proposal, however it does not appear on any of the submitted plans.

Three surface water attenuation ponds are proposed, with two located in the northwest corner of the site, and the third being located in the north east corner, beyond the landscaped bund, close to where the gas pipe connection is depicted as leading off site. The north eastern attenuation pond provides the outlet point for off-site discharge to the land drains.

8 car parking spaces will be provided for the 4 proposed employees, who are expected to arrive prior to 08:00 and depart after 18:00. The facility by its nature will be required to be operational for 24 hours a day, although deliveries are proposed to be restricted to between 7am and 7pm on Mondays to Saturdays (although the Traffic and Transport Assessment assesses hours as being from 7am to 6pm Monday to Saturday). It is suggested that there will be a maximum of 154 vehicle movements per month into the site to deliver feedstock (not including crop arisings from Horsey Toll Farm), and a monthly maximum of 114 digestate collections (not including those used on Horsey Toll Farm) leaving the site, although it is also suggested that there could be an element of backloading (i.e. a vehicle delivering feedstock could take out digestate). The propane tanks would require re-filling once every two weeks.

The applicant has been requested to clarify the details of the proposal where discrepancies have been identified in the submitted application materials.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
15/00842/MMFUL	Erection of Gas to Grid Anaerobic Digestion Plant to comprise four digester tanks, technical operations building, silage clamp, storage lagoons, four liquid waste tanks, Gas Flare, Gas Upgrading System (GUS) and Gas Entry Unit (GEU), separator, cooling unit, transformer, heating kiosk and two underground propane tanks	Withdrawn by Applicant	14/01/2016

### **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 3 - Rural Economic Growth**

Should be encouraged through sustainable growth and the expansion of business/ enterprise including sustainable rural tourism/leisure developments which respect the character of the countryside, via the conversion of existing buildings and well designed new buildings. The retention and development of local services and community facilities should be promoted.

##### **Section 10 - Renewable Energy Development**

Applications for energy development should not be required to demonstrate the overall need for renewable or low carbon energy. Applications should be approved (unless material considerations indicate otherwise) if the impacts are or can be made acceptable.

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

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

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

SA10 - Regional Freight Interchange

Safeguards a site for a Regional Freight Interchange. Detailed requirements are set out in Core Strategy policy CS7.

#### **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).

**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.

**MW27 - Mineral Consultation Areas**

Mineral Consultation Areas are buffers around existing or planned mineral sites. Development will only be permitted in these areas where it is demonstrated that it will not prejudice existing or future mineral extraction.

**MW32 - Traffic and Highways**

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

**MW33 - Protection of Landscape Character**

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related SPDs.

**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.

#### **MW36 - Archaeology and the Historic Environment**

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

#### **MW38 - Sustainable Use of Soils**

Mineral and Waste development which affects the best and most versatile agricultural land will only be permitted where it meets the criteria set out in this policy.

#### **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.

#### **Cambridgeshire & Peterborough Mineral and Waste Site Specific Proposals DPD (2012)**

M9 Minerals Consultation Areas.

Designates a safeguarding area, M9K, around the extant Must Farm quarry site.

#### **Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

## **4 Consultations/Representations**

#### **PCC Peterborough Highways Services (22.04.16)**

Access to the site is gained from a private road onto the A605 on the Peterborough City Council's Highway Network. The submitted Transport Assessment includes a single hours traffic count which is insufficient to establish traffic flows and peak times on the local network. The proposed quantity of feedstock appears incapable of being derived from the applicant's land (and would potentially require additional traffic movements to the site). Off-site digestate disposal will not necessarily correlate with the deliveries from source farms (thus the backloading proposals may not be viable). There is insufficient detail to establish the existing and proposed Horsey Toll Farm trips.

#### **PCC Pollution Team (06.05.17)**

Odour - The proposal would be subject to an Environment Agency Permit. The submitted odour impact assessment identifies that suitable levels will be achieved at sensitive receptor locations (i.e. nearby residential dwellings). To meet appropriate levels requires suitable operational and management techniques, a critical element of which is the proposed scrubber and biofilter control system; this system has to meet the proposed performance specification for the proposal to be



acceptable. A condition to control the odour emission rate is recommended. Odour conditions normally required under permit should be included in the event that no permit is required.

Noise – This would also be covered by an Environment Agency Permit. The noise limits suggested as a result of the survey are acceptable and should be controlled by condition. Additionally, HGV movements during unsociable hours should also be controlled by condition. Lighting - should lighting be required it would have to be compliant with recommended limits.

**PCC Lead Local Drainage Authority (26.04.16)**

No objections. The proposed drainage design is satisfactory, and PCC drainage concur with the comments of CCC Lead Local Flood Authority.

**PCC Archaeological Officer (14.04.16)**

The Horsey Toll Scheduled Monument lies some 350m to the south of the site and advice should be sought from Historic England in this regard. There are a number of non-statutory heritage assets within the locality, dating from the Bronze Age, through to a World War II airfield known as Shortacres. The heritage statement should include a re-assessment of known heritage assets, and include the results of the Test Pitting Survey. If approved, a detailed investigation should be secured by a pre-commencement condition, and all groundworks should be monitored by an appointed archaeologist.

**PCC Wildlife Officer (15.04.16)**

No objections. Natural England advice should be sought with regards to impacts on designated sites during the construction phase. Impacts on protected species, including badgers, water voles, reptiles, nesting birds and bats can be controlled through the use of appropriate conditions. The proposed tree, hedge and shrub planting is acceptable.

**PCC Landscape Architect (21.04.16)**

The scope and methodology of the LVIA are in accordance with recommended guidelines. A detailed assessment of the residential visual receptors with views of the proposed development should be undertaken, as well as at additional identified isolated properties.

The cumulative effect of the proposal is more likely to have an adverse impact on the landscape than is described in the LVIA (which states that the 'extent of the development next to existing industrial built form would be absorbed into the landscape'.

The proposed mitigation measures would be improved by having solid block woodland and hedgerow planting rather than intermittent and scattered planting, as this would be more typical of the isolated woodland blocks in the generally open landscape.

**Cambridgeshire County Council (05.05.16)**

Further information, as previously set out in the scoping report and requested by consultees, is required to enable full consideration of the application. In summary, the further information required is to provide an appropriate understanding in respect of; adjacent businesses and quarry site; consideration of alternative sites; archaeology and cultural heritage; ecology; floodrisk (sequential test); sewage disposal; highways and transportation; landscape and visual impact; pest control; and cumulative impacts.

Advice is also provided to ensure consideration is given to any relevant planning or enforcement history and to any requisite off-site works (such as grid connection).

Discrepancies have been identified in the plant legend and the description of development, and no reference is made to the National Planning Policy for Waste (2014).

**Cambridgeshire County Council - Floods And Water Management (15.04.16)**

No objections. The applicant has demonstrated that surface water can be dealt with on site by using attenuation basins, and that run-off will be discharged at a rate no greater than existing. The

minimum requirements of the NPPF have been met with regards above ground SUDS features being located in Flood Zone 3.

**Cambridgeshire County Council - Highways (Fenland) (18.04.16)**

Further detail is required to accurately assess the impact on the local highway network, relating to baseline figures, patterns and methods of vehicle movements.

Comment on the site access should be provided by Peterborough City Council Highways.

**Fenland District Council - Environmental Health (29.04.16)**

Object. Advise that Peterborough City Council would be responsible for planning enforcement, and that statutory nuisance enforcement would fall to both Peterborough City and Fenland District Councils. This should be considered in light of the requirement for the Environment Agency to enforce permit conditions, through the use of 'best available techniques' even when the pollution is causing justifiable complaint and harm to amenity. Appropriate baselines of any pollutants must be established to enable suitable conditions to be established.

Odour - the methodology for odour assessment is acceptable, though no baseline position has been established. Conditions should be required with regards odour levels at the site boundary and the length of time which feedstocks may be retained on site.

Noise - the existing sound levels at King's Delph have not been established, and the Noise Impact Assessment does not meet the relevant standard. The proposed acoustic bund should be constructed prior to construction works being undertaken. The timing of HGV movements should be restricted by condition and site vehicles should be equipped with suitable reversing alarms.

Lighting - any required lighting is unlikely to be positioned higher than the surrounding bund and is therefore unlikely to be an issue.

Gas storage - advice should be sought from the HSE in respect of the storage of gas.

**Historic England (14.04.16)**

No objections. A modest degree of harm to the setting of Horsey Hill Fort Scheduled Monument would be caused by the development. The public benefits of the proposal need to be weighed against NPPF policies 132 and 134.

**Environment Agency (27.04.16)**

No objections on the grounds of floodrisk. The site lies within Flood Zones 2 and 3 and evidence needs to be provided to indicate that the Sequential Test has been carried out. Additional advice is provided in respect of groundwater and contaminated land, foul drainage and odour and noise. The applicant is also advised of the additional information required when applying for the requisite Environmental Permit.

**Natural England - Consultation Service (18.04.16)**

No objections. The construction and operation of the proposal is unlikely to have any adverse effect on birds associated with the Nene Washes SSSI, SPA, SAC and Ramsar site. The Local Planning Authority is advised to consider impacts on local sites, landscape character, biodiversity priority habitats and species, and to follow standing advice on Protected Species. Biodiversity enhancements should also be provided if permission is granted.

**Middle Level Commissioners (05.05.16)**

Advice provided that responses to planning applications will only be provided if the applicant has entered into pre/post application discussion directly with the Board. Prior written consent may be required for certain water level / flood risk management issues.

For reference, the MLC previously provided commentary / advice on application 15/00842/MMFUL (the original application that was withdrawn), on 16.06.2015 as follows;

The King's Dyke navigation should not be adversely affected. Consideration should be given to the

impacts on water resources and the risk of pollution. Any works affecting MLC systems or watercourse will require an Environmental Statement and a Risk Impact Assessment. No information has been provided regarding foul sewage. Run-off from the site should be restricted to greenfield run-off rates, and consent will not be granted for a direct discharge. Horsey Toll Farm Bridge is over 70 years old and may not be able to cope with increased traffic movements, replacement would require a navigation closure. Consent will be required for works affecting the watercourse within the proposed site. All infrastructure must be positioned outside the Boards access strips. Insufficient evidence has been provided to demonstrate the acceptability of the proposed surface water / treated effluent disposal system.

**Inland Waterways Association (06.04.16)**

Support, subject to appropriate monitoring of the screening proposals to the site.

**GeoPeterborough (18.04.16)**

Request that opportunity is provided to examine, sample and record the temporary excavations associated with the proposal, in light of the Jurassic Oxford Clay and Nene terrace sequences.

**Whittlesey Town Council (14.04.16)**

Object. Noise, traffic, smell, risk of implosion/explosion. Pollution of navigable waterways and impact on wildlife. Water table and flood zone concerns. Land stability and top soil subject to drifting. Gas main connection suitability. An Environment Agency review of containment failure incidents at anaerobic digestion facilities (2010 to 2013) has been referred to highlighting safety concerns. An engineering survey is required and major works would be needed to deal with water, foul water and sewage. The Middle Level Drainage Board, March and Whittlesey Internal Drainage Board and Peterborough City Council refuse to give permission to tap into existing pipework.

**Shailesh Vara MP (19.05.16)**

Object.

The proposal site is in close proximity to a densely populated residential area, including a primary school and nursery, which may be subject to significant odour and noise impacts.

The proposals do not demonstrate that the required amount of feedstock can be provided by the surrounding land; additional feedstock imports would result in increased heavy good's vehicle movements detrimental to the local highway.

The submitted traffic survey is insufficient.

There are no clear pollution prevention measures in times of flooding.

The application should be refused as the information has not been provided in line with the Council's previous requests.

Insufficient assessment has been undertaken regarding the potential impacts on the Horsey Toll Scheduled Monument.

**PCC Cllr Chris Harper (17/04/2016 and 24/04/2016)**

Has concerns and objections on the following grounds;

- the proximity of the proposed site to a densely populated area (approximately 250m), which includes a primary school, children's nursery and a playpark.
- the issues experienced at other AD plants, including odour, bio aerosols emissions, exhaust pollution, dust, noise explosion and increases in vehicular traffic.
- negative impacts on neighbourhood amenity and health.
- pollution, from the plant and associated increased traffic, will be at odds with the Environment Capital aspirations.
- increased traffic movements in an already congested area at peak times.
- potential changes to future waste feedstock (e.g. animal waste).
- policy objections, specifically Peterborough Core Strategy policies CS10 (Environment Capital) and CS14 (Transport) and Peterborough Planning Policies PP03 (Impacts of New Developments), PP12 (Transport Implications) and PP19 (Habitats and Species of Principal Importance).

Cllr Harper also provided photographs demonstrating the congestion on the roads around the proposed site entrance.

**PCC Cllr Ray Bisby (14/04/2016)**

Has objections relating to the ecological and archaeological importance of the area, the potential for leaks and pollution, the likely requirement for lighting to add to light pollution, and increased traffic. Identifies the storage of propane gas as a potential hazard explosion and suggests that the bio waste (digestate) may be likely to be rejected as a fertiliser. Public health concerns should outweigh any benefits of the proposal.

**PCC Cllr Brian Rush (12/04/2016)**

Objects on the following grounds: noise; traffic; smell; risk of explosion; foul water polluting King's Dyke and other waterways; the siting in a flood zone; visual impact to properties on Belton Road; impacts on the Nene Washes; the site not being allocated; the site being within a Minerals Consultation Area and prejudicing future mineral extraction; the impact on the Must Farm restoration scheme and species likely to use the habitat; and archaeology. It is also suggested that routing the Stanground bypass across this site was refused due to the presence of a SSSI.

**Peterborough Civic Society (23/05/2016)**

The Civic Society does not object to the application. The proposal will have minimal impact on Horsey Hill Fort Scheduled Monument, and the views of the Cathedral from the A605 are noted as being important, but distant. The proposed bunds and planting will provide partial screening and the structures will appear as an extension to the existing industrial premises. On visual amenity grounds the proposal is considered to have a moderate but acceptable impact.

**Cambridgeshire Fire and Rescue (17/05/2016)**

Advise that provision should be made for fire hydrants, to be controlled by condition.

**Local Residents/Interested Parties**

Initial consultations: 185

Total number of responses: 152

Total number of objections: 147

Total number in support: 0

Total number making comments neither supporting nor objecting: 5

Representations have been received from 110 different addresses. In some cases these representations have been signed by numerous members of the same household, and there have also been several instances of multiple representations being received from the same person, or address.

Three petitions have been received. Two of which comprise hand written signatures; one comprising residents largely from King's Delph (totalling 52 signatories), and one comprising residents largely from the Stanground and Stanground South areas (totalling 1491 signatories). The third petition has been completed online (totalling 721 commentators); this petition allowed additional commentary to be added to the main commentary that people were being invited to agree to. As such, the additional commentary has not been reviewed.

A number of concerns and objections have been raised, including:

- traffic
- odour
- noise
- wildlife
- pollution concerns
- proximity to homes, a school, nursery and park
- there are more appropriate locations, including industrial areas, for such a use to be sited.
- landscape and visual impact, on residential amenity, and on leisure amenity for users of

- the nearby foot and cycle path, and the navigable waterway,
- impacts on the historic environment.
- drainage, flood risk and pollution
- the lack of alternatives explored by the applicant, both in terms of location and technology proposed
- failure to propose any pest control measures
- safety
- negative effect on house prices

All the identifiable concerns raised have been addressed throughout the remainder of this report.

Although a number of representations acknowledged the scheme had some benefits, including the provision of energy from alternative technology, there was no unequivocal support expressed.

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

### **The Principle of Development**

The main considerations are;

- The principle of development
- Ecology
- Landscape and Visual Impact
- Traffic, Transport and Highway Safety
- Noise
- Odour
- Flood Risk and Drainage
- Heritage and Archaeology
- Other Issues
- Response to other issues identified through representations

Note; policies from the Cambridgeshire and Peterborough Minerals and Waste Development Plan are referred to as either CS (Core Strategy) or SSP (Site Specific Proposals), followed by the policy number.

### **The principle of development**

The proposal is for a waste management proposal outside an allocated area, and as such is considered against CS18, which requires proposals to be consistent with the spatial strategy for waste management and for them to contribute towards sustainable waste management, moving waste up the waste hierarchy (which is a set of priorities to help enable the efficient use of resources). It is considered that the use of waste from the food supply chain as a feedstock ensures the proposed development makes a positive contribution towards sustainable waste management. The remainder of the report will assess the proposals consistency with the spatial strategy for waste, thus enabling a view to be taken as to whether the two elements of CS18 have both been met.

As an Anaerobic digester the facility would be considered as a 'treatment' facility under the waste spatial strategy, CS14 (the scale of waste management provision) does not identify a specific quantum of treatment capacity required. CS15 (the location of future waste management facilities) identifies the spatial distribution of the waste management network within the plan area, and includes a number of relevant factors for this proposal, including;

- the need for waste management facilities
- environmental constraints and designations
- existing / planned mineral workings

- site availability
- highway capacity and safety
- the need to minimise the movement of waste
- sensitive receptors

As there are currently no operational Anaerobic Digesters within the Peterborough area the need for the facility is not in dispute (although this has been raised in one representation which also stated there was no policy support for such a facility). Site availability is not a concern either, as the proposal has been put forward with notice having been served appropriately on the landowner. The remainder of the factors from CS15 are assessed throughout the report as appropriate. Two of the petitions and 32 individual representations assert that the proposal would be more appropriately sited on industrial land or a 'more appropriate site'.

It is acknowledged that the proposals may be considered to support a 'prosperous rural economy' (NPPF 3.28), will support the provision of renewable energy (CS22) and will contribute to moving waste up the hierarchy (in accordance with The National Planning Policy for Waste (2014)). These factors supporting the principle of development must therefore be considered in the balance with the other issues identified throughout this report.

The proposal site also falls within the Mineral Consultation Area (MCA) (CS27), SSP policy M9K, associated with the Must Farm Quarry. MCA's are designated around existing or planned sites to ensure mineral reserves will not be prevented or prejudiced by other forms of development.

## **Ecology**

The proposals are supported by a Phase 1 habitat survey, and an assessment of impact on the Nene Washes (SSSI, SAC, SPA and Ramsar site), which lie some 1.8km north of the proposal site. Despite ecology and wildlife (including any potential pollution effects thereon) being raised within one of the petitions, and being a clearly identifiable concern within 49 individual responses, Natural England have no objections and have stated that the proposal is unlikely to have any adverse effect on birds associated with the Nene Washes. The Wildlife Officer similarly has no objections, subject to the use of appropriate conditions in relation to impacts on protected species.

Notwithstanding the Natural England and Wildlife Officers comments above, the proposed hours of operation also indicate that lighting would be required, and it is not clear how or if such lighting would impact on protected species. The potential impacts of any required lighting may lead to an objection on ecology and wildlife grounds.

Consultee comments are based on the submitted information only. As part of the Reg 22 request additional information was requested in relation to the extant permitted mineral operations at Must Farm. In brief, the permitted operations at Must Farm will result in the creation of a lake directly adjacent to the proposal site. As no information has been supplied to assess the potential impacts of an additional (permitted) wetland area between the proposal site and the Nene Washes it is therefore not possible to draw a firm conclusion regarding the ecological impacts of the proposal, and how such impacts should be weighed against the benefits if the proposal.

In relation to the potential for pollution impacts on the local wildlife, and any designated sites, it is acknowledged that any operation would be subject to Environmental Permitting. However we cannot, through planning, control the existence of other permits, therefore we need to take a view on the planning information submitted. With insufficient information to assess potentially negative impacts in relation to lighting and the approved restoration at the neighbouring Must Farm quarry it has not been possible to draw a firm conclusion in relation to ecology and impacts on the environment as required by policies CS34 and CS35, and how such impacts should be weighed against the benefits of the proposal.

## **Landscape and Visual Impact**

Planning policy states that development such as that proposed will only be permitted where it can be demonstrated that it can be assimilated into its surroundings and local landscape character (CS33). The proposals are accompanied by a Landscape and Visual Impact Assessment. One petition and 12 individual representations clearly identify concerns in relation to the landscape and visual impact of the proposal, whilst one of the petitions, and 21 individual representations identify a negative impact on leisure amenity, (e.g. the footpath / national cycleway (Route 12) which forms part of the Peterborough Green wheel running alongside the course of the old River Nene) in part because of the visual impact of the proposals, with a further 2 representations specifying concerns over potential lighting.

Although the Council's Landscape Architect has confirmed that the scope and methodology of the LVIA are in accordance with recommended guidelines, they have identified a number of shortfalls in the assessment. They have requested that a detailed assessment of the residential visual receptors with views of the proposal should be undertaken, as well as at additional identified isolated properties. The consultee also contends that the cumulative effects of the proposal are more likely to have an adverse impact on the landscape than is described in the LVIA, and suggests improvements to the proposed mitigation measures.

It is noted that the proposals do not include any information in respect of lighting that could reasonably be expected to be required given the proposed hours of operation.

After the further information request, one petition and one representation were received which highlighted a potentially significant negative visual impact in relation to views towards Peterborough Cathedral from the east. This view was endorsed by Historic England. As a result, the applicant was requested to produce additional analysis to establish to what degree the setting would be affected and the degree of harm which would be caused to its significance. From a procedural perspective it was noted that the Conservation Officer had not been consulted (due to the distance of the proposal site to the Cathedral), but would be upon submission of the requested further information.

Further information was requested from the applicant in relation to the extant permitted mineral operations at Must Farm. In brief the permitted operations at Must Farm will result in the creation of a lake directly adjacent to the proposal site, and the cumulative landscape character and visual impact cannot be wholly understood without this assessment.

To conclude, in relation to the landscape character and visual impacts; no additional information has been forthcoming in relation to; lighting at the site; the appreciation of Peterborough Cathedral; and on the immediate environment as a result of the approved lake restoration at Must Farm; and the degree to which the significance of any landscape or visual impacts can be assessed is unknown. It has not therefore been possible to draw a firm conclusion in relation to landscape and visual impact issues required under policies CS34, CS35 and CS36, and how such impacts should be weighed against the benefits of the proposal.

### **Traffic, Transport and Highway Safety**

The proposals are accompanied by a Transport Assessment. The Local Highways Authority contend that the single hours traffic count is insufficient to establish traffic flows at peak times on the local network. Furthermore, the proposed quantity of (crop) feedstock appears incapable of being derived from the applicants land (potentially requiring additional traffic movements than are set out in the assessment); there is concern that the off-site digestate removal would not necessarily correlate with the deliveries from the source farms (and thus the viability of the backloading proposals is questionable); and there is insufficient detail to establish the existing and proposed Horsey Toll Farm vehicle trips.

All three petitions, and 84 individual representations cite traffic concerns, be they related to the volume of traffic, the bridge and or road condition of the A605 or with deliveries. A single representation also highlights concerns for safe pedestrian access to the site as there is no

footpath adjacent to the A605.

The Transport Assessment as submitted also failed to take into account other relevant EIA development in the vicinity (including the 'Stanground South' (also known as 'Cardea') development), allocated sites (including the Regional Freight Interchange - see Peterborough Site Allocations DPD policy SA10), and the existing uses at Horsey Toll Farm and neighbouring uses (i.e. those sharing the access track to the A605).

Without the requested further information to help establish extant and future traffic levels it has not been possible to draw a firm conclusion in relation to traffic and highways issues required under policy CS32, and how such impacts should be weighed against the benefits of the proposal.

## **Noise**

The proposal has been accompanied by a noise assessment, and consultation advice sought from both PCC Pollution Control and from Fenland District Council Pollution Control teams.

PCC's officer advised that noise would also be covered an Environment Agency Permit, and indicated that the noise limits suggested as a result of the survey would be acceptable and should be controlled by condition. It was also acknowledged that HGV movement during unsociable hours should also be controlled by condition.

Fenland's officer advised that whilst Peterborough City Council would be responsible for planning enforcement, statutory nuisance enforcement would fall to both Peterborough and Fenland Councils. It is also noted that the Environment Agency enforcement of permit conditions is through the use of 'best available technique' even in the event that any noise pollution is causing justifiable complaint and harm to amenity. The officer was concerned that the Noise impact assessment did not conform with appropriate technical standards, and that existing sound levels at King's Delph (i.e. within Fenland) had not been established.

All three petitions, and 34 individual representations explicitly highlighted noise concerns and associated negative impacts on (in particular) residential amenity.

The access track sits between 60 and 150m east of housing within Stanground. The applicant has not provided drawings to demonstrate the layout of the proposal site in relation to the wider surroundings, including the nearest sensitive receptors at Belton Road. It is asserted that the nearest receptor is over 250m from the proposed Environmental Permit boundary, although this does not correlate with the planning permission boundary, from which there is an estimated 160m between the tip of the south western most bund and the property at 58 Belton Road.

The applicant has been requested to provide evidence in relation to cumulative impacts with the existing Horsey Toll site. More correctly, this request should have related to noise impacts on existing uses at the Horsey Toll site. A caravan has been observed at the site that is potentially in residential use. No evidence has been presented as to the status of this caravan and a precautionary approach must therefore be adopted in respect of the potential noise impacts.

Consultee comments are based on the submitted information only. As part of the Reg 22 request additional information was requested in relation to the extant permitted mineral operations at Must Farm. As no information has been supplied to assess the cumulative noise impacts of the proposal in relation to the extant Must Farm quarrying permission, the degree to which the significance of any noise impacts can be assessed is unknown (e.g. in relation to the approved operational scenarios for Must Farm quarry).

Without the requested further information to help establish appropriate baseline noise levels, cumulative noise impacts, and potentially an additional sensitive receptor, it has not been possible to draw a firm conclusion in relation to noise impacts required under policy CS34, and how such impacts should be weighed against the benefits of the proposal.



## Odour

The proposal is accompanied by an Odour Impact Assessment, Air Quality Assessment and an Odour Management Plan. Air quality and odour concerns as impacting on residential amenity were raised in all three petitions and explicitly in 75 individual representations. All three petitions and 53 individual representations raised a similar concern in relation to the proximity of the proposal site to housing and schools. One petition and 37 individual representations raised explicit concerns in relation to pollution concerns and impacts on human health.

PCC's Pollution Control Officer highlights that the proposal would be subject to an Environment Agency Permit, and contends that the submitted odour impact assessment identifies that suitable (odour) levels will be achieved at sensitive receptor locations (i.e. nearby residential dwellings). The officer also identifies that in order to meet appropriate levels suitable operational and management techniques are required, and that a critical element of this is the proposed scrubber and biofilter control system (which has to meet the proposed performance specification for the proposal to be acceptable). The officer also contends that odour conditions normally required under permit should be included, in the event that no permit is required.

Fenland DC's Pollution Control Officer contends that although the methodology for odour assessment is acceptable, no baseline position has been established. The officer recommends that conditions should be required regarding odour levels at the site boundary, and in relation to the length of time which feedstocks may be retained on site.

The Environment Agency provided an informative comment "that the proposed development may cause offensive odours and noise within the local surroundings. The planned development is within 400 metres of a large residential area which may be affected should odour or noise emission be an issue." The Agency also confirmed that the development would require an Environmental Permit and provided advice as to the information that should be provided with any Permit application.

The Core Strategy designates Waste Consultation Areas around existing and planned waste management facilities from a standard 250m, with a 400m safeguarding area designated around existing and planned waste water treatment works. The proposals are described in the application as lying over 200m from the nearest residential use. Although this distance is understood as relating to the proposed permit boundary, rather than the planning application boundary, no evidence (i.e. a scaled plan) has been provided to clarify the precise distance. The Environment Agency, in response to a request for clarification on the significance of the 400m distance referred to in their response, state that the distance is taken from their October 2012 "Guidance for developments requiring planning permission and environmental permits".

The applicant was requested to provide evidence in relation to cumulative impacts with the existing Horsey Toll site. More correctly, this request should have related to odour impacts on existing uses at the Horsey Toll site. A caravan has been observed at the site that is potentially in residential use. No evidence has been presented as to the status of this caravan and a precautionary approach must therefore be adopted in respect of the potential odour and air quality impacts.

Policy CS34 requires that there is no demonstrable significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to other residential amenities. Whilst there is a perception of harm, it is acknowledged that the proposal would be subject to Environmental Permit control and as no specific objection has been raised by the statutory consultees, the impacts on the known sensitive receptors cannot be considered to represent significant harm. Notwithstanding this, an additional potentially sensitive receptor (i.e. the caravan sited within Horsey Toll Farm) has been identified immediately adjacent to the proposed development and it has not been possible to draw a firm conclusion in relation to odour and air quality impacts required under policy CS34, and how such impacts should be weighed against the benefits of the proposal.

## **Flood Risk and Drainage**

The proposal is accompanied by a Flood Risk Assessment and Drainage Strategy. The proposal site also sits within all three Flood Zones and is subject to the sequential test. The applicant contends that a number of industrial and farm locations were identified near Peterborough around known gas grid network connections, but that no other site had the correct capacity at the required pressure; such sites are reported as being partly or entirely within flood zone 3 and the applicant concludes that “in the majority of cases, development in a flood zone could not have been sequentially avoided”.

Additional information has been requested to evidence the assertions presented within the 'Sequential Test' accompanying the application. As none has been forthcoming it is impossible to draw firm conclusions as to whether or not the proposal passes the Sequential Test. The flood risk at the proposal site also needs establishing in relation to the concerns about the potential for pollution impacts resulting from any flooding incident.

Although eight individual representations raise explicit concerns on flood risk grounds, the Environment Agency have no objections on the grounds of flood risk, but have specified that evidence needs to be provided to indicate that the Sequential Test has been carried out.

As a cross boundary application, the development is subject to two Lead Local Flood Authorities - PCC and CCC. The PCC Drainage Officer has raised no objections, and is content that the proposed drainage design is satisfactory. The PCC Officer also agrees with their CCC counterpart (who also has no objections) that surface water can be dealt with on site by using attenuation basins such that run-off will be discharged at a rate no greater than existing, and that the minimum requirements of the NPPF have been met with regards above ground SUDS features being located in Flood Zone 3. Three individual representations have explicitly expressed concern that there should be no drainage to a watercourse from the proposed development.

The Middle Level Commissioners (MLC) (the relevant Internal Drainage Board) have advised that they no longer provide bespoke responses to planning applications unless they are subject to their pre/post application discussion process; the applicant was advised that prior written consent may be required for certain water level / flood risk management issues. MLC comment was provided on the initial (15/00842/MMFUL) application. Of the issues identified in these original comments it is noted that the Board advised that all infrastructure must be positioned outside the Board's access strips, although they also advise that any works affecting MLC systems or watercourses will require an Environmental Statement and a Risk Impact Assessment. Of relevance here is that the applicant has been advised that further information is required in relation to any requisite off-site connections. The MLC also advised that the King's Dyke navigation should not be adversely affected and that consideration should be given to the impacts on water resources and the risks of pollution.

It is considered that whilst details of foul sewage have not been provided these could be controlled by condition. Likewise, the proposed drainage systems have not drawn objection from the statutory consultees. However, the failure to address the requirements of the sequential test leaves a concern regarding the potential pollution impacts which may result from a flooding incident. It is not clear that there would be no unacceptable impact on water resources in accordance with CS policy 39.

Further information has also been requested in relation to Must Farm Quarry. The distance between the permitted quarry and the closest part of the proposal site (the lagoon in the north east corner) is unknown, but estimated to be within 50m. The permitted extraction and the proposed AD facility, sitting below ground level can reasonably be anticipated to have an effect on groundwater flows in the vicinity. Policy CS39 requires proposals to demonstrably have no significant adverse impact or risk to groundwater flows, and there are concerns that the proposal could therefore prejudice the existing approved mineral workings.

## **Heritage and Archaeology**

The proposal is accompanied by a heritage and archaeology statement and the results of a Test-Pit Survey of the site. Four individual representations raise explicit concerns relating to archaeological issues, whilst one petition and one individual response raised concerns relating to the impact on the setting and views of Peterborough Cathedral. No information has been provided with the application with regards to any off-site connections, either above or below ground, that may be required to ensure the proposed development can fulfil its intended function. No details have been provided in relation to any upgrading works that may be required with regards to the bridge crossing the old course of the River Nene (as identified by the Middle Level Commissioners).

The Archaeological Officer has advised that the submitted heritage and archaeology statement does not provide a conclusive assessment of known heritage assets and does not adequately incorporate the results of the Test Pitting survey submitted as Appendix 15.

The closest Scheduled Monument (designated asset) is that at Horsey Hill Fort, some 250m to the south of the site. Other than the proposed access to the A605, the proposal site and the Horsey Hill Fort SM are separated by the array of uses currently around Horsey Toll Farm, including the crane hire site, and a field. Historic England does not consider that the proposal will result in serious harm to the significance of the Scheduled Monument. Therefore the provisions of paragraph 134 of the NPPF apply. This states that where development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

Historic England acknowledge the importance of the context of the landscape within which the SM sits, and the prominent views of the crane hire company between the SM and the proposal site. Notwithstanding this, a modest degree of additional harm to the SMs significance is adjudged to be caused by the proposed development. The Council's Landscape Architects have advised that the cumulative effect of the proposal is more likely to have an adverse impact on the landscape than is described in the LVIA, and, as described elsewhere in this report further information has been requested with regards landscape and visual impact assessment.

Potential impacts on Peterborough Cathedral (a Grade I listed building, including aspects Scheduled or registered under the Ancient Monuments and Archaeological Areas Act 1979, and the Historic Buildings and Ancient Monuments Act 1953) also contributing to the impact on the historic environment are also of relevance, and have been discussed under the Landscape and Visual Impact sub heading.

For the proposed development to function as intended, it is clear that additional archaeological impacts to those identified in the application will require resolution. Whilst it is acknowledged that potential upgrading works to the bridge may be agreed outside of the scope of this application, it is clear that provision of off-site gas and / or electricity will be required. Such impacts cannot be disassociated with the proposal and must therefore be considered holistically at this time.

Without the requested additional information it is not therefore possible to weigh the benefits of the proposals against the impact on designated and undesignated heritage assets, and compliance or otherwise with policy CS36 in relation to archaeology and the historic environment cannot be established.

### **Other issues**

#### **- Consideration of alternatives**

The applicant has also been requested to provide additional information regarding the reasonable alternatives studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects, as required by Schedule 4 of the EIA Regulations.

Although a similar request has been made in respect of the Sequential Test in regards to flood risk, no evidence has been put forward as to the other sites alleged to have been studied. It has also been raised explicitly in one representation that an alternative output (i.e. a 'gas to electric' output) would have enabled a greater array of potential sites to have been considered. Due to the sensitive nature of the site that has been selected by the applicant, this is not considered an unreasonable request. Therefore, the application as submitted is not considered to be in accordance with the requirements of Schedule 4 of the EIA Regulations.

Policy CS38, regarding the sustainable use of soils, states that minerals and waste development will only be permitted where it can be shown that there is a need for the development, which is not in dispute, and where an absence of suitable alternative sites using lower grade (agricultural) land has been demonstrated. Four representations have explicitly expressed concerns in relation to the loss of agricultural land. No information has been presented regarding the quality of the agricultural land at the proposal site, and no consideration of alternative sites, demonstrating that the proposal site is the most suitable from a soils perspective has been undertaken. The benefits of the proposal can not therefore be assessed against the potential impacts and the proposals have not been demonstrated to be in accordance with policy CS38.

- **Pest control measures**

The applicant has failed to identify any potential pest control measures, an issue raised explicitly in ten representations. Policy CS34 requires development to demonstrably have no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities. Although no further information has been provided as requested regarding any potential pest control measures, it is considered that in the event that permission were to be granted, such measures could be adequately controlled by condition.

- **Regional Freight Interchange - allocated site**

Where the proposal site falls within the PCC boundary it sits within the allocated Regional Freight Interchange (RFI) site (Peterborough Site Allocations DPD Policy SA10). Although it is noted that there is no equivalent allocation within the Fenland area, the Peterborough Site Allocations DPD describes the RFI as likely to require a total of 135ha, of which approximately 33ha sits within the Fenland administrative area.

The proposal site extends to some 6.3ha over the Peterborough and Fenland administrative areas and it is clear that should permission be granted this would remove a proportion of the available area for the allocated RFI site. Whilst it is unlikely that the loss of a relatively small area would prejudice the allocated site coming forward, there are in combination impacts that should be addressed by any application. It is acknowledged that the practicalities of establishing any such cumulative impacts is limited due to the amount of currently available information (i.e. there is presently no application for the RFI), however Peterborough Core Strategy policy CS7 identifies a number of 'particularly relevant' issues that any application at the RFI site would have to address.

The key consideration for the proposed development in light of the allocated site is the land take and location of the proposal site in the context of the RFI allocation. As a relatively small area of land within the allocated site, and being located adjacent to the existing uses within the area and utilising the same point of access to the A605, it is not considered that the proposed development would prejudice the RFI site from being developed. The proposal is not therefore considered to be contrary to policy SA10.

**Fire Hydrants**

The Fire and Rescue Authority recommend that provision should be made for fire hydrants within the proposal. In the event that planning permission were to be granted this could be controlled by condition.

## **Response to other issues identified through representations**

### **Safety**

21 representations have explicitly expressed safety fears, both in general terms relating to Anaerobic Digestion process and facilities, and specifically in relation to the storage and use of propane gas in close proximity to a densely populated area. These are not considered to be material planning considerations as the development would be subject to alternative legislation regulating such issues.

### **Ground conditions and land instability**

Three representations have expressed concerns in relation to the suitability of the ground conditions to support such development. These are not considered to be material planning considerations and the development would be subject to alternative legislation regulating such issues.

### **House price impact**

19 representations have explicitly expressed concerns in relation to the proposal negatively affecting house prices in the vicinity. The protection of purely private interests such as the impact of a development on the value of a neighbouring property is not a material planning consideration.

### **Problems at McCains AD plant**

Two representations have expressed concerns about issues (including odour) that have been experienced at the nearby AD facility at the McCains factory, and about how these have been resolved. Whilst the cumulative impact of the proposed development with that at McCains needs to be addressed, the success or otherwise of effective regulatory regimes at an alternative site using similar technology is not a material planning consideration.

### **Effective enforcement**

Three representations have explicitly expressed concern about the effectiveness of any enforcement regimes that should be in place. As described in relation to the AD facility at the McCains factory, the effectiveness of regulatory regimes is not a material planning consideration.

### **Future development**

Three representations have explicitly expressed concerns that this development may lead to future expansion / additional AD development at the site. Although the applicant has highlighted that future expansion is not planned, any such expansion / addition to the site would be subject of a separate application, and is not therefore considered to be a material planning consideration.

### **Localism and Human Rights**

One petition and four representations have explicitly expressed concerns in relation to the proposal in light of the requirements of the Localism Bill and the Human Rights Act. It is considered that due process has been adhered to and the proposal has been appropriately assessed. Consideration and determination of the application is not considered to undermine the requirements of the Localism Bill nor impact on Human Rights.

### **Employment**

One petition and one response has explicitly expressed concerns regarding the potentially negative impact on existing employment levels resulting from existing businesses being likely to

relocate elsewhere. There have not been any responses from the neighbouring business indicating concerns to this effect, and nor from any recognised business associations. As such this is not a concern that will be weighed in the planning balance.

### **Political purpose**

One objection has been received in response to a perception that the development (and objection to it) is being used for political purposes. It is considered that due process has been adhered to and the proposal has been appropriately assessed. It is not considered that the objection is of relevance to the planning balance, and furthermore there is a complaints procedure that may be engaged should the objector be so minded.

### **Public consultation**

Two representations have explicitly expressed concern in relation to the public consultation surrounding the proposals. The background to the proposals, i.e. it being initially submitted to only one authority (CCC), including the withdrawal and re-submission, is thought to have contributed to these concerns. However, due process has been adhered to, and it is not considered that any party has been prejudiced in their access to information about the proposals, or their ability to submit comments.

## **6 Conclusions**

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

The proposal is considered as a waste management proposal outside an allocated area (CS18). Whilst satisfying one of the criteria for this policy, in making a positive contribution towards sustainable waste management, the lack of additional information prevents a definitive conclusion being drawn regarding its consistency with the spatial strategy for waste management. As such, it is correct for a precautionary approach to be adopted. The merits of the proposal, including compliance with aspects of national policies regarding the economy and rural diversification, the provision of renewable energy and moving waste up the waste hierarchy, cannot be satisfactorily weighed against the potentially negative impacts as they are not fully known. Such potentially negative impacts include:

- Alternatives. The consideration of alternative sites as required by the EIA regulations may demonstrate a more appropriate location.
- Ecology. The potential impact of lighting at the site, which is likely to be required, on protected species. The cumulative impacts with the restoration scenario for the approved Must Farm quarry. The proposal is not therefore in accordance with policies CS15, CS27, CS34 and CS35.
- Landscape and visual impact. Residential visual receptors with views of the proposal. The cumulative effects of the proposal, specifically with the approved mineral workings at Must Farm. The potential impact of lighting at the site. The proposal is not therefore in accordance with policies CS33 and CS34.
- Traffic, transport and highway safety. The ability of the highway network to accommodate increase in traffic. The proposal is not therefore in accordance with policies CS15 and CS32.
- Noise. The residential use or otherwise of the caravan at Horsey Toll Farm needs to be established. The noise impact whereby the baseline has not been adequately established. The cumulative effects of the proposal with the operational scenario for the approved Must Farm quarry. The proposal is not therefore in accordance with policies CS15 and CS34.
- Odour. The residential use or otherwise of the caravan at Horsey Toll Farm needs to be established. Also weighed into the balance is the information provided by the Environment Agency, which, whilst not objecting, notes that a large residential area may be affected

should odour be an issue. The proposal is not therefore in accordance with policies CS15 and CS34.

- Floodrisk and drainage. There may be a sequentially more preferable site. Pollution potential during a flooding incident. The proposal is not therefore in accordance with paragraphs 100-104 of the NPPF and policy CS39.
- Heritage and Archaeology. The impact on known (designated and un-designated) heritage assets, including those subject to any requisite off site connection works. The degree of harm to Peterborough Cathedral. The proposal is not therefore in accordance with policy CS36.
- Minerals Consultation Area – The cumulative impacts; associated with noise during the operational scenario for the Must Farm quarry; associated with the effect on groundwater flows; associated with both the operational and restoration scenarios from a landscape and visual impact perspective; and associated with the restoration scenario and ecological impact. The proposal is not therefore in accordance with policy CS27.

A number of additional concerns have been presented through the consultation process, which, whilst representing a depth of feeling in the locality, do not constitute material planning considerations.

## **7 Recommendation**

The case officer recommends that Planning Permission is **REFUSED**

### **R 1 Ecology**

The proposal does not demonstrably show that cumulatively there will not be any significant adverse impacts on sites or features of importance for wild flora or fauna as required by policy CS35. Specifically;

- a) There are unknown ecological impacts in respect of the post restoration scenario for the approved quarry and the nearby Nene Washes designated site.
- b) There is insufficient information to assess the impacts of any lighting that will be required.
- c) There is insufficient information to assess the potential pollution impacts resulting from a flooding incident.

### **R 2 Landscape**

The proposal does not demonstrably show that the scheme can be assimilated into its surroundings and local landscape character area as required by policy CS33. Specifically;

- a) A detailed assessment of residential visual receptors needs to be undertaken, particularly for those properties directly to the west of the proposed development, and for isolated residential properties between viewpoints VP-E and VP-F, and properties at Georg Alcock Way, Farcet.
- b) Confirmation of the use of the static caravan at Horsey Toll farm is required to establish whether an additional sensitive receptor viewpoint is required.
- c) No assessment has been made of the cumulative landscape and visual impacts with the extant mineral permission for the Must Farm quarry.
- d) The landscape character and visual impact assessment impact fails to address the impact on Peterborough Cathedral, and the cumulative impact on designated heritage assets, including the Horsey Hill Fort Scheduled Monument cannot be accurately assessed.
- e) The Landscape Character and Visual Impact assessment fails to take into account the worst case scenario (i.e. during winter when screening may be more limited).
- f) The proposed hours of operation indicate the likelihood of lighting being required. The visual impact and effect on the character of the landscape of any such lighting has not been assessed.

- R 3 Highways  
The proposal does not demonstrably show that the access and highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and / or the nature of the traffic associated with the development without unacceptable harm to the environment, road safety or residential amenity, as required by policy CS32. Specifically;
- a) The location of the proposed facilities has not been evidenced as being fully assessed against highway safety and capacity as required by policy CS15.
  - b) The single hour of count data in the Transport Assessment is insufficient and local peak hours need to be established.
  - c) Clarification is required as to the origins and importation of feedstock both from within the Horsey Toll Farm and crops from elsewhere.
  - d) Clarification is required as to whether the entirety of the Horsey Toll Farm holdings are to be given over to feedstock provision, or whether additional movements associated with the farm holdings will still be required. The provision of expected yield per hectare figures is required to add veracity of the traffic figures.
  - e) The worst case scenario, discounting backloading, needs to be addressed as it is not clear that backloading will be feasible with the crops and digestate involved in the process.
  - f) The existing trip generation, including all other users of the access road, needs to be clarified, and taken into account alongside other relevant EIA developments, including Stanground South, and allocated sites, including the Regional Freight Interchange.
- R 4 Noise  
Insufficient evidence has been presented to demonstrate that surrounding uses and sensitive receptors will not be significantly harmed, as required by policies CS15 and CS34. Specifically;
- a) The noise assessment does not conform to the appropriate standard (i.e. BS4142:2014)
  - b) Existing sound levels at King's Delph have not been established
  - c) Confirmation is required as to the use of the static caravan at Horsey Toll Farm to establish if an additional sensitive receptor site in close proximity to the site.
  - d) The cumulative noise impact with the extant Must Farm quarry has not been assessed.
- R 5 Odour  
Insufficient evidence has been presented to demonstrate that surrounding uses and sensitive receptors will not be significantly harmed, as required by policies CS15 and CS34. Specifically;
- a) Confirmation is required as to the use of the static caravan at Horsey Toll Farm to establish if an additional sensitive receptor site in close proximity to the site.
  - b) The proposal is within 400m of a large residential area which may be affected by offensive odours.
- R 6 Flood risk and drainage  
Insufficient information has been provided to determine if the site is sequentially preferable as required by the NPPF Section 24 paragraphs 100 – 104. In addition there is insufficient information to assess the potential pollution impacts resulting from a flooding incident.
- R 7 Heritage and Archaeology  
Insufficient evidence has been presented to demonstrate the scale of the impact on designated heritage assets or on sites of local archaeological or historical importance as required by CS policy 36. Specifically;
- a) The Heritage Assessment should include all known heritage assets (including the former airfield of local importance) and incorporate the results of the Test Pitting survey.
  - b) The cumulative impact on the historic environment with the approved mineral workings at Must Farm must be assessed.
  - c) The impacts of any requisite off site gas and or electricity connections needs to be assessed.



d) The impact of the proposal upon the setting of Peterborough Cathedral needs to be assessed

R 8 Mineral Consultation Area

Insufficient evidence has been presented to assess the potential prejudicing of the extant Must Farm Quarry as required by policies CS27 and CS39.

a) There is insufficient information to assess the cumulative impacts, including visual impact and historic environment of the proposal alongside the operational and post restoration scenarios of the Must Farm Quarry.

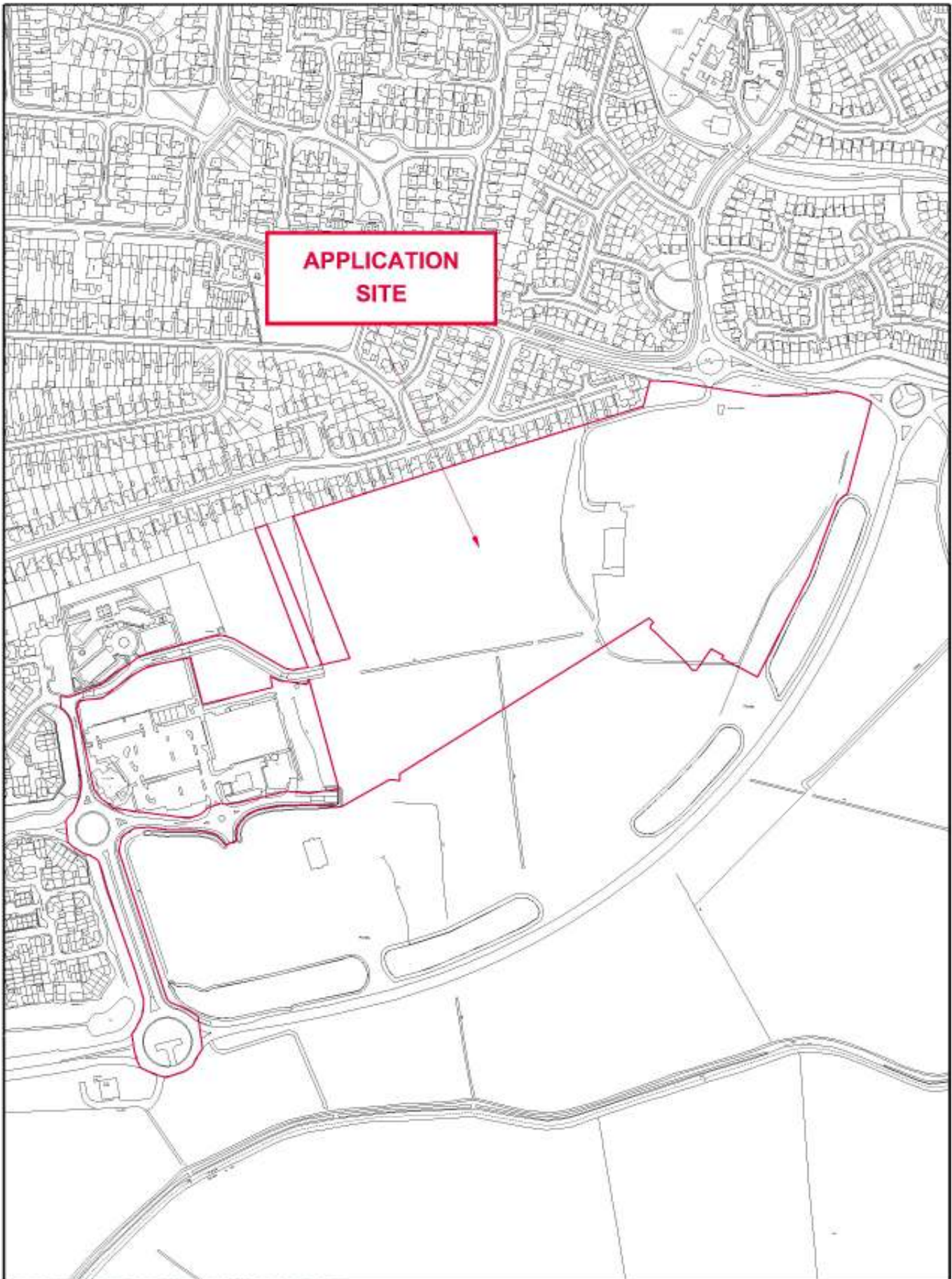
b) There are unknown cumulative impacts on the flow of groundwater at or in the vicinity of the site.

R 9 Alternatives

Insufficient information has been provided to enable a consideration of alternative sites as required by Schedule 4 of the EIA Regulations, and it has not been demonstrated that a suitable alternative site using lower grade agricultural land is not available as required by CS policy 38.

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**LOCATION PLAN 16/02419/OUT**

Land To The South Of Oakdale Avenue Stanground Peterborough

Scale NTS

Date 22/6/2017

Name AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL

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## Agenda Item 2.

### Planning and EP Committee 4 July 2017

<b>Application Ref:</b>	16/02419/OUT
<b>Proposal:</b>	Construction of up to 516 dwellings and associated infrastructure including highway links, parking, sustainable drainage system and public open space with all matters reserved
<b>Site:</b>	Land to the South of Oakdale Avenue, Stanground, Peterborough
<b>Applicant:</b>	Mrs Anne Dew, Persimmon Homes East Midlands
<b>Agent:</b>	N/A
<b>Referred by:</b>	Director of Growth and Regeneration
<b>Reason:</b>	Major application of wider concern
<b>Site visit:</b>	23.05.2017
<b>Case officer:</b>	Mrs Louise Simmonds
<b>Telephone No.</b>	01733 454439
<b>E-Mail:</b>	louise.simmonds@peterborough.gov.uk
<b>Recommendation:</b>	<b>GRANT</b> subject to the signing of a <b>LEGAL AGREEMENT</b> and relevant conditions

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

### Site and Surroundings

The South Stanground Urban Extension (SSUE), known as Cardea, is located between Oakdale Avenue to the north and the Stanground Bypass (A605) to the south. The new Horsey Toll roundabout is situated to the east of the site, and Peterborough Road to the west. There is a small length of dual carriageway heading off the new bypass into Cardea which is referred to as the Entrance Avenue. At the end of this avenue, is a smaller roundabout leading to various development plots of the urban extension.

The development of the SSUE was originally granted outline planning permission in August 2007 under application reference 03/00842/OUT. To date, 1162 dwellings have either been constructed or granted detailed reserved matters consent. In addition, the Local Centre (comprising Morrisons, a small parade of retail/commercial units and a public house), combined Community Building/Sports Pavilion, Primary School, sports playing fields and a large proportion of the green infrastructure (including drainage network) have also been constructed.

The parcel of land subject to this application is situated to the eastern side of the SSUE. The western boundary is formed by the Primary School and Morrisons, and extends to the east to the boundary with the bypass. The northern boundary is formed by the rear gardens to residential dwellings along Oakdale Avenue/Barham Close, and the southern boundary formed by the bypass and existing/committed residential dwellings within Phases 2C/2D and 4C/4D.

### Proposal

The application seeks outline planning permission with all matters reserved (access, appearance, landscaping, layout and scale) for the construction of up to 516 residential dwellings and associated infrastructure including highway links/internal roads, parking, sustainable urban drainage systems (SuDS) and public open space.

Of the 516 dwellings proposed, 363 already benefit from outline planning permission by virtue of the remaining dwellings to be constructed under application reference 03/00842/OUT. Accordingly, the proposal seeks to increase the number of dwellings within the SSUE by 153.

The application has been accompanied by a plan which sets out the different land uses within the proposal. This broadly indicates the location of the internal spine road, development phases for the residential dwellings and public open space/green links. A copy of this plan can be found at Appendix 1 to this report.

The main vehicular access serving the development would utilise the Entrance Avenue into the wider SSUE which connects to an internal spine road which winds through the development. The spine road serving the application site is formed by Bellona Drive (the southern loop) and Constantine Drive (the northern loop). A further vehicular access is proposed out of the development from the northern boundary of the site onto the Park Farm roundabout/Whittlesey Road however this is proposed to be restricted only to buses and emergency service vehicles.

## 2 Relevant Planning History

Please note that not all of the planning history relating to the Stanground South Urban Extension is included below.

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
03/00842/OUT	Residential development comprising 1525 dwellings with a range of dwelling types, including a proportion of affordable housing; 5.52 hectares of employment land (use class B1); provision of complimentary uses to include sites for a primary school and local centre (including community uses, retail and commercial uses), with pedestrian and cycle routes, bus routes, access roads and footways, landscaping, public open space and infrastructure necessary to serve the development including a sustainable urban drainage system. Works of demolition as necessary.	Permitted	17/08/2007
10/00560/FUL	New centre for Stanground South comprising foodstore (use class A1) including petrol filling station and recycling facility, public house/restaurant (use class A4), day nursery (use class D1), retail terrace (use class A1 (restricted) A2, A3, A5, D1, B1a) together with associated car-parking, servicing and landscaping	Permitted	20/08/2010
11/00778/REM	Construction of 210 place C of E Primary School, including fenced games area, playing field and car parking	Permitted	18/08/2011
15/00597/R3REM	Community and sports facility	Permitted	23/06/2015
15/01537/REM	Reserved matters approval relating to access, appearance, landscaping, layout and scale for 150no. dwellings on Phases 2C and 2D pursuant to outline planning permission 03/00842/OUT	Permitted	09/02/2016
15/01734/REM	Approval of appearance, landscaping, layout and scale for a single storey extension to the school (to provide a second form of entry) and associated external works pursuant to outline permission 03/00842/OUT	Permitted	16/12/2015
16/02059/REM	Reserved matters approval relating to appearance, landscaping, layout and scale for 59 dwellings and associated works on Phases 4C and 4D pursuant to outline planning permission 03/00842/OUT	Permitted	22/02/2017

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

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

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

Paragraph 14 sets out that development proposals that accord with the development plan should be approved without delay and that where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

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

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

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

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

##### **Section 8 - Social, Cultural and Recreational Facilities**

Developments should plan for the provision and use of shared space, community services and other local services; guard against the unnecessary loss of valued services/facilities; allow established shops, facilities and services to develop/modernise; and ensure an integrated approach to the location of housing, economic uses and communities facilities and services.

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

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

##### **Section 11 - Natural and Local Environment**

Should be enhanced through the protection and enhancement of valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity. New and existing development should not contribute to or be put at unacceptable risk by unacceptable levels of soil, air, water or noise pollution and land instability.

##### **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 - Contamination**

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

### **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 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.

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

### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

### **CS02 - Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

### **CS05 - Urban Extensions**

Promotes development at Hampton, Stanground South and Paston Reserve and new urban extensions at Great Haddon and Norwood subject to key criteria being met.

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

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

### **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.

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

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

**CS17 - The Historic Environment**

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

**CS19 - Open Space and Green Infrastructure**

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

**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)**

**SA01 - Urban Extensions**

Confirms the location of the urban extensions in accordance with Core Strategy policy CS5 and any planning permissions in place at the time of adoption.

**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.

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

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

**PP12 - The Transport Implications of Development**

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

**PP13 - Parking Standards**

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

**PP14 - Open Space Standards**

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

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

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

**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.

**PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

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

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

**Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

**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**

##### **PCC Peterborough Highways Services (21.04.17)**

No objections – The requested additional Transport Assessment (TA) information shows that there is a general underestimate of the traffic on the network when 2016 modelled flows are compared to the 2015 counts. However, the overall required validation criteria are met and the modelling can therefore be accepted.

The submitted TA shows that 153 additional dwellings does not generate a requirement to signalise Junction 3A of the Fletton Parkway. This is therefore not required. However, improvements to the signage and road markings to reinforce the existing merging arrangements on the westbound on-slip would be required.

The roads within the site should be designed to restrain vehicle speeds to no more than 20mph on the spine roads, and 10-15mph on the side roads. This would not be achieved with the road layouts as shown.

The bus link to Whittlesey Road must be designed so that it does not appear to be the main road for vehicles travelling along Bellona Drive (i.e. vehicles accessing the bus link should have to physically divert from the spine road).

Pedestrian and access links to existing facilities must be provided as part of the development (contributions towards route improvements may be considered a suitable alternative).

The proposed indicative layout of the central spine footpath/cycleway is not acceptable. A safe crossing point over the spine road is needed to allow it to continue on towards Whittlesey Road.

Request a number of conditions relating to: provision/retention of parking and turning for vehicles and cycles; access layout details for each phase; spine road dimensions; prohibition of vehicular access onto Whittlesey Road for private vehicles; a Construction Management Plan; provision of pedestrian/cycle links onto Whittlesey Road; and speed restraints to the spine road.

##### **PCC Pollution Team (17.04.17)**

No objections – With regards to noise, the information submitted identifies that a proportion of the site nearest to the bypass is within noise exposure category B. This means that noise should be taken into account when determining planning applications. In addition, the submitted information determined that whilst thermal double glazing would result in a level of 30dB(A) for daytime and 20dB(A) for night-time, the opening of windows for ventilation would reduce the insulation and result in exceedance of acceptable noise standards. As such, a condition is recommendation which requires a scheme of mitigation for this (which could include passive acoustic ventilators). In addition, consideration should be given to the design of internal layouts to situate less noise sensitive rooms on facades facing the noise source.

With regards to contamination, previous conditions relating to this have been discharged. Therefore, to ensure that the ground is appropriately remediated/validation, a condition is recommended that conditions are attached to any grant of permission requiring compliance with the approved remediation scheme and the reporting of unexpected contamination.

Turning to air quality, the comments in relation to the previous outline application (03/00842/OUT) are reiterated. The submitted information identifies that, with the exception of PM<sub>10</sub> (particulate matter) concentrations, the National Air Quality Strategy Objectives will not be exceeded. The

development and its generated traffic will have an insignificant effect on air quality. Whilst the PM<sub>10</sub> concentrations would exceed the relevant objectives, this is common to many developed areas and is not a consequence of the bypass of development.

**Archaeological Officer (06.04.17)**

No objections – The proposed development site has been investigated as part of the conditions attached to the original SSUE development (03/00842/OUT). However, the final report has not been submitted and this should be secured by condition.

**PCC Strategic Housing (04.04.17)**

Although this application is for up to 516 dwellings, 363 have already been considered as part of a previous application and therefore, this application will consider the 153 additional dwellings. Accordingly, and subject to viability, 46 affordable homes on this site are anticipated under the provisions of Policy CS8 of the Peterborough Core Strategy. Of these, 32 homes should be affordable rented and 14 for intermediate tenure. Additionally, 20% should meet lifetime homes standard, and 2% should be wheelchair units.

**Lead Local Drainage Authority (02.02.17)**

No objections – We are content with the principles set out in the submitted Drainage Strategy which describes how water on-site will be managed. Request a condition securing a detailed drainage layout for each phase of development.

**PCC Tree Officer (27.01.17)**

Prior to determination, it would be beneficial to receive a draft tree retention and removal plan so that the level of removal can be anticipated. Otherwise, no objections are raised given that there will be a robust landscaping scheme to readdress the tree loss.

**PCC Planning Obligations Officer (05.04.17)**

The development is not CIL liable as the proposal is for in excess of 500 dwellings, however as the applicant has discussed draft Heads of Terms for this proposal with Officers prior to submission. A S106A will also be submitted with this application to vary the existing S106 Agreement connected to 03/00842/OUT.

**PCC Senior Recreation Officer (17.01.17)**

Objection - Due to the isolation of the site, all public open space provision should be on-site. Given the lack of detail in respect of the number of each size of dwelling, standard assumptions have been made. Based upon these, it is anticipated that 516 dwellings would generate a total population of 1,501. Applying the current Peterborough Open Space Strategy, this generates a need for 5.7 hectares of public open space split into the differing categories.

**PCC Education & Children's Department - Planning & Development (05.05.17)**

St Michael's Primary School was opened in September 2012 and was built to provide primary school places for the Cardea development area. The pupil admission numbers (PAN) were gradually increased to stop children from outside the catchment area taking places before the houses on site became occupied. However, the school started to experience difficulties in accommodating the catchment children and as such, pupils had to be re-directed to the nearest school with available place – Gladstone Primary School. A decision was then made to expand the school to a 2 form of entry to meet the growing demand on the Cardea development.

**PCC Travel Choice**

No comments received.

**PCC Building Control Manager**

No comments received.

**PCC Waste Management**

No comments received

**Environment Agency (22.02.17)**

No objection subject to a condition requiring details of a scheme for foul sewerage being imposed. An adequate scheme demonstrating that there is, or will be prior to first occupation, sufficient infrastructure capacity for the quantity and quality of water within the development is needed to prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

**Anglian Water Services Ltd (15.02.17)**

No objections – The foul drainage from this development is within the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows. The submitted drainage strategy proposes a connection to sewers that have not yet been adopted by Anglian Water and as such, we are unable to assess whether the development would cause unacceptable risk of flooding. A drainage strategy will be required which could be secured by condition.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) however the surface water strategy submitted proposes to connect into surface water sewers that have not yet been adopted by Anglian Water. Therefore, we are unable to assess whether the development would cause an unacceptable risk of flooding. A surface water drainage strategy will be required which could be secured by condition.

**Middle Level Commissioners**

No comments received.

**UK Power Networks (10.04.17)**

No comments.

**Police Architectural Liaison Officer (PALO) (10.01.17)**

No objections – This appears to be an acceptable layout regarding crime and fear of crime at this stage. We look forward to seeing more context as the application progresses.

**The Wildlife Trusts (Cambridgeshire)**

No comments received.

**Cambridgeshire Fire & Rescue Service (01.03.17)**

No objections subject to adequate provision for fire hydrants being secured by condition or planning obligation.

**National Grid (25.04.17)**

High or intermediate pressure (above 2 bar) gas pipelines, low or medium (below 2 bar) gas pipelines and above ground gas sites/equipment are identified as being within the vicinity of the application site. No further action should be taken until you receive a response from the Gas Distributions Pipelines Team which should be received by 23 May 2017. *[It should be noted that no further comments have been received by National Grid.]*

**Cambridgeshire County Council - Highways**

No comments received.

**Fenland District Council (27.01.17)**

No objections subject to the consideration of the implications for the wider highway network.

**Huntingdon District Council**

No comments received.

**The Open Spaces Society**

No comments received.

**Sustrans**

No comments received.

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

Initial consultations: 1182  
Total number of responses: 90  
Total number of objections: 78  
Total number in support: 0

Two separate rounds of public consultation have taken place. The first, between 5 January and 31 January 2017 in respect of the original submission and the second, between 27 March and 17 April 2017 in respect of revised plans.

#### **Round one – objections**

A total of 75no. objections were received raising the following concerns:

##### **Infrastructure**

- There is only one entrance into Cardea and the Schools do not have enough places.
- I (resident of Oakdale Avenue) cannot find any evidence of infrastructure to support this development. This proposal means approximately 1,700 additional residents. Where are the Doctors, Dentists and Hospitals to support the population increase? The current resources are stretched to over capacity already. Residents were warned to stay away from A&E this year. Dentists are offering appointments in 4 months' time. Doctors are offering 4 week delays. The overstretched resources cannot cope today.
- With an additional 1,700 residents and no additional resources, Peterborough and Stanground will quickly grind to a halt. Please do not let this happen without infrastructure to support the application.
- There should be more social housing.
- With 516 dwellings, assuming half are family homes with two children, where will 500 plus children go to school?
- Play areas for children need to be considered for expansion or additional due to lack of facilities.
- As there is not enough capacity at the existing schools, we (resident of Daphne Grove) need another built.
- Children's play areas are not safe. Anybody can come in and there are always dogs around small children and babies.
- More activities for children are needed.
- More shops/food restaurants are needed as there's nothing on Cardea other than Morrisons, a vets, charity shop and fish and chip shop.
- The application is the straw that breaks the camel's back. The development has already gone over the stipulated number of houses, and the infrastructure simply cannot take it.
- The Doctors Surgery in the Local Centre has never been built which places unacceptable pressure on the Stanground Surgery.

##### **Traffic, access and highway impacts**

- At the moment, the traffic in rush hour is horrendous. It can be a challenge to come out of Oakdale to join the old A605. Most evenings, the traffic is so slow from the Cardea roundabout all the way to Stanground it is unacceptable. It used to take me (resident of Oakdale Avenue) less than 5 minutes to get to work at Kings Dyke but now it takes over 20 minutes.
- Unless you put a slip road to connect Farcet/Yaxley to Cardea, and also put a road in to connect Cardea straight to Pondersbridge, the traffic will continue to get worse.
- In principle there is no objection to the houses being built, however this should not take place unless at least one additional entrance into/exit from the development is put in place. It is suggested that this should be provided to the Park Farm roundabout.
- The volume of traffic already presented by the existing homes in the SSUE, and traffic coming to the Amazon/DHL sites on the doorstep is at an unmanageable level at certain times of the day. As you will be aware, a statement was issued by Cambridgeshire Police in December

2016 directing residents to avoid using this roundabout between 6 and 7pm due to the unmanageable traffic situation. Due to there being no alternative entrance/exit for residents to use means that residents are supposed to stay at home or not go out between those times. Clearly that is not acceptable or reasonable and additional homes will only exacerbate an already out of hand problem.

- A bus lay-by should be put in on the bus stop at the main entrance to the development to allow buses to pull off the main road. Currently buses and lorries sit in the left hand lane for long periods blocking it which means that any traffic coming from Apollo Avenue or Bellona Drive has to quickly change lanes in order to continue to the roundabout. This causes a bottleneck situation and will clearly become much worse once the new homes are built on the Bellona Drive (east) side.
- The roads cannot accommodate any additional parking or traffic generated by the development.
- There is no need for the pedestrian/cycle link onto Barham Close. If this goes ahead, I (resident of Barham Close) will require my fence to be replaced with a wall.
- The link to Barham Close was rejected unanimously some years ago.
- The overall amount of parking available in the estate is not enough. Combined with narrow winding roads, on-street parking clogs up every quickly. Some residents then decide to convert a garage into more living space which leaves them with less room. This needs considering.
- Some form of traffic control is needed at the Amazon roundabout.
- The Stanground bypass should be duelled all the way and adopted by the Council before any more permission is given.
- The location of the proposed Cycleway/ Footpath between two bungalows at the end of Barham Close was originally private access to Havelock Farm and was never intended as a public right of way and is not a suitable location for this type of access.
- There is a risk to the Health and Safety of the residents of Barham Close. There are vulnerable individuals, elderly and young children who will be at an increased risk of being hit by a speeding pedal cycle if access is granted. The Close was not designed to incorporate a Cycleway.
- The cycle link should be included onto the Park Farm roundabout and not Barham Close.
- The proposed development would not provide sufficient parking to meet the requirements of residents.
- We (residents of Barham Close) are concerned that visitors and residents of Stanground East will use Barham Close for additional parking and use the proposed Cycleway / Footpath located in Barham Close to gain access to their properties.
- We (residents of Barham Close) would like to request that, should the application be approved, the Council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. We ask that consideration be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours. We feel very strongly that this should not be via Barham Close
- The roads are currently filthy and a safety risk with potholes, hidden dips and bumps due to cars parking anywhere as there are no double yellow lines. We (residents of Saturn Drive) are at serious risk of fire engines and ambulances being unable to attend incidents.
- There should be double yellow lines, with the exception of the bus stop, along the entrance avenue.
- I (resident of Pandora Drive) witness people driving over the pathetic mud humps that have been put in place along Peterborough Road to stop them. This could end up in an accident. Another access/exit is needed for the estate to solve this.
- With houses being built so close together there are problems with visitor parking. You cannot get a visitor to park without interrupting neighbours' driveways etc.
- The parking at Morrisons is always nearly full already, because half of it is used by the pub and the school owing to no alternative parking being available.
- Access from Bellona Drive is of concern to us (residents of Bellona Drive) as it is narrow and the houses are very close to the road. Having the amount of additional traffic entering this road is dangerous.



- There is a lack of public transport to/from the City Centre and a lack of buses to/from other parts of Peterborough and surrounding villages/towns.

#### Layout and design

- The originally approved density [from 03/00842/OUT] should be adhered to, and not the 'medium density' shown on the submitted Master Layout.
- An annotated drawing has been provided by a resident of Oakdale Avenue setting out concerns with regards to the site layout including, amongst other matters, concerns regarding maintenance of the buffer strip, reduced dwelling density, boundary fences to the buffer strip and relocation of affordable housing.
- The dwellings backing on to Oakdale Avenue/Barham Close should be detached.
- 516 dwellings seems excessive for the size of the area.

#### Landscaping

- How high are the proposed trees going to be? Who will maintain them? What trees will they be? I (resident of Barham Close) live in a bungalow with only an 18 foot garden (2.5 metres) and would not like to have light cut out. I am led to believe that the tree buffer will be 15 metres in depth which is fine, but will it start near my fence or will there be a path between me and the trees? I would not like to think that there will be a gap that trespassers can use but the tree roots this close could be invasive.
- There is no reference to the small spinney between Barham Close and the roundabout that was planted as a buffer to traffic noise. I hope that it will be retained.
- The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space.

#### Neighbour/resident amenity

- Require assurance (resident of Barham Close) that the dwellings behind these properties will not be above 2 storeys and will not be allowed 'loft conversions'.
- It would appear that the Council is giving no consideration to leaving existing residents any clear land/green spaces and selling/making money is more important. The area of Cardea already feels too big and hemmed in.
- We (resident of Barham Close) object to the provision of extended gardens for the new dwellings situated at the rear of properties along the northern boundary as part of the 15 metre landscape buffer.
- The proposal would demonstrably harm the amenities enjoyed by local residents, in particular the right to enjoy a quiet and safe residential environment.
- The proposed link through to Barham Close would mean residents are unable to secure their properties as there is a covenant which prevents any form of boundary fences or walls to the front gardens. Residents would be unable to protect their properties from anti-social behaviour, dog fouling, littering or noise.
- Whilst we (residents of Barham Close) are in agreement that the buffer strip is a necessary requirement should the development go ahead, we have grave concerns as to how this will be secured, maintained and the land prevented from being used in the future by the residents who would benefit from the extended gardens. We strongly believe that the buffer land should be given to the current residents of Barham Close/Oakdale Avenue to maintain.
- The proposed site of development is at such an angle that the primary amenity area of our garden (property on Barham Close), a patio terrace with seating, and also our bungalow and conservatory would be severely overlooked from the top rooms of the new development, resulting in a serious invasion of our privacy.
- We (residents of Barham Close) would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the

countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

- Please consider the impact on the residents (of Cardea) and neighbours before considering this.
- When the land was first purchased by Persimmon Homes, the land behind Barham Close was used as a toilet, short-cut for motorbikes and residents accessing the pub and Morrisons. This was very distressing for us (residents of Barham Close). This will happen again as a result of the proposed link through.
- I (resident of Libertas Drive) object to the increase in road noise from the A605 due to increased traffic. This is due to a lack of sound barrier being installed which means that I am unable to open windows in the summer months and only gets worse when the road is wet.

#### Drainage

- We (residents of Barham Close) have concerns about the impact of the proposed development on surrounding properties in terms of drainage. There is a covenant in the Title deeds to my property which allows for the discharge of storm water into the proposed site via the current dyke which runs alongside the current farm access road. The covenant states the dyke has to be maintained by the current owner of the land forever.
- We (residents of Roma Road) have had several problems with the drainage of the site – blocked and smelly drains - and although measures have been attempted, it seems to continue to move around the site. The site appears to be overdeveloped already as the drains cannot cope.

#### Ecology

- We have grave concerns about the adverse effect the proposed development would have on the local environment including wildlife habitats, trees and natural drainage / dyke systems. The site including the trees and shrubs are currently a wildlife haven for Red Kites, Bats, Barn owls, Foxes and local wildlife all of which add significantly to the amenity of the area.

#### Other matters

- The existing development is too expensive and badly built.
- The Developer should finish all the roads that still haven't been adopted by the Council before they start building more houses.
- Hundreds of people are waiting for the roads and open areas to be finished. And while Developers have more scope to build/sell homes and generate revenue, they continue to leave those jobs that affect people unfinished.
- I (resident of Magnus Close) have live here for over a year and cannot see any signs that the bus service is going to start soon.
- The roads, open spaces and street lighting should be brought to an adoptable standard.
- Not all residents of Barham Close have received written notification of the application. The proposed link through from the development would affect all of them.
- No public meetings have been held where residents could view the proposals.
- Unsure with regards to the ownership of the proposed cycle/pedestrian link onto Barham Close.
- Serious concerns about the impact the proposal could have on the stability of our property and garden space (property on Barham Close). The land is graded, and subsidence has previously been a concern with some existing properties at Barham Close. Any excavation work or proposed removal of trees / shrubs adjacent to the property boundaries could have a serious adverse impact upon the stability of the existing garden boundaries and associated structures.
- I (resident of Libertas Drive) do not know a single resident who has been happy with Persimmon's performance and ability to address concerns. There are still countless issues and unfinished works on the estate, and numerous housing that still have issues they haven't resolved, including my own 2 years on.
- The 'aftercare' from Persimmon is atrocious and they have consistently avoided their responsibility to address the issues raised with them. The landscaping is not finished, ponds are not secured, bins are overflowing, streetlights not working and no-one seems willing to take any action to address these issues. They have done such a poor job on the existing phases

that it is completely beyond me (resident of Venus Way) that they are allowed to continue expansion any further.

- The Developer should undertake all remedial works needed on the existing estate before being allowed to build any more.
- Many of us have paid a lot of money for our houses and continue to pay Council Tax which is increasing year on year. I (resident of Venus Way) believe that what we are getting back from the Developer/Council is very inadequate to what we have contributed.
- A good majority of the houses have been rented out and occupants do not care about their gardens or rubbish, leaving the neighbourhood to appear like a student area.
- We (residents of Venus Way) are already threatened with a waste disposal site – leave us alone, things are already bad enough and so many people are leaving.
- I (resident of Libertas Drive) would like to see an eventual end to building works within this area.
- Has some kind of environmental and traffic impact report been carried out as to the effect these additional houses will have?
- The amount of errors made when developing Cardea makes us (residents of Lares Avenue) believe that the Council need to be involved to a larger degree to ensure that things are done correctly in the first instance.

### **Round one – comments**

A total of 12no. comments were submitted from local residents neither objecting to or supporting the proposal. However, the following points were raised:

- Would like to know how close the proposed dwellings will be to my property (on Oakdale Avenue) and will they be two or three storeys in height?
- The original outline permission stated that there would be a medical centre within the area proposed.
- Will the Developer correctly design the sustainable urban drainage system (SuDS) with aesthetics and environmental health in mind? Currently on Cardea, the balance ponds are stagnated with disgusting dirty water that just collects rubbish. They don't take any water away and are grossly over-designed. The banks of the ponds are dangerously steep and consequently, no vegetation is able to grow. Ugly cheap fencing has also been erected around them. Is there no better alternative in order to make the land more usable for all?
- The appalling landscaping needs vastly improving to make public areas more attractive, maintainable and robust. Do not repeat these errors on the new phase.
- More clarification is required in respect of the site address. Technically, the land described could run down to the Kent coast. A plan attached to the application would be useful [please note that a drawing was provided by Officers to the resident in question following these comments]. Concerned that this may constitute building on the area to the south of the dual carriageway which, when we bought our home in 2014 (resident of Libertas Drive) was guaranteed to not be built upon.
- Would support the building of more houses in Cardea if more routes in and out were planned/built.
- If issues regarding the roads, drains, open spaces, congestion and infrastructure are addressed then this development will be fine. If not, you will be adding to the problems that residents already face.

**Councillors Rush, Bisby and Harper** have raised no objections in principle but request that the following conditions be considered should Members be minded to approve the application:

1. Access into the Cardea development from other areas of Stanground is severely restricted. Residents from Park Farm and other adjacent areas of Stanground are forced to walk a long way to the area close to Oakdale Primary School to find a safe route into Cardea. This means that, understandably, they prefer to use a vehicle to safely access the shopping area, sports pavilion or primary school.

Peterborough City Council promotes the use of sustainable traffic methods and local residents would like to support this aspiration. In order to do so, a safe route needs to be constructed to allow access on foot, by cycle or bus. The submitted plans show proposed routes for the bus lane and footpath/cycleway network however these are already overdue. We request that this is constructed without any further delay by way of a condition on this application. We also ask that a condition requires the footpath/cycleway and bus lane be constructed before any construction begins on Phases 6 or 8. Ideally, we strongly request that no more development is permitted without first constructing this vital safe and sustainable route.

The footpath/cycleway must link to the existing pelican crossing on Whittlesey Road, complete with the necessary safety barriers as specified by the Local Highway Authority.

2. We are strongly against the proposed pedestrian/cycle link onto Barham Close due to substantial concerns and objections we have received from residents who would like it to, understandably, remain a quiet cul-de-sac free from anti-social behaviour and litter. We strongly suggest that this route is removed and blocked off in perpetuity.
3. The boundary between the development and rear gardens of properties along Oakdale Avenue/Barham Close needs to be agreed by negotiation with residents in order to prevent what could turn out to be a strip of 'no man's land'. This would pose a flytipping nightmare and an area of future ownership disputes in the long-term.
4. The submitted plan shows an area of buffer strip adjacent to social housing which backs onto properties on Oakdale Avenue. Please can you confirm who will be responsible for this area?

**Peterborough Civic Society** had raised no objections to the proposal but raised the following points:

- Some repercussions of what amounts to a 10% increase in density are regrettable and should be considered.
- The reduction in green infrastructure damages the original masterplan concept whereby this created distinct character to the urban extension. Two distinct parts of the 'Green Plan' would be lost: the large green space on the spine road; and the north-south tree belt connecting the spine with the belt to the south of Oakdale Avenue. The latter helps to define housing areas and the green square is an opportunity to create a place of distinctive character.
- An increase in housing numbers would normally be accompanied by an increase in open space provision.
- The 'landmark square' on the spine road just south of the roundabout access appears to be lost in this scheme.
- The deletion of the site for 'adult social care' should be reconsidered. The provision for such a use was farsighted and in light of recurrent problems of 'bed-blocking' in hospitals, something along these lines should be retained.

### **Round two – objections**

During the second round of consultation, only 6no. comments were received, 4 of which were from residents who had not previously commented. The concerns raised were as follows:

- Some houses at the top of Oakdale Avenue (Farcet end) were given extra land to add to their back gardens (where the gas pipeline runs). Can you please confirm if this is still the case for the houses at the bottom (Whittlesey end)?
- There are trees shown as being outside the application area when they are on the boundary and probably more inside the site than out.
- Residents are still concern as to who will be responsible for the buffer strip adjacent to the affordable houses that will back onto the allotments.

- I (resident of Jupiter Avenue) object to the installation of a bus gate at junction 7 and the use of an ANPR (automatic number plate recognition) camera. This road should be open for all traffic.
- Where will all the extra cars generated by additional children attending the school park?

**Councillor Bisby** has also made further comment with regards to the further increase in additional dwellings from 152 (subject to the original scheme) to 153. It is his view that the homes are crammed in very tight and, if extra space is available to put in another dwelling, could this not be given back to informal green area. He has also queried whether additional dwellings allow for an increase in Section 106 money for use by the community.

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

The main considerations are:

- Principle of development
- Access and impact upon the public highway network
- Layout, density and design
- Impact upon residential amenity
- Drainage and flood risk
- Environmental impact including ecology, trees, archaeology and contamination
- Amenity provision for future occupants
- Infrastructure and developer contributions

### **a) Principle of development**

#### Background

As set out in Section 1 above, in August 2007 outline planning permission (reference 03/00842/OUT) was granted for the Stanground South Urban Extension (SSUE). This permission allowed for the construction of up to 1,525 dwellings within the development area alongside 5.52 hectares of (Class B1) employment use, a Primary School, Local Centre, community centre/sports pavilion, public open space (including allotments, playing fields, children's play facilities and informal green links), bus links and footway/cycleways and sustainable drainage systems.

To date, 1,162 of the dwellings secured under this outline permission (hereafter referred to as the 'original permission') have either been constructed or granted detailed reserved matters consent (i.e. they are due for construction). In addition, the Local Centre, Primary School, community centre/sports pavilion, playing fields and 1no. local equipped area of play (LEAP) have been completed along with much of the associated public open space and drainage systems. Furthermore, through the grant of further full planning permissions, the allocated employment land, and part of the Local Centre site, has been developed to provide an additional 155 residential dwellings.

Taking all of this into account, to date 1,317 dwellings have either been constructed or granted reserved matters consent within the SSUE.

The proposal seeks outline planning permission for the construction 516 residential dwellings with associated infrastructure. As set out above, it is important to note that of these 516 dwellings, 363 already benefit from outline planning permission and therefore, the proposal only seeks an addition 153 dwellings. The total number of dwellings that would be constructed within the SSUE following this proposed 'uplift' is 1,833.

#### Policy context

The Peterborough Core Strategy DPD (2011) sets out the strategic vision for the City to 2026 and outlines a requirement for an additional 25,450 dwellings within this period. In order to achieve this level of growth, urban extensions have been allocated which includes the SSUE.

Policy CS5 of the Core Strategy relates specifically to the urban extensions and sets out that they

should be developed in accordance with all other development plan policies.

Policy SA1 of the Peterborough Site Allocations DPD (2012) then sets out, in slightly more detail, the number of dwellings that should be accommodated within the urban extensions. It should be noted that when this document was adopted, the SSUE already benefited from outline planning permission and as such, the policy directs development to accord with the original permission. The original permission for the site remains live and as such, the fall-back position is that the remaining 363 dwellings can be constructed subject to detailed reserved matters consent.

In light of the adoption of the Core Strategy and the Site Allocations DPDs, the SSUE is an allocated urban extension site which benefits from outline permission. As such, the principle of residential development is established and acceptable, with the only consideration for this application being the impact of the additional 153 dwellings.

#### 5 year housing land supply

Notwithstanding the above, Local Planning Authorities are required to have and to be able to demonstrate a five year supply of housing. The Council's five year land supply was recently tested on appeal in relation to a proposal for 80 units on the edge of Barnack (application 15/01840/OUT refers). The Inspector, in upholding this appeal and granting planning permission, concluded, on the basis of the evidence presented to him, that the Council is currently unable to robustly demonstrate a five year land supply (the supply available is somewhere between 3.80 years and 4.75 years).

Whilst the Council is reviewing its Local Plan, including an update of its five year housing land supply, the Inspector concluded that until it is adopted, applications must be determined in accordance with the National Planning Policy Framework (NPPF).

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of housing.

Paragraph 14 states, that for the purposes of determining planning applications, this means that applications for housing can only be resisted where the adverse impacts of approving a scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when taken as a whole.

In considering which policies are 'relevant policies' for the supply of housing, regard needs to be had to the decision of the Supreme Court on 10 May 2017 in relation to an appeal by Suffolk Coastal District Council v Hopkins Homes Ltd & Richmond Estates Partnership LLP v Cheshire East Borough Council. The Supreme Court concluded that the definition of 'relevant policies' are those which deal with the numbers and distribution of housing rather than to any policy dealing generally with the disposition or restriction of new development, such as countryside policies or green belt policies.

However, the Supreme Court has confirmed that even where policies are considered 'out of date' for the purposes of the paragraph 49 of the NPPF, the decision maker is required to consider what (if any) weight should be attached to such relevant policies having regard, amongst other matters, to the purpose of the particular policy.

For this application, the policies which must be considered as potentially influencing the supply of housing and therefore out of date include those set out above (i.e. Policy CS1, CS5 and SA1).

Therefore, having assessed the proposal in light of this, the principle of developing the site for housing is considered to be acceptable as:

- 1) the site is allocated for development in the adopted Site Allocations DPD (2012) which has

been through examination by an independent Inspector and been found suitable for development in principle;

- 2) the site already benefits from an extant outline planning permission;
- 3) the site as a whole is located within the urban area of the city;
- 4) the site is considered to be a sustainable location with acceptable connections to local facilities;
- 5) the development of the site for housing will contribute towards ensuring that the Council can demonstrate a five year land supply going forward; and
- 6) affordable housing provision would be provided which represents a significant benefit to the scheme and weighs heavily in favour of its approval.

Paragraph 14 of the National Planning Policy Framework also sets out a presumption in favour of sustainable development. The NPPF states that there are three aspects of sustainability; economic, social and environmental. The development of this site for housing would result in job creation during the construction phase, result in support for local services including shops and the public transport network and the delivery of new homes bonus. As set out below there are not considered to be any significant adverse environmental impacts arising from the development. As such the development is considered to be acceptable in accordance with the sustainable development objectives of the NPPF.

#### Loss of agricultural land

This issue has already been fully considered through the grant of the original outline planning permission (reference 03/00842/OUT) and the site's allocation as an urban extension. The site area subject to this current application already benefits from this outline consent and as such, the impacts arising from the loss of agricultural land do not alter – the loss of agricultural land has already been accepted and established and the current proposal will not increase the loss. Accordingly, Officers consider that a reason for refusal on this basis could not be reasonably sustained at appeal.

#### **b) Access, impact upon the public highway network, highway layout and parking**

##### Vehicular access

The proposal seeks to use the single point of vehicular access into the SSUE from the Stanground bypass for all private vehicles, known as the 'Entrance Avenue'. It is noted that a significant proportion of the objections received in relation to the proposal express strong concerns regarding the congestion surrounding this access point and the need for further accesses out onto both Peterborough Road and Whittlesey Road. Residents are concerned that the proposed increase in dwelling numbers would give rise to further congestion at this junction and also that of the bypass with Whittlesey Road.

The Stanground Bypass was proposed for several years, and is thought to originate back to the 1990s. Its intention was to provide a route to divert traffic and reduce congestion along Whittlesey Road (particularly the Fire Station roundabout). As a result of the SSUE coming forward, this bypass was constructed and at the time, was deemed to hold sufficient capacity to accommodate the proposed 1,525 dwellings, 5.52 hectares of employment land and all other associated uses/development.

The original permission for the SSUE only ever sought a single access for private vehicles, with additional separate provision made for buses and emergency vehicles. This was accepted as the level of traffic generated by the SSUE could not have been accommodated on the existing highway network (i.e. Peterborough Road and Whittlesey Road which would have resulted in all traffic converging on the Fire Station roundabout). The Local Highway Authority (LHA) has advised that notwithstanding these capacity issues, there would be serious concerns over significantly increasing the level of traffic travelling along Peterborough Road during peak hours. There have been several accidents in vicinity of Stanground Academy and, in the view of the LHA, additional

traffic would only exacerbate the issues. Accordingly, to provide additional vehicular accesses would pose an unacceptable danger to highway safety.

It is acknowledged that since the original permission was granted, a considerable number of additional dwellings have been approved on the site. In total, 155 additional dwellings have been either constructed or granted permission on the SSUE which, it is acknowledged, alters the level of traffic using the Entrance Avenue. However, it must be remembered that these dwellings are in place of 5.52 hectares of employment land which would have, in its own right, generated a considerable amount of traffic using this route. Accordingly, it is not considered that the amount of traffic using the Entrance Avenue has significantly increased from that which was originally considered acceptable.

With regards to the current application, the proposed development would result in an additional 153 dwellings within the SSUE. The application has been accompanied by a detailed Transport Assessment which has been reviewed and accepted by the LHA. This assessment concludes that the number of trips generated by the proposal could be accommodated within the existing public highway network subject to improvements being made to Junction 3A of the Fletton Parkway. The proposal seeks to formally signalise this junction however the LHA has advised that this is not necessary. Instead, improvements to formalise the signage and road markings to reinforce the existing merge arrangements on the westbound on-slip are necessary. Accordingly, it is proposed for this improvements to be secured by condition.

In addition to the access onto the Stanground Bypass, the proposal also seeks an access onto the Park Farm roundabout on Whittlesey Road. It should be noted that this access has already been approved through the original permission, however it was to be restricted only for use by buses/emergency vehicles. Taking into account the concerns expressed by the LHA in terms of surrounding highway capacity and notwithstanding the objections raised by local residents, it is again considered necessary to restrict this to use only by buses and emergency vehicles. Such restriction is likely to be achieved through the installation of automatic number plate recognition (ANPR) cameras which will issue automatic fines for unauthorised use.

With regards to the timing of this access, it was a requirement of the original permission that the link be provided no later than first occupation of the 1300<sup>th</sup> dwelling. To ensure that this trigger remains broadly the same in light of the current application, it is proposed for the trigger to be secured at no later than first occupation of the final dwelling within Phase 6.

Subject to the above conditions, it is considered that the proposal would not result in undue detriment to the safety of the surrounding public highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

#### *Pedestrian and cyclist access*

The originally submitted scheme sought to create a new pedestrian/cycle link through from the SSUE to Barham Close along the northern boundary. Significant objection was raised by residents of Barham Close and, whilst this would have improved the permeability and accessibility between Stanground and the SSUE, the Applicant has removed it from the scheme. It therefore no longer forms part of the application.

Instead, and in response to detailed comments provided by the 3no. Ward Councillors, discussions between the Applicant and Officers have resulted in the inclusion of a pedestrian and cycle link between the Park Farm roundabout and the existing pelican crossing further to the west along Whittlesey Road. It is acknowledged that, as the SSUE development has grown and the Local Centre opened, there is a clear desire line from Park Farm into Cardea. This has, in the past, resulted in dangerous routes by residents to try and reach the facilities within Cardea which require addressing.



At this time, the details regarding its design have not been finalised and accordingly, it is to be secured by way of a condition.

Beyond this link, the proposed development would connect into the existing internal SSUE footway and cycleway network which connects to Oakdale Avenue to the north, Peterborough Road to the west, and the Green Wheel to the south.

The inclusion of this additional pedestrian/cycle link will further improve the permeability and accessibility of the development, promoting more sustainable methods of travel to/from the site which is in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

### **c) Layout, density and design**

#### Layout

This application seeks outline permission with all detailed matters relating to access, appearance, landscaping, layout and scale being reserved. The application has been accompanied by an indicative Masterplan (Appendix 2) which has been submitted in order to demonstrate that the number of dwellings proposed can be accommodated within the site. This Masterplan sets out the overarching framework layout for the site's development, including the parameters of the residential areas, POS and roads. However, the detailed layout of the development (e.g. building and road positions) is included within the reserved matters and as such, cannot be considered at this time. Accordingly, many of the comments from objectors in relation to the position of the proposed dwellings cannot be taken into account. These would be for consideration as part of any future reserved matters consent application, which would be subject to further statutory public consultation.

The overarching layout proposed broadly follows the previously approved framework plan for the original permission. The development is still to be served by a looping spine road, with secondary residential streets served from it. The entire area is to be set aside for residential dwellings with the exception of the central footway/cycleway running east-west and providing a linear area of public open space which terminates at a localised equipped area of play (LEAP). The balancing ponds and associated open space to the bypass would be maintained, as would the dense tree/shrub planting adjacent to Whittlesey Road.

The main difference between the current proposal and the original permission relates to the removal of two areas of linear public open space running north-south from the landscape buffer (at the northern boundary) down to the balancing ponds (along the southern boundary with the bypass). Within the existing development (to the west), these linear areas of POS not only act for amenity purposes but also as key parts of the surface water drainage strategy for the development, incorporating swales and attenuation ponds. Given this dual use, Officers acknowledge that the public use of these areas is somewhat limited and therefore the main amenity offered is visual with little usable space left over.

Owing to a change in the drainage approach for the current proposal (discussed in part e below), swales are no longer part of the detailed surface water drainage of the proposed development. Accordingly, there is no need, in drainage terms, for the current proposal to include these POS areas. Notwithstanding this, it is acknowledged that the removal of any POS does reduce the overall verdancy and therefore visual amenity of the development. However, Officers do not consider that the reduction of open green space, even in light of the proposed increase in dwelling numbers, would result in an unacceptable layout in terms of the amenity or character of the entire SSUE.

Accordingly, as the overarching layout of the SSUE has previously been approved and the harm resulting from the loss of proposed POS is not substantially demonstrable, Officers do not consider that the layout proposal could be resisted.

### Density

The Applicant has provided density levels for both the existing development (to the west) and the proposal, including Phases 2C/2D and 4C/4D (which are already under construction or granted reserved matters consent). To the west, the development is of a density of 42.6 dwellings per hectare whereas the proposal seeks a slightly lower density of 40.4 dwellings per hectare. It is not considered that this difference in density will be perceptible and the submitted Masterplan identifies that the overall character and feel of the proposal would achieve a harmonious form of development.

### Design

As set out above, the detailed design of the development is reserved and would be dealt with through a later reserved matters consent application. Accordingly, it is not for consideration at this stage.

Notwithstanding this, it is noted that the original permission included a condition requiring the production and adherence to a Design Guide for the SSUE. Whilst this was produced, much of the development has deviated from it (through agreement by Officers) as alternative design approaches were considered to result in an improved layout and appearance. In light of this, and the relatively small number of dwellings subject to this application (in the context of the SSUE as a whole), it is not proposed for a similar condition to be imposed. Officers will always seek to ensure that the design/appearance of any future development maintains and respects the overall character of the SSUE.

### **d) Impact upon residential amenity**

#### Oakdale Avenue and Barham Close

It is noted that the majority of residents living adjacent to the northern boundary of the application site (along Oakdale Avenue and Barham Close) have raised objections to the proposal. These objections relate to two main areas of concern: proximity of the proposed dwellings and the introduction of a foot/cycle link onto Barham Close.

Turning first to the proximity of dwellings, the properties along Oakdale Avenue and Barham Close are all single storey in nature. Accordingly, the relationship of the proposed dwellings must be carefully considered.

The original permission has already set the precedent for accepting residential development to the rear of Oakdale Avenue/Barham Close. Accordingly, the fall-back position is such that dwellings can be constructed subject to detailed reserved matters consent. On this basis, Officers consider that the principle of residential development on the land cannot be challenged. However, this original permission requires (set out in a condition) that a minimum distance of 15 metres (referred to by objectors as a landscape buffer) be provided along the boundary and that those dwellings within the application site that are closest to the boundary be only two storeys in height. This condition was required, in part, to protect the amenities of the neighbouring residents. However it should be noted that the form of the 'buffer' was not prescribed in the condition. As such, it was not required to be landscaped/planted and could be included within residential gardens.

As set out above, the detailed design and layout of the proposed development is to be reserved for consideration at a later date. However, the relationship of the proposal to Oakdale Avenue/Barham Close, and the previously imposed condition, both pose a constraint upon development and therefore must be considered as part of this current application.

The submitted Masterplan identifies that even with the uplift in dwelling numbers proposed, the offset/buffer would still be provided along the boundary with Oakdale Avenue/Barham Close. This is still considered necessary to ensure that no unacceptable harm results to the amenities of neighbouring occupants through overshadowing, overbearing or overlooking impacts. Furthermore, it is also considered necessary to re-impose the requirement that any dwellings constructed in closest proximity to this boundary be only two storeys in height. It is considered that

these restrictions would preserve the amenities of neighbouring occupants.

It is noted that a number of objectors have raised concerns with regards to the potential for planting trees within the buffer which would, in their view, result in unacceptable overshadowing and overbearing to the neighbouring gardens. Whilst these concerns are noted, the planning system cannot control planting and, whilst some degree of harm could result, this is true of the fall-back position. The uplift in numbers does not materially alter this and therefore could not, in the view of Officers, be reasonably held as a reason for resisting the current application.

In addition, several objectors have expressed concern that the density of dwellings adjacent to Oakdale Avenue/Barham Close will be greater than the predominantly detached dwellings that were previously permitted. Whilst the proposal would increase the overall density of development within the SSUE from the original permission, the layout/density/form of dwellings adjacent to this boundary was never secured. Accordingly, it was never restricted that the density be low and as such, it is not considered that the current proposal represents a significant worsening of the relationship.

#### Existing 'Cardea' residents

The proposed development would be situated adjacent to existing Phases 2C/2D and 4C/4D which lie to the south of the southern spine road and the balancing ponds adjacent to the Stanground bypass. As these phases are either partially constructed or subject to having been granted reserved matters consent, the relationship of the proposal to occupant amenity is a key consideration. These existing phases were designed to take into account the original permission which would have resulted in residential dwellings surrounding. As the overarching Masterplan for the current application is broadly the same as the original permission, the proposed uplift in numbers would not alter this relationship.

Taking into account the above, it is not considered that the proposal would pose an unacceptable level of harm to the amenities of neighbouring occupants. Accordingly, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

#### **e) Drainage and flood risk**

As part of the original permission for the SSUE and the Stanground bypass, an overarching surface water drainage strategy was approved. This overarching strategy permitted the use of a series of swales, attenuation ponds and balancing ponds to hold back surface water runoff and reed beds to clean the water before controlled discharged into the adjacent watercourse owned and managed by the Middle Level Commissioners (known as Pigwater or the Farcet Nene). The capacity of this entire network was designed to take into account storm water events of a 1 in 100 year probability, plus 30% to take into account climate change.

It should be noted that whilst the overarching strategy has been approved, none of the detailed elements (i.e. the form, size or design of the features) has ever been granted consent and this has formed part of the objection raised by existing residents. Officers have been working closely alongside the Developer to ensure that this matter is resolved as soon as possible however it must be noted that previous or future unauthorised development (i.e. breaches of conditions) cannot be considered as part of this application – this is not a material planning consideration.

The current application has been accompanied by a revised and updated overarching drainage strategy and Flood Risk Assessment. This sets out the approach proposed in terms of drainage of the site. For surface water, the proposal seeks to utilise some of the previously approved drainage strategy in the form of the balancing ponds and reed beds. However, there will no longer be extensive use of swales and attenuation ponds. In order to address some of the issues that have arisen on the existing development (predominantly in terms of the appearance and land take of these features), the strategy now seeks to collect and channel run-off through an under-drained swale running in parallel to the spine road and through permeable highway paving. This change of

approach is accepted by both the City Council's Drainage Engineer (Lead Local Flood Authority) and Local Highway Authority (LHA) who will take on responsibility for the assets upon adoption of the highways thus ensuring the long-term maintenance of the drainage assets. The use of the mixture of sustainable drainage systems (SuDS) will mimic, as far as possible, the existing run-off routes from the site and will meet with the requirement for all new major development as set out in the Flood and Water Management Act 2010.

The drainage strategy also includes calculations for the surface water run-off rate of all areas of the development proposed. In total, the calculations identify that the existing greenfield run-off rate for the site will be maintained, and in some cases improved, following the development as the above SuDS features will be able to hold back water and discharge it into the watercourse at a controlled rate. The City Council's Drainage Engineer has confirmed that these calculations are acceptable.

At this stage the detailed design of each of the SuDS features (e.g. the form and finish of the swales, permeable paving etc.) are not secured. As such, there is a need for these details to be secured by condition. Officers consider that it is prudent for these details to be provided alongside any future reserved matters applications, as the drainage layout will have an impact upon the detailed layout of the proposed dwellings.

Subject to adherence to the accepted calculations, and the imposition of the condition as set out above, the proposed development would not be at unacceptable risk from flooding or result in increased flood risk elsewhere. Accordingly, the proposal is in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011), the Peterborough Flood and Water Management SPD (2012) and the Flood and Water Management Act 1990.

#### **f) Environmental impact including ecology, trees, archaeology and contamination**

##### Ecology

The application has been accompanied by an Ecological Appraisal, undertaken in May 2015. Whilst this is now over 2 years old, at the time of submission it was within a time period that is accepted as being 'current'. Furthermore, the City Council's Wildlife Officer has accepted it.

The appraisal has identified that the application site is relatively devoid of any suitable habitat, particularly for protected species. However, the appraisal does identify that 1 no. tree to the northern boundary has bat roost potential, and all boundary hedgerows and scrub have potential for wild nesting birds. To mitigate against any potential harm, the appraisal identifies that thorough checks of these areas should be carried out prior to any works taking place close by. This approach is accepted by the Wildlife Officer who has requested that it be secured by condition. It should be noted that in the event that nesting birds/bats are found to be present, further mitigation would be required and this will also form part of the condition.

The Wildlife Officer has also advised that whilst there is no current evidence of badger setts within the application site (also a protected species), a precautionary approach should be taken. Accordingly, any condition would also require that a further check of badger setts be undertaken prior to the commencement of development.

Subject to such a condition, the proposal would not pose any danger to species of principal importance or ecology and is therefore in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP19 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012).

##### Biodiversity

The application site is former arable farmland which had some horse paddocks around a farm yard. As a result of the existing development on the SSUE, it has been left uncultivated for a number of years and has developed a mix of tall ruderal and rank grass sward. This offers little biodiversity offer and, as set out above, there is limited potential for protected species.

Notwithstanding this, the proposal would result in complete development of this site and as such, there is a need to ensure that biodiversity mitigation and enhancement is sought. The original permission has such mitigation secured by condition which requires that the development incorporate biodiverse planting within the landscaping and the provision of bat and bird boxes. The current appraisal suggests those same measures and this is accepted by the Council's Wildlife Officer.

It is proposed for these measures to be secured by condition, with the details coming forward on a phase-by-phase basis. Subject to such a condition, the proposal would mitigate and where possible, enhance the biodiversity of the site in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP19 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012).

#### Trees

The application has been accompanied by a Tree Survey. The City Council's Tree Officer has advised that the information is unclear as it fails to identify which trees are proposed for retention/removal however. Following submission of these comments, all trees within the site have been felled. Accordingly, the application site contains no trees which require protection or assessment.

It is noted that some objectors have expressed concern with regards to the loss of these trees however they were not subject to any formal protection, and their removal was not a breach of any of the conditions imposed upon the original permission. Accordingly, their removal was authorised.

With regards to the shelter belt to the north-eastern boundary of the site, adjacent to Whittlesey Road, the proposal seeks for this to be retained.

#### Archaeology

As part of the original permission, there was a requirement for the entire SSUE to be subject to a detailed archaeological evaluation. This was undertaken and assessment made through field surveys and trial trenching. Correspondence dating from 2012 identifies that the Local Planning Authority has fully discharged this condition, meaning that there is no requirement for further work or information to be submitted for compliance.

It is noted that the City Council's Archaeologist has advised that whilst the evaluation was undertaken, no final report as to the findings has ever been submitted. Accordingly, they have requested that this be re-imposed by condition in respect of this application. However, as it is the view of Officers that the earlier condition has been fully complied with, it would not be reasonable to impose such a condition.

The proposal does not pose an unacceptable risk to undiscovered buried heritage assets and is therefore in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 128 of the national Planning Policy Framework (2012).

#### Contamination

The application has been accompanied by detailed contamination remediation strategy and method statement which is the same as that which was approved as part of the original permission. Whilst the majority of the SSUE is understood to be free from contamination, the application site contains known contamination with metals (arsenic) and hydrocarbons within the areas formally occupied by Havelock Farm and Sycamore Lodge. The remediation strategy sets out a number of measures to remove and remedy this contamination, and identifies that much of the application site needs to be subject to ground gas protection measures.

The City Council's Pollution Control Officer has advised that the submitted strategy/method statement has previously been accepted as an appropriate means of addressing the contamination risks on the site. Subject to the imposition of a condition requiring compliance with this document, it

is considered that the proposal would not pose an unacceptable risk to human health or controlled waters through contamination. The proposal is therefore in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and paragraph 121 of the National Planning Policy Framework (2012).

Gas pipeline

As identified above, there is an intermediate pressure gas pipeline which runs along the entire northern boundary of the site that is owned and managed by National Grid. Whilst they have failed to provide detailed comments in respect of the application proposal, this pipeline was in place at the time of granting the original permission. To avoid undue harm to this asset, a 15 metre buffer was required as part of the original permission which is free from any buildings or structures. This buffer was secured by condition.

As there has been no material change to the relationship of the current proposal to this asset when compared to the original permission, it is considered reasonable and necessary to re-impose this buffer requirement. The Applicant has shown it on the submitted indicative Masterplan and Officers propose a more formal approach through the imposition of a suitably worded condition. Subject to this, it is not considered that the proposal would pose an unacceptable risk to the integrity of the gas pipeline.

**g) Amenity provision for future occupants**

Public open space provision

The City Council has an adopted policy in respect of the level/amount of public open space (POS) that should be provided for new residential development. The City Council's Landscape Technical Officer has advised that, as the site is relatively isolated from the existing built area of Stanground, all open space provision should be made on-site. This is accepted by both Officers and the Applicant.

The current proposal seeks to provide a relatively limited level of POS for the proposed 516 dwellings in the form of the central footway/cycleway corridor, a localised equipped area of play (LEAP) within Phase 6 and an open informal landscape area with foot/cycle link immediately adjacent to Morrisons.

Based upon standard presumed population numbers and dwelling sizes (as these details are not available at outline stage), the proposed 516 dwellings should provide the following in accordance with the adopted policy:

Type	Hectares
Neighbourhood park	2.23
Natural greenspace	1.50
Formal sports	1.05
Informal sports	0.45
Synthetic Turf Pitch	0.04
Allotments	0.42
Total	5.69

However, as the application site forms part of the wider SSUE, the POS provision for the current scheme cannot be taken in isolation and as such, the entire open space provision of the already built/approved SSUE must also be considered. This therefore includes the allotments (to be constructed in the coming year), linear open space incorporating the balancing ponds along the entire boundary with the bypass, playing fields, multi-use games area (MUGA), neighbourhood equipped area of play (NEAP) and LEAP within Phase 2.

The overall level of open space provision for the SSUE was determined when the scheme was submitted for approval back in 2002. At this time, it was concluded that the level of open space was sufficient to meet the needs of the development. The current POS standards differ from those

applied at that time and as such, it is difficult to accurately consider what difference there is between the current proposal and the original permission. However, Officers do not consider that the overall level of POS that was approved in respect of the original permission can be re-considered through this application. Accordingly, only the POS demands of the additional 153 dwellings and any changes to the POS provision secured under the original permission should be considered.

Given that the additional dwellings proposed would not be located within a specific parcel of the development, and instead spread across the remaining SSUE, it is difficult to identify any area whereby additional POS could be provided. Additionally, Officers consider that to provide over 5 hectares of POS within the confines of the application site would make the scheme wholly unviable as it would leave a relatively small developable area. All of the dwellings within the application site will be located within relatively close proximity to informal and formal POS and accordingly, Officers do not consider, irrespective of the policy standards that should be applied, that any additional POS is required to meet the needs of the additional occupants. The overall provision of POS within the SSUE is identified on the drawing found at Appendix 3. It is not considered that failure to provide any further POS provision would harm the amenities of future or existing occupants.

It is however noted that the proposal does seek to remove 0.6 hectares of informal green space that was secured under the original permission. As set out in part (c) above, the open space removed as part of this scheme comprised two linear strips of informal space running north-south through the development. These spaces were originally approved to be informal and incorporate the surface water drainage swales. Whilst it is acknowledged that the loss of green space for future occupants would result in some harm to their amenity, it is considered that the level of harm would be relatively limited. Furthermore, this harm would be significantly outweighed by the public benefit arising through meeting the Council's 5 year housing land supply.

#### Noise

The application has been accompanied by an updated version of the noise assessment that was submitted in respect of the original permission. The City Council's Pollution Control Officer has raised no objections to this, as the relationship of the proposal and assessment in terms of noise have not altered.

The noise assessment identifies that a proportion of the development, nearest to the Stanground bypass, falls within Noise Exposure Category B (NEC). The Pollution Control officer has advised that this means that noise should be taken into account when determining planning applications and, where appropriate, suitable mitigation should be sought.

Whilst the assessment identifies that the site is suitable for residential development (as established through the original permission), some properties will be subject to noise levels that exceed World Health Organisation guidelines when windows are open. Accordingly, there is a need for passive ventilation to be installed to ensure that residents are not subject to unacceptable noise levels. To achieve this, the Pollution Control Officer has requested that a condition be imposed and this is considered necessary and reasonable. Subject to such a condition, the proposal would ensure that there is adequate noise insulation for future occupants, affording an acceptable level of amenity. On this basis, the proposal is in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

#### **h) Infrastructure and developer contributions**

Whilst the City Council has an adopted Community Infrastructure Levy (CIL) charging schedule, this does not apply for any major applications of 500 dwellings or more. As the current proposal exceeds this threshold, CIL does not apply and therefore all infrastructure contributions are to be secured through a Section 106 legal agreement.

As set out in detail above, 363 of the dwellings currently proposed already benefit from outline planning permission through the original permission (03/00842/OUT). As these could be

constructed (subject to reserved matters consent) the fall-back position is such that any infrastructure contributions attributable to these dwellings have already been secured. Accordingly, Officers do not consider that there is any recourse for the contributions to be renegotiated in respect of these dwellings. However, as these contributions are secured on a legal agreement tied to the original 2007 permission, there is a need for them to be 'carried over' into a new legal agreement secured as part of this application.

For the avoidance of doubt, the following contributions (including their trigger points) relate to the 363 dwellings in question:

<b>Area</b>	<b>Contribution</b>	<b>Trigger</b>
Affordable housing	65 dwellings of a mix of 50% affordable rented / intermediate rented and 50% shared ownership	To be split across all phases of the development
Public open space	LEAP within Phase 4 (now Phase 6)	To be made ready for use no later than completion of the final dwelling within Phase 6
Education	£251,6256 (index linked) towards the provision of improved facilities for secondary education	To be paid on or before first occupation of each of the 42 <sup>nd</sup> , 242 <sup>nd</sup> and 442 <sup>nd</sup> dwellings
Transport	Bus link to Whittlesey Road	Upon completion of the last dwelling within Phase 6

Taking this into account, it is only the uplift in dwelling numbers – the 153 additional dwellings – that require additional infrastructure contributions (above and beyond those already secured by the original permission).

The Applicant has provided a Draft Heads of Terms document which sets out the contributions proposed for the additional dwellings. This has been accompanied by a detailed financial viability appraisal as the affordable housing contribution falls below the policy standard set out in Policy PP8 of the Peterborough Core Strategy DPD (2011). This viability appraisal is currently undergoing rigorous examination by the City Council's Planning Obligations Officer. Whilst there remain some minor outstanding points of clarification from the Applicant, the Planning Obligations Officer has advised that the appraisal sufficiently demonstrates that the development would be unviable if the policy requirement of 30% affordable housing were to be provided. Members will be provided with an update in respect of the outstanding information within the Briefing Update Report.

In light of the viability appraisal submitted, the following contributions are proposed by the Applicant (including the triggers suggested by Officers) in respect of the additional 153 dwellings:

<b>Area</b>	<b>Contribution</b>	<b>Trigger</b>
Affordable housing	£70,000 (index linked) towards off-site affordable housing provision	No later than completion of the 516 <sup>th</sup> dwelling
	8 affordable dwellings (a total of 5%) a mix of 50% affordable rented / intermediate rented and 50% shared ownership	To be split across all phases of the development



Education	Transfer of 0.6 hectares of additional land to enable the provision of a second form of entry at St Michael's Primary School	Prior to the completion of the first dwelling on any phase
	£200,000 (index linked) towards the provision of a second form of entry at either Oakdale or St Michael's Primary Schools	£100,000 prior to completion of each of the 42 <sup>nd</sup> and 242 <sup>nd</sup> dwellings
Community	£150,000 (index linked) towards the provision of a new combined community building / sports pavilion (already constructed)	£50,000 on or before first occupation of each of the 42 <sup>nd</sup> , 242 <sup>nd</sup> and 442 <sup>nd</sup> dwellings

Officers consider that the above would meet the infrastructure needs generated by the proposed development with the exception of affordable housing. However, as an accepted viability appraisal has been submitted to demonstrate that the development would be unviable if providing the full 30% contribution, Officers consider that the benefit arising from meeting the Council's 5 year housing land supply outweighs the harm that would result from the lack of provision.

It is noted that a large number of objections, predominantly received from existing residents of Cardea, express concern that there are insufficient services and facilities to meet the needs of residents. In particular, concern has been realised at the lack of medical centre and dentist on the site, as well as a lack of shops.

With regards to the medical centre, a site was allocated and secured as part of the original permission (located opposite the Primary School within the Local Centre). The obligation on the Developer required that they make the site available for a period of 5 years. During this period, the NHS was advised of the site's availability but expressed no interest in its purchase. Accordingly, this obligation has now fallen away. The proposed additional 153 dwellings do not place such a significant demand in their own right (notwithstanding the cumulative impact) that the planning system can reasonably impose a requirement to provide an alternative site.

Turning to the retail offer, the SSUE contains a relatively large Local Centre including a supermarket, small parade of shops and public house. As set out above, the additional 153 dwellings proposed are not considered to place such a significant additional demand upon facilities in their own right to warrant the imposition of a contribution to provide additional Local Centre land.

**i) Other matters**

In response to those objections raised by local residents not discussed above:

- *Construction hours/practices and neighbour amenity* – It is proposed for a condition to be imposed in relation to a Construction Management Plan. The condition will require an overarching CMP to be prepared to deal with construction access being taken from the Park Farm/Whittlesey Road roundabout, with subsequent phase-specific CMPs thereafter. This will ensure that construction practices are managed as far as possible to reduce the impact to neighbouring occupants.
- *Lack of parking provision* – The parking for the proposed dwellings would be subject to future reserved matters applications however Officers can confirm that all future layouts would be required to adhere to the Council's adopted minimum parking standards, including for visitor

parking.

- *Lack of public transport* – A bus service currently serves Cardea and, once completed, will serve the entire SSUE. It will run from Peterborough Road along the northern loop of the spine road in the western portion, before connecting down to the Local Centre and running along the southern loop of the spine road in the eastern portion and exiting onto Whittlesey Road. Bus stop provision will be secured as part of future reserved matters applications.
- *Unfinished roads/open areas* – It is noted that a large proportion of objectors do not wish to see any further development before the roads/open spaces within the existing development are finished and adopted. This is not a material planning consideration and cannot be used as a reason for resisting the current proposal.
- *Lack of sewage capacity* – At present, the sewage network within the SSUE is unadopted however Anglian Water have confirmed, upon adoption of the road network, the sewers will be adopted. Furthermore, Anglian Water have confirmed that the existing waste water network has sufficient capacity to accommodate the proposed development.
- *Development is too expensive/badly built and practices of the Developer* – These matters are not material planning considerations and cannot be used as reasons for resisting the current proposal.
- *Lack of Council oversight regarding breaches of planning control* – The Council has been working closely alongside the Developer for a number of years to resolve the key outstanding issues. A programme of work has been agreed and Officers will continue to monitor progress. Notwithstanding this, current and future unauthorised development (i.e. breaches of conditions) are not material planning considerations and cannot be used as reasons for resisting the current proposal
- *Land stability* – Finished ground and building slab levels are matters to be dealt with through future reserved matters applications and Officers always seek to ensure that levels are appropriate in the context of neighbouring land. Issues regarding land stability would be addressed through the Building Regulations process.
- *Lack of public consultation* – The Council issued a total of 1,182 individual consultation letters to all residents of Cardea and those properties which have an immediately adjoining boundary. In addition, 6 site notices were erected in prominent positions both within Cardea and along Oakdale Avenue/Barham Close. Accordingly, the Council has fulfilled and exceeded its statutory consultation duty.
- *Overdesigned SuDS* – The existing SuDS features are designed to cope with a 1 in 100 year storm event plus climate change. Accordingly, they will only fill to maximum capacity on the occasions whereby such a storm occurs.

## **6 Conclusions**

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

- the application site is allocated for development in the adopted Site Allocations DPD (2012) and already benefits from an extant outline planning permission. Accordingly, the principle of residential development is already established in accordance with Policies CS2 and CS5 of the Peterborough Core Strategy DPD (2011) and Policy SA1 of the Peterborough Site Allocations DPD (2012);
- the site is considered to be a sustainable location with acceptable connections to local facilities;
- the development of the site for housing will contribute towards ensuring that the Council can

- demonstrate a five year land supply going forward;
- the traffic generation arising from the proposed additional dwelling numbers would not pose an unacceptable danger to the safety of the surrounding public highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- adequate provision will be made for the development to be readily accessible by all means of sustainable travel, with improved foot and cycle links as well as buses, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the layout, density and design of the proposal would preserve the character, appearance and visual amenity of the wider SSUE so as to not appear incongruous or at odds with its context, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would not give rise to an unacceptable degree of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the development would adopt sustainable drainage systems to ensure that surface water drainage is adequately managed on site and discharged at a rate no higher than the existing greenfield levels. Accordingly, the proposal would not be at unacceptable risk from flooding itself, or pose an increased flood risk elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011), the Peterborough Flood and Water Management SPD (2012) and the Flood and Water Management Act 2010;
- the proposal would not pose an unacceptable risk to species of principal importance and would secure biodiversity enhancement, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP19 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012);
- no trees of key landscape value would be harmed by the proposal, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in unacceptable harm to undiscovered buried heritage assets, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 128 of the National Planning Policy Framework (2012);
- contaminations risks on the site will be adequately mitigated to ensure that no undue risk to human health or controlled waters results, in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and paragraph 121 of the National Planning Policy Framework (2012);
- whilst the proposal would not provide the requisite level of public open space as prescribed in Policy PP14 of the Peterborough Planning Policies DPD (2012), it is considered that adequate open space provision would be met to meet the needs of future occupants;
- the proposal would afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- whilst the proposal would not provide the requisite level of affordable housing as prescribed in Policy CS8 of the Peterborough Core Strategy DPD (2011), the Applicant has adequately demonstrated that the development would be unviable in such an event.

Whilst it is identified that some degree of harm would result from the failure to provide the policy requirements in terms of public open space and affordable housing provision, it is not considered that this adverse impact significantly or demonstrably outweighs the benefits of the scheme when assessed against other policies contained within the National Planning Policy Framework (2012) (NPPF) or adopted Local Plan. Accordingly, and applying the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF, the proposal is considered acceptable on balance.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Outline Planning Permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the following conditions:

- C 1 Approval of details of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced on each phase (as identified on the Phasing Plan secured under the terms of condition C5). Development of each phase shall not commence until all the reserved matters relevant to that phase are approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 2 Plans and particulars of the reserved matters referred to in condition C1 above, relating to the access, appearance, landscaping, layout and scale, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 The development hereby permitted (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the access arrangements, phasing and land use allocations shown on the following:

- Stanground East Outline Location Plan (drawing number SGE-OUT-LP Revision B);
- Masterplan Public Open Space (drawing number STAN/CAR/MOS/101);
- Proposed Planning Layout Phasing Plan (drawing number STAN/EAST/PPL/100 Revision A);
- Constraints Plan (drawing number STAN-EAST-CP-001); and
- Parameter Plan (drawing number STAN-EAST-PP-001).

Reason: To restrict the development to that applied for and for which the environmental, transport and infrastructure impacts have been assessed and to ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 6 Not more than 516 dwellings shall be constructed pursuant to this outline planning permission.

Reason: In order to comply with the provisions of the outline planning permission, including the assessment of the transport issues and environmental impacts of the development, and to meet housing need in accordance with Policies CS1 and CS5 of the Peterborough Core Strategy DPD (2011) and Policy SA1 of the Peterborough Site Allocations DPD (2012).

C 7 The details to be submitted under condition 1 above shall include the following provision for Life Time Homes and Wheelchair Housing:

- 93 dwellings constructed as Life Time Homes;
- Of the first 363 dwellings to be constructed, 10% shall be constructed as Life Time Homes;
- Of any dwellings constructed thereafter, 20% shall be constructed as Life Time Homes; and
- 25 dwellings constructed as Wheelchair Housing.

Reason: To meet housing need, in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011).

C 8 Prior to the commencement of any development, including enabling groundworks, an overarching Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to:

- Hours of working;
- Haul routes to/from the site;
- Details of the construction access point which shall be taken from the Park Farm roundabout on Whittlesey Road;
- Internal construction access routes within the site to serve all areas of development shown on the Phasing Plan;
- Details of an operative wheel wash which shall be located at the closest practicable point to the construction access point; and
- Details of how the construction access point shall be secured to prevent use by non-construction vehicles.

Thereafter, and prior to the commencement of each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), a phase-specific CMP which accords with the approved overarching document, shall be submitted to and approved in writing by the Local Planning Authority. The phase-specific CMP shall include, but not limited to:

- A site welfare compound;
- Protective site fencing;
- Materials and equipment storage locations;
- An area for the parking, turning, loading and unloading of all construction delivery vehicles;
- Contractor parking;
- Measures to control the emission of dust from the site;
- Measures to control noise; and
- Measures to ensure that the internal access roads are kept clear from mud and debris.

The development shall be carried out in accordance with the overarching and phase-specific Construction Management Plans, and the construction access point shall be implemented in full prior to the commencement of any development.

Reason: In the interests of highway safety and to preserve the amenities of neighbouring occupants, in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy

DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no harm results from construction activities.

- C 9 The details to be submitted under condition 1 above shall include, for each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), details of the access to the site, the layout of the site including highways and buildings, the levels and form of construction of the highways (i.e. block paved, bituminous surfacing or permeable block paving), bus stop locations along the spine road and any piped surface water drainage.

Reason: To ensure that the new highways are adequately constructed and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C10 No dwelling or other building on each phase (as identified on the Phasing Plan secured under the terms of condition C5) shall be occupied before the highway(s) linking that phase of the development to the existing public highway have been completed either to base course level in respect of bituminous surfaced highways or final surfacing in respect of block paved highways. Thereafter, and no later than completion of the final dwelling on each phase, the highway(s) linking that phase to the existing public highway shall be completely finished.

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

- C11 The details to be submitted under condition 1 above shall include, for each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), speed restraint measures to ensure that the highways within the development achieve vehicle speeds to a maximum of 20mph in respect of the spine road, and 10-15mph on side roads. Those speed restraint measures shall be implemented in accordance with the approved details and prior to first use of the road to which they relate by the public.

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

- C12 No development other than groundworks and foundations shall take place on each phase (as identified on the Phasing Plan secured under the terms of condition C5), until details of the surfacing and demarcation of all parking, access and turning areas associated with that phase have been submitted to and approved in writing by the Local Planning Authority.

The parking, access and turning areas shall be provided in accordance with the approved details and prior to first occupation of the dwelling to which they relate. Thereafter, those areas shall be retained solely for the parking, access or turning of vehicles in connection with the dwelling to which they relate.

Reason: In the interests of highway safety and to ensure adequate and safe parking provision, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

C13 The details to be submitted under condition 1 above shall include, for each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), the following highway visibility splays:

- 2.4 metre x 33 metre (measured from the channel line and along the back edge of the carriageway) vehicle-to-vehicle visibility splays for all junctions (including those from shared driveways) with the proposed adoptable highway(s) spine or link roads;
- 2.4 metre x 25 metre (measured from the channel line and along the back edge of the carriageway) vehicle-to-vehicle visibility splays for all junctions (including those from shared driveways) with the proposed adoptable highway(s) side roads;
- 2 metre x 2 metre (measured from and along the back edge of the highway, including any footways/cycleways) vehicle-to-pedestrian visibility splays to either side of all shared driveways with proposed adoptable highway(s);
- 1.5 metre x 1.5 metre (measured from and along the back edge of the highway, including any footways/cycleways) vehicle-to-pedestrian visibility splays to either side of all single driveways with the proposed adoptable highway(s); and
- 2.5 metre x 20 metre (measured from and along the back edge of the highway, including any footways/cycleways) vehicle-to-cyclist visibility splays to either side of all shared accesses with the proposed adoptable highway(s) which serve as a cycle route

The visibility splays shall be provided prior to first use of the access/junction to which they relate and shall thereafter be kept clear of any obstruction above a height of 600mm from ground level in perpetuity.

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

C14 The highway link to the Park Farm roundabout on Whittlesey Road, identified on drawing number STAN-EAST-DP-001 'Constraints Plan' shall be designed to incorporate use by cyclists, pedestrians, buses, construction vehicles and emergency vehicles, but prevent use by other motorised private vehicles. The details for these design constraints shall be submitted to and approved in writing by the Local Planning Authority.

The highway link shall be opened to use by cyclists, pedestrians, buses and emergency vehicles prior to first occupation of the last dwelling within Phase 6 (as identified on the Phasing Plan secured under the terms of condition C5).

Reason: In order to promote more sustainable methods of travel to/from the site and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C15 No later than the first occupation of the final dwelling within Phase 6 (as identified on the Phasing Plan secured under the terms of condition C5), a pedestrian and cycle link between the development access onto the Park Farm roundabout secured under condition C14, and the pelican crossing further westwards along Whittlesey Road, shall be provided in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote more sustainable methods of travel to/from the site and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C16 Prior to the first occupation of any dwelling hereby permitted, a scheme for improvements to the signage and lining of Junction 3A of the Fletton Parkway, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall be carried out in accordance with the approved details and timetable.

Reason: To ensure that the surrounding public highway has sufficient capacity to accommodate the development without resulting in harm to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C17 The details to be submitted under condition 1 above shall include details of existing and proposed site levels, including the finished floor levels of all new dwellings and associated parking areas. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP3 and PP4 of the Peterborough Planning Policies DPD (2012).

C18 Prior to first occupation of any dwelling on each phase (as identified on the Phasing Plan secured under the terms of condition C5), details of the hard and soft landscaping of that phase shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping details shall include:

- Proposed planting plans including species, numbers, size and density of planting;
- External paving and surfacing materials;
- All boundary treatments and enclosures;
- Street furniture including bins and signage; and
- External lighting to all highways and private driveways.

The development shall be carried out in accordance with the approved details and within the following timescales:

- The soft landscaping relating to individual dwellings shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates;
- The soft landscaping relating to areas of public open space/communal areas shall be carried out as approved no later than the first planting season following the occupation of the final dwelling within the phase to which it relates;
- The hard landscaping relating to individual dwellings shall be carried out prior to first occupation of the dwelling to which it relates; and
- The hard landscaping relating to areas of public open space/communal areas shall be carried out prior to first occupation of the final dwelling within the phase to which it relates.

Reason: In the interests of the visual amenity of the area and the amenities of future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP4 of the Peterborough Planning Policies DPD (2012).

C19 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their



successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

C20 Prior to the first occupation of any dwelling within the development, a Landscape Management Plan (LMP) shall be submitted to and approved in writing by the Local Planning Authority. The LMP shall include, but not limited to:

- Long term design objectives;
- Management responsibilities; and
- Maintenance schedules.

The LMP shall be implemented in full following the planting of any of the soft landscaping secured under condition C16.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

C21 Notwithstanding the provisions of any part of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no structures, buildings, enclosures, boundary treatments or hard surfaces shall be constructed within the Oakdale Avenue / Barham Close landscape buffer as shown on drawing number STAN-EAST-CP-001 'Constraints Plan' other than those expressly authorised by this permission, including any subsequent reserved matters consents, or any future planning permission.

Development abutting this landscape buffer shall not be more than two storeys in height.

Reason: In order to protect the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C22 No development other than groundworks and foundations shall take place on each phase (as identified on the Phasing Plan secured under the terms of condition C5), until details of the following external materials to be used in that phase have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing;
- Windows and doors;
- Rainwater goods;
- Cills and lintels; and
- Soil flues and vents.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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

- C23 Prior to the commencement of development on each phase (as identified on the Phasing Plan secured under the terms of condition C5), full details of a scheme (including phasing) for the provision of mains foul water drainage on- and off-site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

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

- C24 The details to be submitted under condition 1 above shall include, for each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), a detailed surface water management scheme for each phase. The management scheme shall accord with the overarching drainage principles set out in the submitted 'Flood Risk Assessment and Drainage Strategy' (reference E3115-TW-frareport-Rev0 dated December 2016) and include, but not limited to:

- The detailed drainage layout for the phase, including technical details of each asset;
- Overland flood flow/exceedance routes and confirmation this ties in with the design of adjacent phases;
- Confirmation of how swales and permeable paving will be used in each phase to provide source control and the first stage of water treatment on-site;
- Confirmation of ownership details for each of the surface water assets; and
- Confirmation that there will be no private water entering the roadside swale unless source control can be demonstrated and agreement of the adopting authority provided.

The development must be carried out in accordance with the approved surface water management scheme and the surface water infrastructure in the phase downstream must be in place prior to the commencement of any development on each phase.

Reason: To ensure that surface water is adequately managed on site and prevent unacceptable risk from flooding within the site and elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011), the Peterborough Flood Water Management SPD (2012) and paragraph 103 of the National Planning Policy Framework (2012).

- C25 The details to be submitted under condition 1 above shall include, for each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), details of the finish and form of the under-drained swale which shall run along the entire length of the spine road. The details shall include, but not limited to:

- Design of the ends of the swale where it intersects private driveways and proposed adoptable roads, including headwalls where necessary;
- Design of the slopes of the swale to ensure a gradient of no more than 1 in 3;
- The surface base of the swale which shall be formed of uncompacted grass or turf;
- An impermeable barrier between the swale and proposed adoptable carriageway and footway areas; and
- The surfacing and location (including design and extent of all dropped kerbs) of any driveway accesses which intersect with the swale.

The swale shall be implemented in accordance with the approved details and prior to first use of the highway serving the phase to which it relates.

Reason: In the interests of the visual amenity of the locality, highway safety and to ensure that surface water is adequately managed on site to prevent unacceptable risk from flooding within the site and elsewhere, in accordance with Policies CS14, CS16 and CS22 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012), the Peterborough Flood Water Management SPD (2012) and paragraph 103 of the National Planning Policy Framework (2012).

C26 The development hereby permitted shall be carried out in accordance with the contamination remediation measures set out in the following documents:

- Site Investigation (reference E09/91 Revision Original, dated 30 September 2010);
- Remediation Strategy and Method Statement (reference E09/091 Revision O, dated 8 January 2010);
- Letter from Rogers Leask Environmental Ltd (reference SJF/E09/091/190411, dated 19 April 2011); and
- Letter from Rogers Leask Environmental Ltd (reference SJF/SJF/E09/091/251111, dated 25 November 2011).

Upon completion of the remediation measures, a closure report shall be submitted to the Local Planning Authority for written approval. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and paragraphs 120 and 121 of the National Planning Policy Framework (2012).

C27 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and paragraphs 120 and 121 of the National Planning Policy Framework (2012).

C28 The development hereby permitted shall be carried out in accordance with the ecological protection measures set out within the submitted 'Ecological Appraisal' and specifically, the following should be undertaken by a suitably qualified ecologist:

- Prior to scrub removal and ground clearance, a check for nesting birds;
- Prior to the removal of any scrub/trees along the northern boundary of the site, a check for roosting bats; and
- Prior to any groundworks taking place, a check for Badgers.

In the event that any nesting wild birds between 1 March or 31 August (inclusive), or roosting bats at any time are found, no works shall take place until a scheme for the

mitigation of harm to these species has been submitted to and approved in writing by the Local Planning Authority. The scheme for mitigation shall be carried out in full.

Reason: In order to protect species of principal importance and preserve the biodiversity of the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C29 Prior to the commencement of any development, including enabling groundworks, an overarching Ecological Enhancement Strategy (EES) shall be submitted to and approved in writing by the Local Planning Authority. The overarching EES shall include measures to be implemented across the entire development area to bring about an enhancement of biodiversity.

Thereafter, and prior to the first occupation of any dwelling on each phase of the development (as identified on the Phasing Plan secured under the terms of condition C5), a phase-specific EES which accords with the approved overarching document, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the overarching and phase-specific Ecological Enhancement Plans, and the measures contained therein shall be carried out no later than first occupation of the final dwelling to be constructed on the phase to which the measures relate.

Reason: In order to promote biodiversity, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C30 The details to be submitted under condition 1 above shall include for Phase 6 (as identified on the Phasing Plan secured under the terms of condition C5), a detailed noise mitigation scheme for those dwellings identified as being located within Noise Exposure Category B as set out in the submitted 'Chapter 10: Emissions' from the Environmental Statement.

The approved noise mitigation scheme shall be implemented in full prior to first occupation of the dwelling to which the mitigation measures relate and shall thereafter be retained as such in perpetuity.

Reason: To ensure future occupants are afforded an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012) and paragraph 123 of the National Planning Policy Framework (2012).

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

Copy to Cllrs Bisby, Harper and Rush

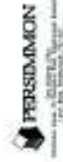


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# Appendix 2



Plan 6 indicates proposed construction related to the site. All other information is for information only and is not to be used for construction purposes.



Persimmon Homes  
BANGOR EAST

Proposed Planning Layout

SCALE	DATE	DESIGNER
1:1000 (A1)	24/11/2016	AL
DATE	BY	REVISION
27/04/2016	AL	1

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