



PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 4 SEPTEMBER 2018

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 3 July 2018 5 - 14

5. Development Control and Enforcement Matters

5.1 18/00527/FUL - Madina Madrassa and Spiritual Centre, 116 Midland Road, West Town, Peterborough 15 - 26

5.2 18/00410/R3FUL - Ken Stimpson Community School, Staniland Way, Werrington, Peterborough 27 - 52

5.3 18/00894/FUL - Bridge Street Police Station, Bridge Street, Peterborough 53 - 82

5.4 18/00491/R3FUL - Bretton Court, Rightwell, East Bretton, Peterborough 83 - 100



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- 5.5 **18/00667/FUL - Land Adjacent to Werrington Police Station, 6A Skaters Way, Werrington** **101 - 118**
- 5.6 **17/02205/FUL - The Eldern, Eldern Orton, malbourne, Peterborough** **119 - 130**

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Committee Members:

Councillors: A Iqbal, G Casey (Vice Chairman), L Serluca, C Harper (Chairman), P Hiller, J Stokes, S Martin, A Bond, R Brown, S Nawaz, B Rush

Substitutes: Councillors: Hogg, M Jamil and Warren

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

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Mike Roberts, Janet Maclennan, David Jolley, Louise Simmonds, Vicky Hurrell, Sundas Shaban, Amanda McSherry, Matt Thomson, Michael Freeman, Jack Gandy, Carry Murphy and Joe Davis

Minerals and Waste: Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Glen More and Andrew Dudley

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer, Head of Planning and/or Development Management Manager 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.

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 3 JULY 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Joseph, Jamil, Hiller, Bond, Stokes and Serluca

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Chris Gordon, Planning Solicitor
Simon Ireland, Head of PCC Highways
Louise Simmonds, Principal Development Management Officer

Others Present:

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Shaz Nawaz and Amjad Iqbal. Councillors Jamil and Joseph attended as substitutes.

7. DECLARATIONS OF INTEREST

None were received.

8. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

None were received.

9. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 12 JUNE 2018

The minutes of the meeting held on 12 June 2018 were agreed as a true and accurate record.

The Chair proposed and it was accepted to move items 7.1 and 7.2 before items 5 and 6.

10.1 18/00377/REM - LAND TO THE WEST UFFINGTON ROAD, BARNACK, STAMFORD

The Planning and Environmental Protection Committee received a report in relation to a Planning application seeking reserved matters consent relating to appearance, access, landscaping, layout and scale for 80 dwellings and associated parking, internal access roads and public open space pursuant to outline planning permission 15/01840/OUT which was allowed on appeal.

The Head of Planning introduced the report and update report. The Committee were also being asked to consider if they agreed in principal with a proposed pedestrian / cycle link to access the development via Bainton Road (this would have to subsequently come forward in the form of a planning application). A Management Company would be created to manage the drainage areas as well as the upkeep of the open spaces and roads. The houses were to be built using mock Collyweston slate on the roofs. The number of affordable housing units complied with the regulations and which had been set down in the planning application. The Committee were informed of any additional recommendation to delegate authority to the Head of Planning to receive revised drawings and a revised Landscape Management Plan to address the comments of the City Council's Wildlife Officer and amend any conditions which refer to drawing/document revisions which become superseded by this, ahead of issuing the decision.

Cllr David Over, Ward Councillor, and Parish Councillor Harry Brassey, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- This was a rural setting not a suburban environment. Little evidence to show that this development took into consideration that this was a rural setting.
- The play area was an important part of the development, rather than having area for 5-6 year olds this could potentially lead to an area for 15-16 year olds which could lead to issues in the future. A better solution would be the creation of a Multi-Use Games Area (MUGA) and this should be done in consultation with the Parish Council.
- The drainage area was a big concern and could in effect be quite dangerous as this was an issue in the area.
- There needed to be more visitor parking than what was currently suggested.
- There needed to be wider footpaths within the development, there were currently some footpaths in the village that were only 18 inches wide which was inadequate.
- It was important that issues such as mobile networks and broadband were looked at.
- Peterborough was earmarked as an environmental friendly city, there were no plans for solar panels, which would be of additional benefit.
- Disappointed that Linden homes drawn up plan with little thought to making it an attractive addition to the village.
- The Applicant had tried to squeeze in 80 homes as cheaply as possible with little regard to Peterborough Planning Policy DP2012, especially in relation to design quality which would not improve the character of the village. This development does not add positively to the local environment.
- The stone brickwork on the perimeter was welcomed however there needs to be a change to the type of slate work that was proposed.
- The number of affordable houses was welcomed and it was hoped that this would be enforced.
- There had been no opportunity yet to comment on the construction management plan and the drainage and flood alleviation plan, or the lighting plan.

- It was sought that conditions be imposed on the plans, namely that the residents of Paynes Field be consulted before any work was done to the boundary fence and that any damage made to the planting was made good. In addition lamp posts needed to be appropriate in style.
- It was anticipated that consultation would be sought from the Parish Council over the equipment to be used in the local play area.
- Dog waste and litter bins should be provided across the development to prevent any littering.
- The five visitor bays were not adequate for the size of the development, especially as this was a rural area with limited bus services.
- If an additional access way was created onto Bainton road the Parish Council would request that a gate be installed to stop children running onto the road. In addition cycling should be prohibited.
- It was important that the Committee took note of Peterborough Planning Policy DPD2012 PP03 and the impact of new developments. This made it clear that developments should be granted if there was an issue of loss of privacy as for example no 23 Paynes Field was to be overlooked by five new houses.

St John Beckett, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Due to the lack of consultation the application should be delayed. The views in previous consultations had not been properly articulated. Linden homes had submitted what they wanted to hear.
- There had been limited advice from Planning Officer and response had not been forthcoming.
- There was a spacing issue as there was a close proximity of homes that would be overlooked, causing severe loss of privacy.
- It would be more in keeping with the village if all the houses built used stone instead of buff brick.

Michael Baumber, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Objection was linked to the comments made by the Parish Council around the need for consultation before the work was due to start.
- At present there was a post and wire fence and planting in the fence had grown on each side. Residents were seeking assurances that this would not be disturbed or damaged.

Georgina Mcrae, applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Outline planning permission was granted in March last year for residential development of 80 dwellings. Of these 30% were earmarked for affordable homes.

- The applicants had met with the Parish council twice and had meetings with local residents.
- No objections had been raised by highways, wildlife, trees, ecological or strategic housing officers. Natural England, the Environment Agency and Historic England were also content with the development.
- An additional condition around extra screening was being dealt with.
- The applicants believed that the application fully complied with the relevant planning conditions and made provision for housing to meet the future needs of residents.
- The design was deemed sufficiently sympathetic to the site and the surrounding areas.
- The proposal provided the correct levels of parking for both visitors and residents.
- There was 1.7Ha of open space provided within the scheme and this more than complied with relevant policies.
- Approval was to secure around £650 000 of Community Infrastructure Levy (CIL) and £27 500 towards mitigating the impact of development on the hills and holes.
- The applicant would be happy to meet with the Parish Council to look at options for the play area.
- The width of the footpath through the main spine of the scheme were to be 2m wide. The other area would be a shared surface area whereby no-one would have priority. Pedestrians were to have the same priority as vehicles.
- The applicant was willing to meet any local residents to discuss the condition of their planting and to ascertain their specific needs and would meet with residents on an individual basis.
- No buffer fencing was proposed as the development would go up to the legal boundary.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- In terms of planting it was a material consideration and could be included in the conditions, however there had to be an element of caution over enforcement.
- In terms of banning bikes as the roads and pathways were going to be private the planning team wouldn't have the ability to control how they were used.
- The shared surface design was endorsed by government policy and followed the advice given by the Highways Agency.
- The shared surface granted pedestrians and vehicles equal priority.
- The garage spaces provided complied with the minimal internal space measurements.
- The development layout was satisfactory and it was explained why the development was so close up against the eastern boundary.
- It was important that the residents on the Western boundary were consulted over their planting needs and treatments.

RESOLVED:

1 The Planning and Environment Protection Committee considered the addition of an additional access way to Bainton Road. A motion was proposed and seconded to

AGREE to the principal of having a cycle / pedestrian link to Binton Road (10 for, 1 abstain)

RESOLVED:

2. The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (unanimous) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

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 density of the development has previously been found acceptable and is therefore not a matter which can be re-considered at this time;
- the proposal would make adequate provision for a range of housing that would meet the future needs of residents and accords with the requirements of condition C18 of the parent outline planning permission. The proposal is therefore in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP08 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time;
- the layout and design of the development would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- the proposal would provide adequate parking to meet the needs of the development, and would ensure safe access for all users, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time;
- the level of public open space proposed is acceptable and accords with the provisions of condition C 17 of the parent outline permission. It would also afford future occupants with an acceptable level of amenity as well as achieving the required ecological mitigation/enhancements, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policies PP3, PP4 and PP16 of the Peterborough Planning Policies DPD (2012) and emerging Policies LP17 and LP28 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time;
- the proposal would not result in an unacceptable degree of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- the proposed development would afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD

(2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;

- additional planting to the western boundary would ensure that the setting of the Barnack Conservation Area was preserved, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time; and adequate protection would be afforded to existing trees of amenity value to the surrounding area, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP29 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.

10.2 18/00766/FUL - CORBAR FIRST DRIFT, WOTHORPE, STAMFORD

The Planning and Environmental Protection Committee received a report in relation to the approval for the erection of a one and a half storey detached 4 bed dwelling with integral double garage to be located at the far rear of the site. A new access would be created off First Drift.

The Head of Planning updated the Committee on the proposal.

Rena Russell, Parish Councillor addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Lived in Wothorpe for many years and had seen a number of changes. There had been strong support from the local community over the proposal. Believe it was testament to the environment that the application goes ahead. Previous applications had been approved for larger dwelling.
- The application would have a minimal impact on Wothorpe and the site in comparison to proposed application that was granted previously.
- The development conformed to all other requirements that had been imposed by planning legislation.
- Although this was back land development the impact was minimal to the surrounding area and enhanced the local area.

Tom Dykes, agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Recent developments within applicant's private life led them to alter the proposed development. This application was non-intrusive, had ample amounts of light and space and did not affect any neighbours.
- Showed plans to neighbours and parish council of whom were all very supportive. The previous bungalow application was more detrimental to the street view and would spoil the character of wothorpe
- Residents were surprised at the refusal of permission, they were not against this development as it would not harm the character of Wothorpe.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Although it was important to stop back land development, this application did not harm the area or the village of Wothorpe and it was noted that there were some long standing buildings nearby set nearly as deep back from the road frontage .
- It was encouraging that the owners were community orientated and that they had spoken to people to see if they would accept the application.
- The development proposed was better than what had been proposed previously. There had been no neighbour objections and the Parish Council were behind the application.
- The planning application would not be as damaging to the local street scene compared to the extant planning permission for a dwelling to the front and it was not reasonable to object to the application. Councillor Casey

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

11. PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT

The Planning and Environmental Protection Committee received a report in relation to the Peterborough Statement of Community Involvement. The updated statement set out how the Council consulted the public in relation to planning documents. This updated the previous statement that was adopted in 2015. The statement of community involvement had to, by law, be updated every five years. The amendments to the updated document were primarily aimed at addressing the process of producing neighbourhood plans. The changes in the updated document were thought not to be overly onerous, but maintain the high standards as set out in the previous iteration.

The Planning Committee and Environmental Committee debated the report and in summary, key points raised and responses to questions included:

- The document was robust and easy to understand. It was about the communities that members represent. This was a responsible document for the City Council to adopt.
- The changes laid out were straightforward and well written. This was a clear improvement on the existing document. This in turn enabled members of the public to understand more fully the document.

RESOLVED:

That the Planning and Environment Protection Committee endorse the statement of community involvement to Cabinet for approval.

12. APPROVAL OF DRAFT UPDATED REG 123 LIST AND COMMUNITY INFRASTRUCTURE LEVY SUPPORTING POLICY

The Planning and Environmental Protection Committee received a report in relation to Community Infrastructure Levy (CIL) and Regulation 123 list. This provided greater clarity for what infrastructure the Council may seek to fund through CIL and what infrastructure will be delivered through other planning obligations. The process of amending the CIL charging schedule was lengthy. The amount that could be charged would be adjusted in line with the uplift in inflation.

The local planning authority could include as much or as little on list, there were changes proposed to remove outdated information and make it easier to read.

The net effect of changes, may result in more contributions for certain pieces of infrastructure that were being planned.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- The updated regulation 123 list showed the types of infrastructure that the city required.
- It was only in exceptional circumstances that relief could be obtained and could allow for specific constraints where viability would be difficult to achieve.

RESOLVED:

That the Planning and Environmental Protection Committee endorse the draft set of Community Infrastructure Levy Supporting Policies Document including a revised Reg 123 List and recommends that Cabinet adopts them.

13. ANNUAL REVIEW OF THE SHARED PLANNING SERVICE WITH FENLAND DISTRICT COUNCIL

The Planning and Environmental Protection Committee received a report in relation to the shared agreement with Fenland District Council. This had already been presented to scrutiny at Fenland. The agreement had been in operation since 2015, it was important to note that this was not a full shared service, but a more light touch approach.

There was now a full complement of staff in the Technical Administration Team and so performance was improving.. Applications received in PCC had climbed over the past year. The fee income target had just been missed.

Lot of income came from just a few large scale developments. Performance had been maintained consistent across the teams. There had been a slight drop in the number of appeals.

The enforcement case closure rate had fallen off during the course of the year, this was mainly due to the fact that two people had been off long term sick.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

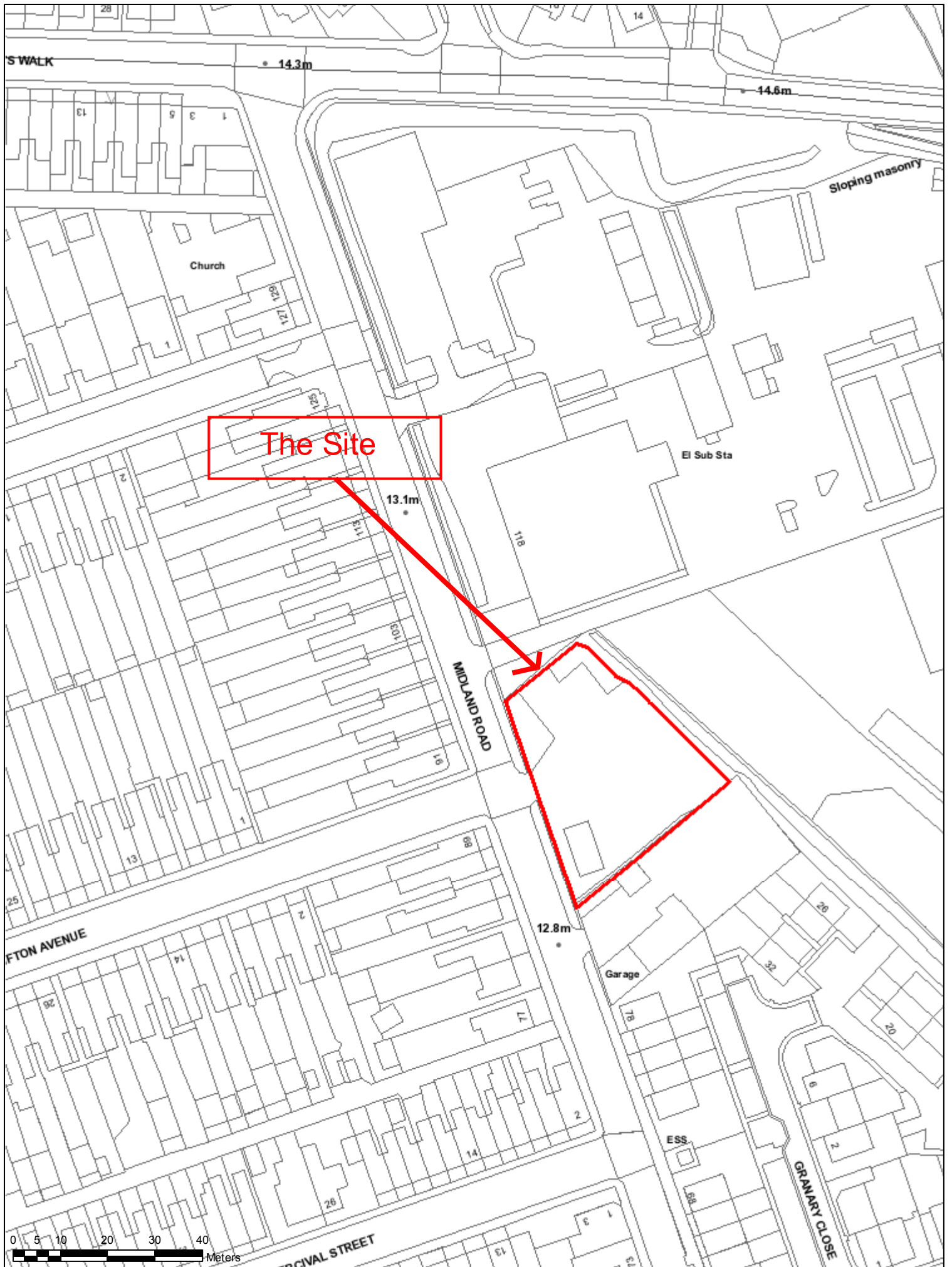
- The service had been running well over the past two and a half years. The department were now back on track following recruitment.
- The scrutiny committee at Fenland had also acknowledged and agreed that the service had been running well.
- It was hoped that the service would continue to grow and expand.

RESOLVED:

That the Planning and Environment Protection Committee noted the report.

Chairman
1.30pm – 3.26pm

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Committee Location Plan Midland Road. West Town 18 /00527/FUL NTS

Scale 1:1,000
 Print Date: 23/08/2018

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Application Ref: 18/00527/FUL

Proposal: Continuation of use as an Education and Spiritual Centre - permanent

Site: Madina Madrassa And Spiritual Centre, 116 Midland Road, West Town, Peterborough

Applicant: Ikram Ul Haq
Darassalaam

Agent: Matrix Planning Ltd.

Site visit: 08.08.18

Referred by: Head of Planning Services

Reason: In the wider public interest

Case officer: Mr M A Thomson

Telephone No. 01733 453478

E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site Description

The site lies within the Railway Station Opportunity Area designated under policy CC04 of the Peterborough City Centre Plan (2014).

The site is a former used car sales site measuring 0.13 of a hectare. There is a brick and concrete tile office/store to the south west of the site, adjacent to the Midland Road boundary. There is a large modular building that extends from the brick structure along the whole of the southern boundary. The rest of the site is laid to concrete in the form of a parking lot.

Surrounding the site to the north is the Network Rail Depot, to the east is the great northern railway track and ancillary areas, to the south is a hand car wash, an office with residential beyond, and a largely residential area, known as West Town, to the west.

Background

In 2014 planning permission was granted for an 'Education and Spiritual Centre' at this site. This involved the change of use of the site from a sui generis car sales site to a religious education and spiritual centre (D1 non-residential institution).

The level of use applied for at that time required 3 on site car parking spaces, which could easily be accommodated, together with some space for drop off and pick up parking spaces. On this basis the Local Highway Authority raised no objections.

A number of conditions were attached to the permission, which allowed no more than 45 students to attend at any time between the hours of 08:00 - 20:00 on any day, and required the use to cease and the modular building to be removed after 2 years (09/10/2016). The reason for this was so that the proposed use would not conflict with the allocated Railway Station opportunity Area (Policy CC04).

Later in 2014 the approved operating hours were changed so that the use could operate between the hours of 08:00 - 21:00 on any day.

Proposal

This application seeks the continued use of the site, but on a permanent basis, as an Education and Spiritual Centre.

The latest proposal also involves an intensification in the use of the site compared to the 2014 permissions, to provide a madrassa for up to 50x children between the hours of 15:30-19:15, as well as prayer 5x per day between the hours of 05:00 and 22:00.

2 Planning History

14/00810/FUL – Proposed Education and Spiritual Centre - part retrospective (Permitted)

14/01979/WCPP - Variation of condition C3 (Hours of operation) of Planning Permission (Permitted)

3 Planning Policy

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

National Planning Policy Framework (2018)

Section 2 – Achieving Sustainable Development

Section 8 - Promoting healthy and safe communities

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

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

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.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

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 City Centre DPD (2014)**PCC04C - Railway Station Policy Area (c) Station West Opportunity Area**

Development proposals should: deliver predominantly residential development (although office development would also be supported); provide community uses; incorporate the listed railway sheds; safeguard and assist delivery of a foot/cycle bridge over the railway line; and facilitate a new 'west' entrance to the station.

Peterborough Local Plan 2016 to 2036 (Submission)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP06 - The City Centre - Overarching Strategy

Promotes the enhancement of the city centre. Major new retail, culture and leisure developments will be encouraged. It is promoted as a location for new residential development and as a location for employment development including mixed use. Improvements to the public realm will be promoted and the historic environment protected.

LP07 - Health and Wellbeing

Development should promote, support and enhance the health and wellbeing of the community. Proposals for new health facilities should relate well to public transport services, walking/cycling routes and be accessible to all sectors of the community.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP33 - 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.

LP47 - Railway Station Policy Area

LP47 General- The council will support and encourage high quality mixed use development which create an attractive and legible gateway into the rest of the city centre.

LP47 Station West Opportunity Area

Development proposals should: deliver predominantly residential development (although office development would also be supported); provide community uses; incorporate the listed railway sheds; safeguard and assist delivery of a foot/cycle bridge over the railway line; and facilitate a new 'west' entrance to the station.

LP47: Station East Opportunity Area

Development proposals should deliver a mixed-use, commercial-led development including office, retail and leisure uses safeguarding land for a foot/cycle bridge over the railway line connecting to the Station West Opportunity Area and incorporate and enhance Carpenter's shop.

4 Consultations/Representations

Network Rail - Eastern

No objection

PCC Peterborough Highways Services

Objection – The Local Highway Authority have objected to the proposal, because a number of issues are required to be resolved. The close boarded fence to the south of the site needs to be removed as it obscures the pedestrian visibility splay in this direction. Evidence needs to be submitted, demonstrating that the access is of sufficient width, and car parking needs to be formally laid out.

The contention contained in section 4d of the Planning Statement that the use of the site is unlikely to generate significantly more traffic at peak hours than the previous car sales use cannot be accepted. A car sales business has only sporadic arrivals by customers who are not constrained to network peak hours.

After school use most certainly is confined to the busy periods and therefore evidence should be provided as to the numbers attending site and arriving by car between 4pm and 5pm (the peak hour). This evidence will need to be verified by the local highway authority, to clarify whether any overspill parking or dropping-off associated with this use in the local streets is resulting in anti-social problems.

Local Residents/Interested Parties

Initial consultations: 19

Total number of responses: 2

Total number of objections: 1

Total number in support: 0

Two letters of representation have been received, one letter of comments and one letter of objection, raising the following matters;

- Vehicles are being parked in dangerous locations, this is particularly bad on Friday lunchtimes. If the centre is to be made permanent, the parking should be addressed;
- Temporary planning was only granted until 2016;
- The land is earmarked as residential;
- Issue of noise late into the evenings;
- The centre opens outside of the hours;
- An external light is often left on overnight;
- Issues of antisocial behaviour with groups of youths hanging about outside all hours; and
- Littering.

5 Assessment of the planning issues

The Principle of Development

Policy CC04 (Railway Station Policy Area) identifies the application site to be within the 'Station West Opportunity Area'. This particular part of the City Centre has been identified as critical to the future success of the City. The overall vision for this Area is to deliver a transformation from part of the City characterised by unused and underused land into one with a range of high quality, modern developments (5.3.14).

Development proposals for the 'Station West Opportunity Area' should;

- deliver predominantly residential development, although office development would also be supported;
- provide community uses;
- Incorporate and enhance the listed railway sheds to the south of the site;
- safeguard land for, and assist delivery of, a foot/cycle bridge over the railway line connection the Station East Opportunity Area; and
- help to facility a new 'west' entrance to the station.

Whilst the application would go towards providing a community use, this proposal seeks to secure a permanent permission for the use of the existing modular and brick built building only. It is understood from the supporting information that the permanent permission would allow for fundraising to take place in order to build a permanent structure, however, as set out above, Policy CC4 seeks to deliver a range of high quality, mixed used and modern development. The proposed permanent change of use does of the existing modular building not meet the requirements of the policy and it would not help to contribute to a comprehensive redevelopment of this opportunity area.

In accordance with Policy CC4, Officers would support the inclusion of a community use should a comprehensive scheme be put forward as part of a wider redevelopment of this opportunity area.

Access and Highways

The Local Highway Authority has objected, advising that the proposed permanent use cannot be likened to the former car sales use of the site, and the numbers attending the site arriving by car, between the peak hour of 16:00 - 17:00 would need to be evidenced. There are also concerns of access width, visibility splays for pedestrians and the amount of off-street car parking the site can actually provide.

When the 2014 scheme was originally considered by Officers it was concluded, on balance, that the level of activity would not give rise to a highway safety hazard. However, the amount of activity is proposed to increase. Moreover, there have been letters of representation which have advised that issues of dangerous on-street car parking associated with the use of the temporary facility, have occurred, particularly on Friday lunchtimes.

As such the proposal could result in vehicles parking in unsafe locations within the public highway, at the detriment of residents, and therefore does not accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

Design and Layout

The character of the immediate area is defined by industrial uses and traditional red brick residential terrace housing to the west.

The character of the site itself is industrial in nature, which has been secured by a palisade fence and does little to lift the character of the area. When the scheme was originally considered in 2014 Officers stated that the modular building was not attractive, however it was to provide a temporary home for a local community group, and given its set back location it was allowed, for a temporary period only.

This application is for the permanent siting of this temporary building, which is not high quality or of modern design, and would only deteriorate further in the fullness of time, thereby detracting further from the character and appearance of the street scene. As such the proposal would be contrary to Policies CS16 of the Peterborough Core Strategy DPD (2011), PP2 of the Peterborough Policies DPD (2012) and CC04 of the Peterborough City Centre Plan (2014).

Neighbour Amenity

When the application was previously considered in 2014 the amount of people it intended to serve and the hours of use were less. It was also stated that the permission would not be renewed if it was found that the use had caused undue detriment to the amenity of the area.

There have been letters of representation received with respect to issues of car parking, particularly on Friday lunchtimes, as well as issues of noise and the centre operating outside of the hours originally specified (08:00-20:00). There have also been concerns of anti-social behaviour raised by residents.

Whilst it is recognised that the amount of activity that could take place on this site would likely be less than the adjoining industrial uses, which could operate 24/7 and include HGVs, there is insufficient information submitted to demonstrate that the increase in activities associated with the use of the site, over and above the temporary consent, would fall within acceptable levels, and therefore could result in unacceptable levels of noise and disruption to residents opposite.

As such the proposal would be contrary to Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

Contamination

The Pollution and Environmental Health Officer previously advised that the temporary use of the site to be acceptable, providing that the existing hard standing that covers the site was not disturbed whilst the use occurred.

Given that the proposal is for a permanent use, and there may be necessary alterations to the car park which may necessitate breaking the concrete slab, it is reasonable to take a precautionary approach and seek a contaminated land assessment. As one has not been submitted at the time of writing this report, it is not possible to determine whether there is a risk to the health of future or adjoining occupiers.

As such the proposal is contrary to Policy PP20 of the Peterborough Policies DPD (2012).

Other Matters (Council's response in italics)

- Temporary planning was only granted until 2016 – *Temporary consent was granted until 2016, and this application has been submitted seeking permanent use of the site.*
- The land is earmarked as residential – *The land is allocated for comprehensive residential redevelopment with the City Centre Plan.*
- Issue of noise late into the evenings, and the centre opens outside of hours – *If the premises is operation outside of the permitted hours, this should be reported to our enforcement team to investigate*
- An external light is often left on overnight – *This is a management responsibility, and such concerns should be directed to the manger(s) of the site.*
- Issues of antisocial behaviour with youths hanging about outside all hours, and littering – *there is nothing to suggest that this use would result in increased levels of anti-social behaviour, or littering, however Officers are aware of wider issues within the Ward.*

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.

7 Recommendation

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

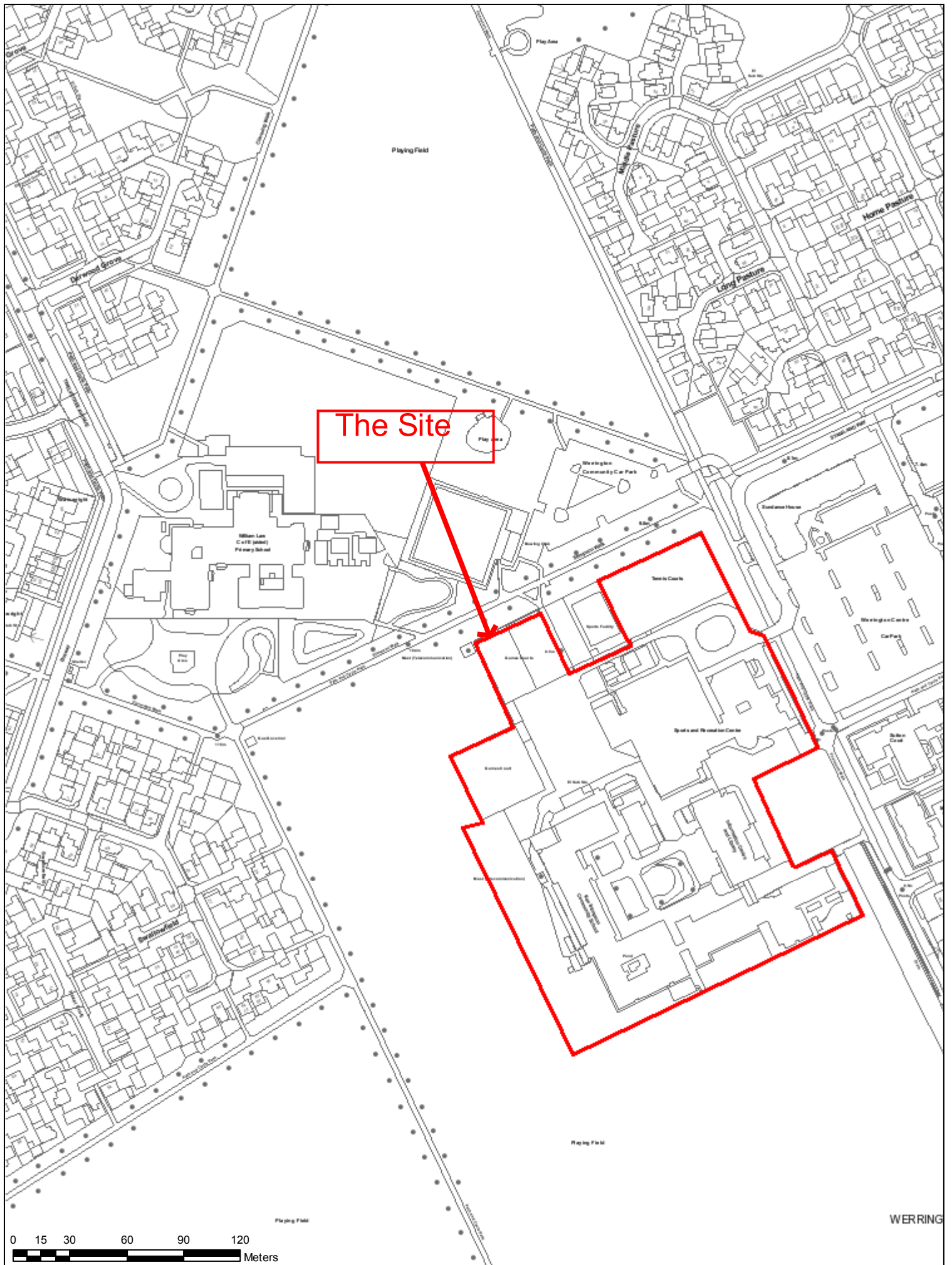
- R 1 The permanent use of this 0.13ha site as a spiritual and education centre, and the retention of the modular building, does not provide a comprehensive redevelopment of the Railway Station Opportunity Area (West) and would result in a piecemeal form of development which would prejudice the future delivery of this Opportunity Area. As such the proposal is contrary to Policy CC4 of the Peterborough City Centre Plan (2014).
- R 2 The modular building is not of high quality or modern design, and would only deteriorate in quality and appearance in the fullness of time, thereby detracting further from the character and appearance of the street scene. As such the proposal would be contrary to Policies CS16 of the Peterborough Core Strategy DPD (2011), PP2 of the Peterborough Policies DPD (2012) and CC4 of the Peterborough City Centre Plan (2014).
- R 3 Insufficient information has been submitted to demonstrate that the increase in activities associated with the use of the site, over and above the temporary consent, would fall within acceptable levels, and therefore could result in unacceptable levels of noise and disruption through the coming and going of visitors, as well as the activities themselves, to residents within the immediate locality. As such the proposal would be contrary to Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).
- R 4 Insufficient information has been submitted to demonstrate there is sufficient off-street parking to accommodate the proposed use, therefore it could result in vehicles parking in unsafe locations within the public highway during peak hours, resulting in a highway safety hazard, and is therefore Contrary to Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

R 5 The permanent use of this site has not been accompanied by a contaminated land assessment. The permanent use of the site may require the concrete block of the site to be broken, for example to accommodate highway or parking improvements. As such it is not possible to determine whether there is a risk to the health of future or adjoining occupiers, and the proposal is therefore contrary to Policy PP20 of the Peterborough Policies DPD (2012).

Copies to Councillors:

Mahboob Hussain
Amjad Iqbal
Mohammed Jamil

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Committee Location Plan Ken Stimpson School 18/00410/R3FUL NTS

Scale 1:2,500
 Print Date: 23/08/2018

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Application Ref: 18/00410/R3FUL

Proposal: Two form entry expansion to the existing Ken Stimpson Community School, to include change of use of land from Open Space to educational purposes to support a two storey extension providing teaching accommodation. Relocation of Substation. Single storey extension to the existing dining room. Internal remodelling to existing Block 1 to provide Science teaching facilities and internal remodelling to existing Block 5, converting the existing school shop to provide two Music Practice rooms along with associated off site highway works along Staniland Way and St David's Lane

Site: Ken Stimpson Community School , Staniland Way, Werrington, Peterborough

Applicant: Mr Brian Howard
Head of Schools Infrastructure - Peterborough City Council

Agent: Mr Mark Hollowell
Kier Construction Eastern

Site visit: 17.04.2018

Reason for Referral Referred by: Application of wider concern
Director of Growth and Regeneration

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

Recommendation: **GRANT** subject to relevant conditions

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

The Site and Surroundings

The application site is the Ken Stimpson Community School within the grounds of which there are the existing school buildings, a nursery, a community library in front of which there is an area of open space and the Vivacity Werrington Leisure Centre along with hard surfaced areas for outdoor play including four tennis courts. Immediately surrounding the school buildings to the south and west are playing fields. To the northern side of the main school buildings next to the tennis courts but outside of the school grounds is a Multi Use Games Area (MUGA).

To the north of the school site and MUGA runs a footpath/cycleway on the other side of which is a community car park and the William Law Primary School. To the west side of the school and playing fields the footpath/cycle way continues. On the other side of it is a mixture of more playing field and housing (to the north west and south west). The footpath/cycleway continues to the southern side of the main playing fields beyond which there is more housing. To the east is Foxcovert Road with housing on the eastern side and the Werrington Centre, the district centre serving the Werrington area. The Werrington Centre comprises a car park, Tesco store, public house, a range of other shops and a couple of detached office buildings. The district centre boundary includes the library and some of the school buildings.

Vehicle access to the school is from Staniland Way which connects to David's Lane at a roundabout. There are accesses to a number of residential areas from this road. The road is characterised by an avenue of Lime trees.

The Proposal

It is proposed to expand the school by two forms of entry along with an associated increase in the number of sixth form pupils. The school would increase in size from some 1014 pupils to 1650 pupils. The number of pupils between 11-16 will increase from 866 to 1350 (so an increase of 484) and the sixth form from 148 pupils to 300. The number of full time staff or equivalent will increase from 95 to 115 (an increase of 20). The school will increase by 60 pupils per year over a 5 year period.

In order to facilitate the extension of the school the construction of a new two storey teaching block is proposed to the rear of the existing school buildings on playing field, along with a small infill extension to increase of the size of the dining area. Internal works are proposed to other existing teaching areas to create the necessary teaching facilities.

Also proposed is the relocation of a substation, a new sprinkle pumping station, the creation of new areas of hard play and a new car park (on the site of the existing tennis courts) to create 37 parking spaces on the site. Access would be from Staniland Way.

In addition, the proposal also results in a requirement for off-site highway works to accommodate extra traffic movements to and from the site. It is proposed to add an extra lane on David's Lane from the A15 roundabout and also along Staniland Way to the junction with Crowhurst. To facilitate these highway works a number of tree removals will be required, notably the removal of trees on one side of Staniland Way.

2 Planning History

Reference	Proposal	Decision	Date
05/01574/FUL	New school buildings and hard play with Alterations to existing buildings	Permitted	23.12.2005

There have been various other applications for mobile classrooms, plant etc on the site.

3 Planning Policy

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

National Planning Policy Framework (2018)

Para 94 School Provision. Local Planning Authorities should take a proactive, positive and collaborative approach to ensuring the sufficient choice of school place is available to meet the needs of existing and new communities. Great weight should be given to the need to create, expand or alter schools.

Para 97 Open Space. Existing open space, sports and recreational buildings and land including playing field should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in a suitable location or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Peterborough Core Strategy DPD (2011)

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.

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.

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)**PP02 - Design Quality**

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

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

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.

Peterborough Local Plan 2016 to 2036 (Submission)

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. The Local Plan was submitted to the Secretary of State on 26 March 2018 and the first part of the examination has now taken place. The second part will be later this year.

Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP21 - New Open Space, Sport and Recreation Facilities

LP12 Part A New Open Space, Outdoor Sport and Recreation Facilities- Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on site provision.

LP21 Part B: Indoor Sports and Recreation Facilities- All residential development below 500 dwellings will contribute to the provision of 'off site' strategic indoor sports and recreation facilities by way of CIL. For sites of 500 dwellings more a S106 Planning Obligation will be sort.

LP21 Part C Designated Sites- Mitigation of Recreational Impacts of Development- Where development has the potential to have a significant adverse effect on the integrity of a designated international or national site for nature conservation as a result of recreation pressure, the development maybe require to provide open space of sufficient size, type and quality over and above the standards to mitigate that pressure.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, over riding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered. Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

4 Consultations/Representations

Sport England (25.05.18)

The proposal relates to a significant extension to this secondary school, which will be sited on the edge of the playing field. The extension will result in the loss of approximately 0.35 hectares of playing field. This part of the playing field is not currently marked out for pitch use, and the applicant has submitted plans to show that existing pitch provision at the school can be maintained despite the loss of playing field.

Evidence from Google Earth indicates that this part of the site has been previously used for the siting of training grids, and it could still be used as a training/warm up area, or for informal recreation. It is considered that the loss of playing field is too significant to be classed as falling within exception E3, though Sport England do acknowledge that the proposal will not result in the loss of any existing sports pitches on the site. It is not considered that exceptions E1, E2, E4 or E5 are applicable to this case.

In light of the above, Sport England objects to the application because it would result in the permanent loss of approximately 0.35 hectares of playing field on this site, and it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Sport England is also fully aware of the extreme pressure for additional school places and accommodation in the Peterborough area, and that often the only solution to provide this additional accommodation is on existing playing field land. However, it is our statutory remit to consider proposals against our adopted playing fields policy and Para 74 of the National Planning Policy Framework (NPPF).

Note- Comments from Sport England were submitted before the publication of the new National Planning Policy framework (NPPF). The relevant paragraph is now paragraph 97.

PCC Peterborough Highway Services (25.07.18)

As a result of the revised scheme and the response to the comments made by the Local Highway Authority I can confirm that all outstanding matters in relation to the off-site junction have been resolved to our satisfaction.

The Travel Plan is now acceptable. This will need to be kept up to date because the continuing use of the Werrington Centre car park for staff parking is not sustainable over the long term and measures need to be agreed to a) increase the amount of car sharing and non-car travel modes and b) provide sufficient parking on site to cater for staff given the likely reduction in parking availability within the Werrington Centre due to redevelopment and additional retail and other floorspace.

The Construction Management Plan is acceptable in principle. Delivery hours for large vehicles i.e. HGVs need to be restricted to between 9.15 am and 3pm to avoid conflict with school drop off and pick up. Also a means to prevent mud being transferred into the highway is important.

PCC Pollution Team (10.08.2018)

Recommend a condition relating to plant and ventilation equipment to ensure that this is suitable.

Archaeological Officer (06.06.18)

No objections in light of the archaeological assessment which has been carried out. No further archaeological assessment is required.

Lead Local Drainage Authority (04.04.18)

No objections, the drainage strategy is now acceptable following receipt of further information. A compliance condition can be imposed.

Peterborough Cycling Forum (10.04.18)

Peterborough Cycle Forum welcomes the provision of 84 additional cycle parking spaces (81 for students, at a ratio of 1:6, and 3 for staff, at a ratio of 1:8). It notes the cycle parking will be covered; this is appropriate for long-stay parking and follows best practice.

The Design and Access Statement notes, 'Cycle parking is in the form of simple 'Sheffield' stands, spaced to allow double-sided occupancy. These may be provided in a toast-rack configuration'. The provision of 'Sheffield' stands is best practice but the Cycle Forum raises a note of caution concerning the use of these in a toast-rack configuration. Stands should be placed no less than 1m apart but many toast-racks are manufactured with gaps of less than 1m. Just as car parking spaces should be wide enough to minimise the risk of a vehicle being damaged when the door of an adjacent vehicle is opened, so the space between cycle stands should be wide enough to minimise the risk of a cycle being scratched or damaged when another cycle is manoeuvred in or out of an adjacent space.

The Cycle Forum also welcomes the actions listed in the School Travel Plan which are intended to increase the number of pupils cycling. The Forum believes it is very important to provide lockers for the storage of cycling equipment, such as helmets, gloves and waterproof over-trousers. If someone chooses to cycle as their daily form of transport they must be able to travel by cycle in all weathers, including cold or wet. Also, those who wish to wear a helmet may be discouraged from cycling if lockers are not available. If staff do not have to carry cycling equipment with them throughout the day then it seems only fair that students who cycle should also have access to lockers.

Of the other actions listed, the Cycle Forum highlights the value of cycle training.

Police Architectural Liaison Officer (PALO) (26.03.18)

Consider the school to be within an area of low vulnerability to the risk of crime. I note the small section on security measures in the Design and Access Statement regarding the boundary fencing and secure line.

The lighting proposals for the site are acceptable.

This office would be happy to consult with the applicant regarding further measures to mitigate against the risk of vulnerability to crime and discuss Secured by Design Schools and any Security Needs Assessment they may need for Breeam.

Environment Agency (19.03.18)

This application falls outside of the scope of matters upon which the EA comments.

PCC Wildlife Officer (05.04.18)

Bats: No evidence of any bat roosts were found during the survey, however two areas on the current building had gaps around the soffits and were considered to have a low bat roosting potential, and two trees adjacent to the proposed temporary access track also had low bat roost potential. I would therefore recommend the following measures in relation to bats:

- a) The two areas on the building with bat potential to be dismantled by hand under ecological supervision;
 - b) Should the above soffits be sealed only, they should first be subject to minimum of one bat activity survey (May to Aug only);
 - c) Any tree works affecting the features with bat roost potential to be carried out under ecological watching brief;
 - d) Provision of a range of bat roost boxes to be incorporated into the new structure;
 - e) External lighting to be designed to be baffled downwards away from the site boundaries.
- The above detail should be provided by the applicant which would be acceptable via a suitably worded condition.

Nesting Birds: The proposal involves the removal of vegetation which may support nesting birds. I would therefore recommend that a standard bird nesting Informative be attached should the scheme be approved.

To mitigate for the loss of potential nesting habitat, I would request that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift. Details regarding numbers, designs and locations should be provided by the applicant which would be acceptable via a suitably worded condition.

Hedgehogs: Suitable habitat is present within the application site to support hedgehogs which are a UK Biodiversity Action Plan priority species and listed as a Species of Principle Importance under s41 of the NERC Act 2006. I would therefore recommend that as a precaution, all construction trenches are covered overnight or a means of escape provided for any hedgehogs that may have become trapped. In addition, the piles of leaf litter should be hand-searched prior to mechanical clearance to ensure no hedgehogs are present; this should not be carried out on frosty days when hedgehogs may be hibernating. This may be secured via a suitably worded condition.

PCC Tree Officer (08.08.2018)

Regarding the school site there is no objection to the proposal. However, further information is required in terms of a definitive tree protection plan and an Arboricultural Method Statement that focuses on areas of impact e.g. the proposed car park to the north of the site. In addition, the landscaping information requires the specification of species, sizes and densities.

In relation to the loss of trees on Staniland Way there is an arboricultural objection. As outlined above the scheme will detrimentally impact the immediate landscape which will be irreparably changed. The mitigation planting whilst welcomed in part will be shoe horned into the space available which in terms of the proximity to residential dwellings is less than ideal and needs to be considered. The solution would be to install a root barrier several metres in depth to reduce the potential of trespass of roots to neighbouring properties (thereby protecting Council liabilities for the future). If the application is successful the requirement for a root barrier at substantial depth is required along with a surface cap in addition to root deflectors adjacent to the footpath. Without the barrier there also would be a further objection to the application.

Also if the application is successful a definitive tree protection plan and Arboricultural Method Statement is required as the bund that is likely to require ground works adjacent to G2 and G3 may mean the removal of more trees than otherwise would be necessary on a flat surface. The tree loss here needs to be minimised where possible.

PCC Travel Choice (07.08.18)

No objections. Have reviewed the amended Travel Plan and am confident it now covers everything I would expect it to in order to promote sustainable travel to staff and pupils. The actions and targets clearly show commitment to encouraging more pupils and staff to travel in an active and sustainable way. It is noted that further provision of a covered cycle shelter will be provided - I would also recommend that locker provision is also supplied so that students have somewhere to store their cycle helmets / books / clothes etc.

Travelchoice has previously worked with the school to promote sustainable travel and we are more than happy to help with the ongoing development and implementation of the Travel Plan and the initiatives contained within it. Please do let me know any support is needed in the future. In addition I will contact the school to offer our support going forward.

PCC Conservation Officer (09.04.18)

The proposals are not considered to impact upon the built historic environment. As such I have no comments to make upon the application.

Open Space Officer (12.04.18)

No objections.

Werrington Neighbourhood Council (10.08.2018)

Whilst Werrington Neighbourhood Council remains generally supportive of the planning application its concerns previously submitted still stand.

1. The amendments to the Staniland Way roundabout have been noted. The original concerns about the capacity of this roundabout and the access onto the A15 leaving Werrington Centre still stand. Despite the modelling, it is felt that this will still be an area of heavy congestion leading to David's Lane becoming a rat run and delays for residents. It is unfortunate that any development of these junctions will lead to the loss of trees and shrubs. If this is unavoidable given the maturity of trees, it is requested that replacements are made on an at least 1:1 basis in the immediate area.

2. The revised travel plan is noted. The travel plan is incomplete on para 1 of 5b). What is 'The Local Authority' going to do? The numbers of 6th form students using cars have not been addressed.

The provision of some car parking does not offset the increased numbers of staff and student cars. The plan makes reference to the use of the Tesco car park. This, however, is not going to be available for long term parking and should not be included in the plan. The alternative community car parking is not adequate for both the community and school needs and will lead to unacceptable parking in residential areas around the Centre and in the Fenbridge, Foxcovert and Ainsdale Drive area. .

Werrington Neighbourhood Council's objections still remain:

- The car parking provision is not adequate,
- Access should be restricted to Hall Lane and measures put in place to ensure that non-resident access / parking is limited in the Werrington Centre/Foxcovert/Fenbridge/Ainsdale road areas
- Reassess the impact of increased traffic volumes on the A15 junction leaving the Centre
- Review the encouragement of more sustainable transport namely cycling and bus access

Anglian Water Services Ltd (19.08.18)

The development would lead to an unacceptable risk of flooding downstream. A foul drainage condition is requested. The means of disposal for surface water does not relate to assets controlled by Anglian Water.

Local Residents/Interested Parties

Initial consultations: 403

Total number of responses: 38

Total number of objections: 36

Total number in support: 1

Two periods of neighbour consultation have been carried out. The first on receipt of the original application and the second on receipt of the amended off site highway works scheme. At this stage additional residents were consulted given the nature of the works and the description of development amended to make specific reference to the off site highway works.

Five individual letters of representation have been received in relation to the proposal along with a petition signed by 35 residents of Crowhurst. The individual letters raise the following concerns:-

- The proposal will result in increased traffic to and from the school. Concerned about the impact that this will have with pick up and drop off on Foxcovert Road which is a narrow road. Would like assurances from the school that it will discourage parents from using this road and that the situation will be monitored by the school or traffic wardens.
- Concerned about the increase in traffic. The proposals will make it impossible to get in or out of Crowhurst. The roundabout is too small for more than two lanes. The section of road between the by-pass and Staniland Way is heavily congested between 8-9 am and 3-4pm.
- Support the applications long as traffic along Staniland Way can be managed. The loss of playing field appears to relate to an area of 'dead space'. Believe the proposals will impose the education provided by the school.

The petition which has been received strongly objects to the application on the following grounds:-

- Object to the loss of trees on Staniland Way. Trees act as noise barrier and help reduce CO2. The proposal will reduce in the noise coming closer to residential properties thereby resulting in increased noise disturbance;
- At present it is difficult to get into and out of Crowhurst at certain times of the day. The proposal will make this situation worse. There should be less traffic on Staniland Way not more;
- The proposal will adversely impact upon the quality of life of residents;
- The proposal will have an adverse impact upon bio-diversity contrary to the Council's own aims and objectives.

The other response is from the Werrington Neighbourhood Council and is reported above.

5 Assessment of the planning issues

The main considerations are:-

- The Principle of Development
- Design and Layout of Extensions
- Highway Impacts
- Amenity Impacts
- Landscape and Ecological Impacts
- Other Matters

1. The Principle of Development

Expansion of the School

Paragraph 94 of the National Planning Policy Framework states it is important that a sufficient choice of school places is available to meet the need of existing and new communities. Local Planning Authorities are required to take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. In particular they are required to give great weight to the need to create, expand or alter schools through both the preparation of local plans and their decisions on planning applications.

The Framework does not specify that 'need' has to be demonstrated or proven. Notwithstanding this the applicant, Children's Services, has submitted a Planning Statement setting out the position in relation to school places and why, therefore, this application has been submitted.

The applicant has confirmed that the Council has a statutory duty to ensure that sufficient school places are provided and its' objective is to provide 'local places for local children'.

During recent years significant pressure has been placed upon the primary school network with the number of 4 year olds needing school places increasing from 2165 in 2006 to 3049 in 2017. Reception year intake is forecast to remain at around 3100-3200 pupils. In order to accommodate this demand the Council has over a number of years undertaken an expansion of a large number of primary schools, a process which is continuing.

This growth in pupil numbers is now starting to put pressure on secondary schools as children progress through the education system. This pressure will increase and it is therefore important that the Council plan for the required growth. Pressure on year 7 places (11 year olds) started in 2015 and by 2020 it is forecast that there will only be 14 spare places based on current school sizes. The number of spare places will not be sufficient to accommodate the future demand as this increases. Expansion projects are, therefore, already underway at Jack Hunt, Bushfield and Nene Park. The Council has recently built a new secondary school at Hampton (a joint project with Cambridgeshire County Council) and hopes to building a new school at Paston Reserve (subject to making an application and being granted planning permission).

The Council proposed an increase in pupil numbers at Ken Stimpson to help meet the growing demand for places and therefore to help the Council meet its statutory functions. Expansion of Ken Stimpson will also provide a balance to the present expansions in the south and central parts of the city. By expanding this school in the north it will help mitigate the transport costs associated with directing children to schools in the central and southern parts of the city and provide more parental choice in the location of school places as encouraged in the National Planning Policy Framework.

It is therefore considered that there is justification for the expansion. In accordance with the National Planning Policy Framework great weight has to be given to this need when considering and weighing up the other impacts arising from the scheme.

Loss of Playing Field

It is proposed to locate the new classroom block to the west of the existing school buildings on land which is currently in use as playing field. The proposal would result in the loss of 0.35 ha of playing field. The applicant has submitted detailed pitch layout which shows that the affected area is not currently laid out as a playing field and that both the winter and summer pitches could be accommodated thus there would be no loss of pitch provision as a result of the proposal. Other potential locations for the classroom block were looked at but these did not result in an acceptable and useable layout for the school, or in a number of cases still resulted in the loss of playing field given their location to the south and west immediately adjacent to the school boundary.

Both Local Plan policy and the National Planning Policy Framework seek to resist the loss of open space including playing field. As the proposal results in the loss of playing field the key statutory consultee in this instance is Sport England. Sport England's policy is to oppose the granting of planning permission which would lead to the loss of or prejudice all/part of a playing field unless one of five exception criteria are met.

Sport England notes that the affected part of the playing field is not currently marked out for pitch use, and that the applicant has submitted plans to show that existing pitch provision at the school can be maintained despite the loss of playing field. It notes that evidence from Google Earth indicates that this part of the site has been previously used for the siting of training grids, and it could still be used as a training/warm up area, or for informal recreation. Sport England considers that the loss of playing field is too significant to be classed as falling within exception E3 its policy although it does acknowledge that the proposal will not result in the loss of any existing sports pitches on the site. In light of this Sport England objects to the application as it would be contrary to its policy and paragraph 97 of the National Planning Policy Framework which states that existing open spaces should not be built on unless the space is surplus to requirements, or the loss would be replaced by an alternative and better provision.

Sport England in their response do acknowledge the pressures facing the Council in terms of school places provision and the fact that they have little opportunity but to develop on playing fields. However, Sport England cannot take this into account when coming to its view as this is outside of its remit.

The response from Sport England is noted. Whilst the loss of playing field is regrettable it will not impact upon the pitch provision for the school. As such the loss of this area is considered to have minimal impact. This loss also has to be balanced against the need to provide school places and the great weight attached to this by the National Planning Policy Framework. In this case the need for the school places and the wider benefits to the city this will bring in terms of meeting its educational requirements is considered to outweigh the harm resulting from the loss of 0.35 hectares of playing field.

As Sport England have objected to this application if it is recommended for approval then the application will need to be notified to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009. Under the Direction the Secretary of State will decide whether he wishes to 'call in' the application for his own determination. A decision cannot be issued on the application until the Secretary of State has responded.

The application would also result in the loss of the existing tennis courts used by the school. The existing MUGA located next to them would be unaffected. There is no objection in principle to the loss of tennis courts. These are in school use rather than wider community use and in this case the need to provide car parking outweighs the benefits arising from the retention of the tennis courts. No objections to the scheme have been received from the Council's Open Space Officer.

2. Design and Layout of the Extensions

As indicated above this application proposes a new two storey teaching block which will be linked to one of the existing school blocks via two covered canopies. The new block will provide classrooms and tech rooms. The new block has been designed with a flat roof similar to the previous extensions approved in 2005. The materials proposed are a mix of brick, render and glazing. Views of the view classroom block will be possible from around the edge of the site notably from the north, west and south. The design of the new block is considered to be appropriate and would not result in any adverse visual impact. The final colours of the materials have not been specified so a condition requiring the submission and approval of this information is recommended.

Also proposed is a dining extension, relocation of a substation and new sprinkler pump house.

The dining room extension would be a small infill extension which will not be readily noticeable from outside of the site. The design is in keeping with the existing building and it is not considered that any adverse visual impact would result.

The substation would be relocated from the west of the existing buildings to the south edge, between the new classroom block and an existing block. Similarly the new sprinkler pump house would be located just to the north of the new block. Whilst both of these structures will have a functional appearance it is not considered that any unacceptable adverse visual impact would result and they will be 'read' in conjunction with the adjacent teaching blocks.

Several internal alterations are proposed. These do not require planning permission.

In addition to the above works to the fence line to the school will be re-sited and new external lighting added. The Police Architectural Liaison Officer has been consulted on the application. He has raised no objections and considers the lighting to be acceptable.

The proposal is therefore considered to comply with policy CS16 of the adopted Core Strategy and policy PP2 of the adopted Planning Policies DPD.

3. Highway Impacts

Traffic Impacts

The application is supported by a Transport Assessment and a Stage 1 Safety Audit. These documents have been updated following initial comments from the Local Highway Authority.

The scheme initially proposed widening to the approaches of the Staniland Way/ David's Lane roundabout as the assessment showed that the roundabout would be taken over capacity by the traffic associated with the expanded school. Concerns were raised by the Local Highway Authority over the safety of the design for the roundabout put forward. Following a review the proposed scheme has been amended. It is now proposed to effectively add in a new lane from the A15 roundabout, towards the Werrington Centre, along Staniland Way to its junction with Crowhurst. There would also be some widening of the south bound approach to the roundabout on David's Lane. No alterations are proposed to Staniland Way travelling toward the roundabout or to the north bound side of David's Lane.

Having reviewed the amended plan scheme the Local Highway Authority has confirmed that the revised scheme is acceptable to it and would mitigate the impact of the development on the Local Highway network.

A further assessment has been carried out to look at when the works may need to be implemented. The school will be increased in size gradually over several years, by approximately 60 pupils per year. As such the impact on the highway network builds over time. Following discussion with the Local Highway Authority it has been agreed that the works need to be carried out and be ready for use by the third year of the school's expansion. A condition requiring the scheme to be implemented at this stage will be imposed.

Over this period the Council will also review its options to see whether there are any alternative design options which may be appropriate to consider. If an appropriate alternative scheme were to come forward then any planning permission granted under this application would need to be varied accordingly.

In light of the off site works proposed the application is considered to accordance with policy PP12 of the adopted Planning Policies DPD.

Parking

Ken Stimpson School currently has no car parking of its own. School staff, parents and visitor mainly use the adjacent Werrington Centre car park. The community centre car park is also available albeit that this tends to be primarily used by parents at drop off and pick up times for William Law School.

As part of this application it is proposed to create a new car park with 37 spaces including 2 disabled spaces. Under this application the school cannot be required to address the existing deficit of car parking which exists. However the new on site spaces will mean that the parking provision for the expanded teaching staff is met on site. 20 additional staff are proposed so the car parking will also help meet the needs of some of the existing staff. As such this element of the school is supported. Access into the car park is over private land so it will be for the Children's Services to secure any necessary consents from the landowner.

Cycle parking is already available at the school. As part of this application 84 new covered cycle parking spaces are proposed, 81 for pupils and 3 for staff. Under the provisions of policy PP13 106 cycle parking spaces are required for pupils. Whilst the proposal does not meet this standard the number of additional cycle standard proposed is considerable and no objections to the proposed cycle parking provision have been received from the Local Highway Authority. The school will be able to increase its cycle parking provision if a requirement is identified through the Travel Planning process.

The Peterborough Cycle Forum welcomes the provision of additional cycle parking. It has commented that the stands need to be located a metre apart to ensure that they are usable. They have also stated that lockers should be available to pupils how cycle. The applicant has confirmed that the cycle parking will be provided in line with Cambridgeshire's Guidance. No details of the cycle stands and shelters have been submitted for consideration (there is reference to them in the Design and Access Statement) at this stage and so will be required by a condition.

The provision of lockers is a matter for the school to be considered as part of its travel planning progress. This application is not unacceptable without locker provision.

The development is therefore considered to be acceptable in accordance with policy PP13 of the adopted Planning Policies DPD.

Travel Planning

The application is supported by a Travel Plan in respect of which detailed comments have been made by both the Local Highway Authority and the Travel Choice Team. Following these the Travel Plan has been amended. The Travel Choice Team has confirmed that the amended plan now covers everything that is expected to promote sustainable travel to staff and pupils. The actions and targets clearly show commitment to encouraging more pupils and staff to travel in an active and sustainable way. It is noted that further provision of a covered cycle shelter will be provided. It is recommended that locker provision is also supplied so that students have somewhere to store their cycle helmets / books / clothes etc. As noted above locker provision for pupils is a matter for the school and cannot be specifically conditioned.

The Local Highway Authority has also confirmed that the amended Travel Plan is acceptable. This will need to be kept up to date because the continuing use of the Werrington Centre car park for staff parking is not sustainable over the long term The comments from the Local Highway Authority and Travel Choice Team are agreed with and particularly important for this school. A condition requiring compliance with the Travel Plan is therefore recommended.

Subject to a condition the development is considered to comply with policy CS14 of the adopted Core Strategy.

Neighbour Representations

Objections, including a petition, have been received from the residents of Crowhurst on a number of grounds one of which is the impact that the proposed widening scheme would have on their ability of get into and out of Crowhurst. Residents have advised that this is already difficult at certain times of the day. The concerns which have been raised are noted. However, no concerns in this respect have been raised by the Local Highway Authority. As such the submitted scheme is considered to be acceptable. The proposed widening scheme will be subject to further safety audits at the detailed design stage and these will consider highway safety issues. No significant concerns have been raised by the Stage 1 Safety Audit carried out in support of the current application.

The Werrington Neighbourhood Council has raised concerns about the Transport Assessment and School Travel Plan. In particular it is concerned that the Transport Assessment does not adequately reflect existing problems experienced by residents along Foxcovert Road and Fenbridge particularly in relation to drop off and pick up of pupils including in relation to their safety. The Neighbourhood Council sets out that it is concerned that the existing problems will get worse and impact upon Hall Lane/Church Road. They raise concerns about the lack of parking, particularly for sixth formers and the adequacy of the Travel Plan. They consider that access should be restricted to Hall Lane and measures put in place to ensure that non-resident access / parking is limited in the Werrington Centre/Foxcovert/Fenbridge/Ainsdale road areas, that the impact of increased traffic volumes on the A15 junction leaving the Centre should be re-assessed as they are concerned about rat running and traffic congestion and that the encouragement given to more sustainable transport namely cycling and bus access should be reassessed. As a result of their concerns they object to the application.

In terms of their concerns, no issues in relation to the A15 have been raised by the Local Highway Authority. The proposed additional lane from the A15 will, however, help flows from the roundabout. As indicated above further more detailed safety audits will be undertaken at the detailed design stage to ensure the scheme is safe.

With regard to car parking, and as set out above, the new car park meets the needs of the expanded school. The school cannot be required through this application to address an existing deficiency. Notwithstanding this further car parking could not be put on the school site without a significant loss of playing field which Sport England would object to. Local Plan policy does not require that parking provision be made for sixth formers.

Their comments in terms of sustainable travel measures are noted but both the Local Highway Authority and Travel Choice Team are content with the updated Travel Plan which has been submitted. The proposed cycle parking provision is sufficient to meet the needs of the expanded school.

In terms of the concerns about drop off and pick up these cannot be readily addressed. Measures could be considered but this would most likely involve a residents parking scheme which not all residents may support. A condition requiring the submission and approval of a parking management plan is, however, recommended. This would allow the situation to be kept under review and measures such as residents parking provision considered in the future.

Whilst the concerns raised about the traffic impacts of the development are noted, it is considered that sufficient measures are proposed to mitigate the impacts of the development, particularly when balanced against the great weight which has to be given to the need to provide school places.

4. Amenity Impacts

It is not considered that the proposed extensions within the school would have any adverse impact upon the amenity of neighbour residents from overbearing impact, overshadowing or loss of privacy given their position within the site and the separation distances concerned.

The application will result in the provision of some additional plant. A condition requiring the submission and approval of the details of plant and means of ventilation is recommended to ensure that no adverse impact upon neighbour amenity results.

Concerns have been raised by residents in Crowhurst with regard to the loss of trees and increased noise. Trees have a limited impact upon noise unless there is substantial planting so it is not considered that the existing trees would have a mitigation effect. As indicated above the proposed works will not take place immediately and the impact upon the network monitored to determine when they need to be implemented. As part of the detailed scheme noise levels can be reviewed to determine whether any noise mitigation is regarded albeit that it is not anticipated that it will be.

Subject to conditions and notwithstanding the objections received the scheme is considered to comply with policy PP3 of the adopted Planning Policies DPD.

5. Landscape and Ecological Impacts

Ecological Impacts

The Council's Wildlife Officer has raised no objections to the proposed extensions in principle. He has commented that some of the works could potentially impact upon roosting bats and has recommended a condition. Similarly he has recommended an informative in relation to nesting birds and measures to protect hedgehogs when the construction works are carried out. He has also recommended a condition to secure the provision of bird and bat boxes to enhance the biodiversity of the site. These requests are considered to be reasonable and conditions will be imposed.

Some of the objections received in relation to the off-site highway works raise concerns about loss of biodiversity. It is considered that any loss of biodiversity arising would be minimal. The on-site measures also include measures to enhance biodiversity. It is not therefore considered that the application could be resisted on this basis particularly given the wider benefits of the scheme.

Tree Impacts

On Site Trees

The application is supported by a Tree Survey and an Arboricultural Impact Assessment. The Tree Survey primarily considers the impact on trees within the school site, the Arboricultural Impact Assessment considers the impacts of the off-site highway works.

In terms of the trees within the site, these are primarily located around the edge of the playing field and school boundary to the north. There are also a number of trees within the site. None of the trees are covered by Preservation Orders and have been categorised as mix of category B and C trees with 1 category 'U'. Category A trees are of high amenity and value, category B trees are of moderate quality and amenity value, category C trees are of low quality and amenity value and category U trees are in such a condition that any existing value be lost within 10 years.

The Tree Survey does not raise any significant issues. It advised that all retained trees will require tree protection methods during construction, and any infringements to the RPA will require mitigation via means outlined within an Arboricultural Method Statement. It is also recommended that detailed plans be produced showing the Root Protection Areas in relation to the building along with a full Arboricultural Impact Assessment and Arboricultural Method Statement. It is not envisaged that there will be any conflicts between retained trees that cannot be mitigated via standard Tree Protection Methods as specified with BS5837 (2012). The report has also considers construction access and has advised that some pruning of the street trees is likely to be required to facilitate access by construction vehicles.

Having reviewed this the Council's Tree Officer has not raised any objections to this aspect of the scheme. Conditions in respect of the submission of a Method Statement and Tree Protection Scheme are recommended.

Off Site Highway Works

The Arboricultural Impact Assessment considers the impact of the off site highway works on trees along David's Lane and Staniland Way. None of the trees which would be affected by the off site highway works are covered by a Tree Preservation Order (although this is unlikely as they are Council owned trees). The affected trees have been classed as Category B trees. The Report concludes that the off site works will result in the removal of 11 category B trees, primarily along Staniland Way. To mitigate for this loss replacement with 11 new heavy standard Mongolian lime trees is proposed. The report advises that the proposed replacement planting has been specially selected due to its slow growth pattern, comparatively low ultimate height and the high potential for harmonising with the local landscape. While a slower growing lime species has been selected, the report considers that it does have a comparative and complimentary form to the existing avenue trees along Staniland Way.

Having reviewed the submitted assessment the Council's Tree Officer has objected to the application in light of the impact upon the existing trees along Staniland Way. He has raised no concerns in terms of the impact upon the trees around the roundabout or on the north side of St David' Lane subject to the approval of a final Arboricultural Impact Assessment and Tree Protection Scheme as given the ground levels it is considered that some tree loss in this area to facilitate the works is likely notwithstanding the conclusions of the submitted report.

In terms of the scheme for Staniland Way the Tree Officer considers that the trees loss has not been adequately justified and that alternative schemes should have been considered.

The response of the Tree Officer is noted and it is agreed that the loss of the tree planting on Staniland Way is regrettable. It is acknowledged that the existing avenue has a strong character and that this will be lost even with the mitigation proposed. In many circumstances this tree loss would not be considered to be acceptable given the relative weight to be afforded to protecting the trees in the planning balance.

In this instance, however, the tree loss is required in order to facilitate the expansion of the school and to ensure that this can take place without an unacceptable impact upon the highway network with the National Planning Framework stating that great weight should be given to providing school places.

It is not considered that the off-site highway works could be accommodated without tree loss. The only way to get a more 'balanced' landscaping scheme by way of mitigation would be to effectively rebuild the road more centrally, remove the existing trees on both sites, and to replant these so that the symmetry of the road would be maintained.

Whilst this may be a more desirable solution from a landscaping perspective there would be significant cost implications to Children's Services. Although cost should not be the deciding factor it is a relevant consideration (viability is a planning consideration) and therefore does need to be borne in mind.

Taking into account the weight given in the National Planning Policy Framework to providing school places and balancing this against the tree loss, the resulting visual impact on the streetscene of Staniland Way along with the cost of alternative mitigation, it is considered that the tree loss and resulting visual impacts are not in this instance outweighed by the need to provide the school places. As such the proposal is, on balance, recommended for approval on the basis of the road design and mitigation put forward.

The Tree Officer has indicated root barriers and deflectors will be required in order to ensure that the replacement scheme does not result in damage to the highway or claims from neighbours. This is considered to be a reasonable request as it would avoid a potential future costs to the Council. These will be required by a condition along with the submission of a final Arboricultural Impact Assessment and Tree Protection Scheme.

6. Other Matters

Drainage

The application is supported by a drainage scheme which has been discussed in detail with the Council's Drainage Team. Following assessment of amended plans the Drainage Team have no objections. A compliance condition is recommended.

The Environment Agency has advised that the scheme is outside of the matters upon which it comments. Anglian Water have made no comments on the surface water drainage strategy.

Anglian Water has commented that the proposal will potentially give rise to a risk to flooding with regard to the foul drainage. It has therefore requested that a condition be imposed requiring that a scheme of foul drainage be agreed. This is considered to be reasonable and a condition will be imposed.

Subject to conditions the development is therefore considered to comply with policy CS22 of the adopted Core Strategy.

Archaeology

The application site has been the subject of archaeological assessment in accordance with an agreed scheme of trial trenching. Following this the Council's Archaeologist has raised no objections to the scheme. No further archaeological assessment is required.

The development therefore accords with policy CS17 of the adopted Core Strategy.

Construction Management Plan

The applicant has submitted an initial construction management plan. Having reviewed this the Local Highway Authority has raised no objections in principle subject to the hours of delivery for large loads being controlled to ensure that these are not taking place at beginning and end of the school day.

6 **Conclusions**

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

- The development will provide additional school places to help meet the school place demand in the city. The National Planning Policy Framework places great weight upon the need to provide school places and helping schools expand to provide these. The application will, however, result in the loss of school playing field to which Sport England object. In this instance it is considered that the need to provide the school places and the wider benefits this will bring to the city outweigh the loss of 0.35 hectares of playing field. As such the principal of development is considered to be acceptable.
- The traffic impacts of the development have been assessed. Subject to the implementation of the off site highway works scheme the impact on the network is considered to be accepted. The Travel Plan will further help mitigate the impacts of the development. New car and cycle parking is to be provided to meet the needs of the expanded school. As such the proposal is considered to accord with policy CS14 of the adopted Core Strategy and policies PP12 and PP13 of the adopted Planning Policies DPD.
- The design of the new building is considered to be acceptable along with the dining room extension and will have no unacceptable impacts. It therefore accords with policies PP2 and PP3 of the adopted Planning Policies DPD.
- Concerns have been raised by local residents regarding the impacts of the scheme but the impact is considered to be acceptable particularly when weighted against the need to provide the school places and the emphasis in the National Planning Policy Framework in relation to this.
- Subject to conditions relating to tree protection and ecology the on-site works are considered

- to accord with policy PP16 of the adopted Planning Policies DPD.
- The proposed off site highway works will result in the loss of a number of trees, notably on Staniland Way. Whilst the loss of these trees is not ideal the need to provide the school places and mitigate the impacts of the highway network in this instance outweigh the resulting impact of the tree loss and this can be accepted.
 - Following the submission of additional information and a condition it is considered that the site can be adequately drained. The proposal therefore complies with policy CS22 of the adopted Core Strategy.

7 Recommendation

The case officer recommends that Planning Permission (Regulation 3) is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 The development hereby approved shall be carried out in accordance with the following approved plans and details:-
- Site Location Plan 23400-KWS-XX-XX-DR-A-110 Rev P01
 - Existing and Proposed Block Plan 23400-KWS-XX-XX-DR-A-1101 Rev P01
 - Proposed Site Plan 4067/P02 Rev F
 - Sports Pitches 4067/P08 Rev C
 - Access and Parking 4067/P06 Rev F
 - Proposed Block 6 Elevations 23400-KWS-XX-XX-DR-A-1351 Rev P02
 - Proposed Block 1 and New Extension Block 6 Elevations 23400-KWS-XX-XX-DR-A-1350 Rev P05
 - Proposed Elevations to Block 5 Dining Room Extension 23400-KWS-XX-XX-DR-A-1360 Rev P02
 - Proposed Ground Floor and First Floor Plan Block 6 Rev P05
 - Proposed First Floor Plan 23400-KWS-XX-01-DR-A-1201 Rev P05
 - Existing and Proposed GA Dining Room Plans- Block 5 23400-KWS-XX-00-DR-A-1211 Rev P03
 - Proposed Ground Floor Plan 23400-KWS-00-DR-A-1200 Rev P05
 - Existing Site Plan 4067/P01 Rev D
 - Existing Ground Floor Plan 23400-KWS-XX-00-DR-A-1110 Rev P03
 - Existing First Floor Plan 23400-KWS-XX-01-DR-A-1111 Rev P03
 - Existing Elevations to Block 5 23400-KWS-XX-XX-DR-A-1303 Rev P01
 - Existing Block 1 and 3 Elevations 23400-KWS-XX-XX-DR-A-1300 Rev P03
 - Fencing and Security 4067/P07 Rev A
 - Landscape Proposals 4067/P03 Rev D
 - Drainage Plans 465717-PEP-00-XX-DR-C-1205 rev P03 and 465717-PEP-00-XX-C-1204 rev P03 as relates to surface water drainage only including overland flow routes
 - Drainage Construction Details 465717-PEP-00-XX-DR-C-1207 Rev P01 465717-PEP-00-XX-DR-C-1206 Rev P02
 - External Works Details 465717-PEP-00-XX-DR-C-1102 Rev P03
 - KSCS-MLM-ZZ-XX-DR-U-0201 P02 Site Car Park Lighting
 - Option 1 Staniland Way works including Tracking Plan
 - Transport Assessment Addendum dated 16 March 2018
 - Transport Assessment as superceded by the Transport Addendum July 2018
 - Stage 1 Safety Audit and Designers Response July 2018

- School Travel Plan February 2018 Rev A
- Tree Survey Schedule December 2017
- Arboricultural Impact Assessment Staniland Way/St David's Lane 10 July 2018
- Archaeological Trial Trenching Report May 2018
- Ecological Impact Assessment January 2018
- Construction Management Plan 25 May 2018
- Flood Risk Assessment 465717-PEP-00-XX-RP-S-6200-P01 Rev P01
- Planning Statement School Places

Reason: In order to ensure that the development complies with that which has been applied with.

- C3 Prior to the commencement of any works above foundation level for the new teaching block or dining extension, details of the final finishes based upon the approved elevation drawings shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
Reason: In order to ensure a satisfactory external appearance in accordance with policy CS16 of the adopted Core Strategy and policy PP2 of the adopted Planning Policies DPD.
- C4 Prior to its installation details of the external appearance of the new cycle stands and shelter shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be implemented in accordance with the approved details and site plan including the fencing prior to the first use of the new teaching block. It shall thereafter be retained.
Reason: In order to ensure the provision of appropriate cycle parking in accordance with policy CS14 of the adopted Core Strategy and policy PP13 of the adopted Planning Policies DPD.
- C5 Prior to the first use of the new teaching block the car parking area shall be laid out and ready for use including the approved lighting scheme. This area shall thereafter be used car parking (with associated turning) by the school and for no other purpose.
Reason: In order to ensure that car parking is available for the expended school in accordance with polices PP12 and PP13 of the adopted Planning Policies DPD.
- C6 The development hereby approved shall be carried out in accordance with the approved Construction Management Plan dated May 2018 including the provision of a wheel wash as specified. Notwithstanding the content of the document no deliveries by HGVs or LGVs shall take place outside of the hours of 9.15am and 3pm during term times.
Reason: In the interests of highway safety and to protect residential amenity in accordance with policies PP3 and PP12 of the adopted Planning Policies DPD.
- C7 The surface drainage works shall be carried out in accordance with the approved surface water drainage details before the first use of the new teaching block.
Reason: In order to ensure that the site can be adequately drained in accordance with policy CS22 of the adopted Core Strategy.
- C8 Notwithstanding the details shown on the approved plans prior to the commencement of any drainage foul drainage works a foul water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the new teaching block.
Reason: In order to ensure that the site can be adequately drained in accordance with policy CS22 of the adopted Core Strategy.

C9 Notwithstanding the submitted information the two areas of the building with bat potential as identified in the approved Ecological Report shall be dismantled by hand under ecological supervision. Should the above soffits be sealed only, they should first be subject to minimum of one bat activity survey (May to Aug only), the results of which should be submitted to and approved in writing by the Local Planning Authority. Any tree works affecting the features with bat roost potential shall to be carried out under ecological watching brief. External lighting to be designed to be baffled downwards away from the site boundaries. A range of bat roost boxes should be incorporated into the new structure in accordance with details to be submitted to and approved in writing by the Local Planning Authority within one month of the commencement of the development. The boxes shall thereafter be installed in accordance with the approved details prior to the first use of the new teaching block.

Reason: In order to protect the ecological interests of the site in accordance with policy PP16 of the adopted Planning Policies DPD.

C10 All construction trenches shall be covered overnight or a means of escape provided for any hedgehogs that may have become trapped. Piles of leaf litter should be hand-searched prior to mechanical clearance to ensure no hedgehogs are present; this should not be carried out on frosty days when hedgehogs may be hibernating.

Reason: In order to protect the ecological interests of the site in accordance with policy PP16 of the adopted Planning Policies DPD.

C11 The development hereby approved shall comply with the provisions set out in the approved Travel Plan dated February 2018 Rev A including the review mechanisms.

Reason: In order to encourage sustainable travel to the site in accordance with policy CS14 of the adopted Core Strategy.

C12 Notwithstanding the approved Travel Plan within three months of the first expanded year in take a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be kept under yearly review with an updated plan to be submitted within three months of the next expanded in take until the school reaches its capacity. If the Parking Management Plan identifies issues then steps to try and mitigate these issues along with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. Mitigation shall thereafter be carried out in accordance with the approved details and timetable.

Reason: In the interests of highway safety and to encourage sustainable travel in accordance with policy CS14 of the adopted Core Strategy and policy PP12 of the adopted Planning Policies DPD.

C13 If during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement detailing how this unsuspected contamination shall be dealt with. The development shall thereafter be carried out in accordance with the approved method statement.

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment in accordance with policy PP20 of the adopted Planning Policies DPD and the provision of the National Planning Policy Framework.

C15 Notwithstanding the submitted information prior to their implementation details of the following shall be submitted to and approved in writing by the Local Planning Authority:-

- Details of the new plant room including associated noise levels from the mechanical and electrical equipment (sound power levels);
- Details of the ventilation louvre on the north side of the new teaching block including associated noise levels
- Details of the new sprinkler pumphouse including associated noise levels.

Reason: In the interests of residential amenity in accordance with policy PP3 of the adopted Planning Policies DPD.

C16 Notwithstanding the submitted information prior to the commencement of construction deliveries and/or the construction of the new car parking a Tree Protection Plan and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The tree protection fencing shall thereafter be installed prior to the commencement of construction deliveries or the car park and retained until works within that area are complete.

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

C17 Notwithstanding the submitted information within 2 months of the commencement of development a detailed on site hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Hard Surface finishes
- Soft landscaping specification including planting plans, densities, size etc;
- Phasing of planting; and
- A Landscape Management and Maintenance Plan.
- Summer and winter pitch layout

The development shall thereafter be carried out in accordance with the approved details prior to the first use of the new teaching block or within the first available planting season, whichever is the sooner. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management and Maintenance Plan.

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed, become diseased or unfit for purpose (in the opinion of the Local Planning Authority) within five years of the implementation of the planting in that phase shall be replaced during the next available planting season by the developers or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual and residential amenity and the promotion of biodiversity, in accordance with policy CS16 of the adopted Core Strategy and policies PP2 and PP16 of the adopted Planning Policies DPD.

C18 Within three years of the date of the first expansion of the school and use of the new teaching block the off site highway works identified on Option 1 shall be implemented and ready for use by traffic.

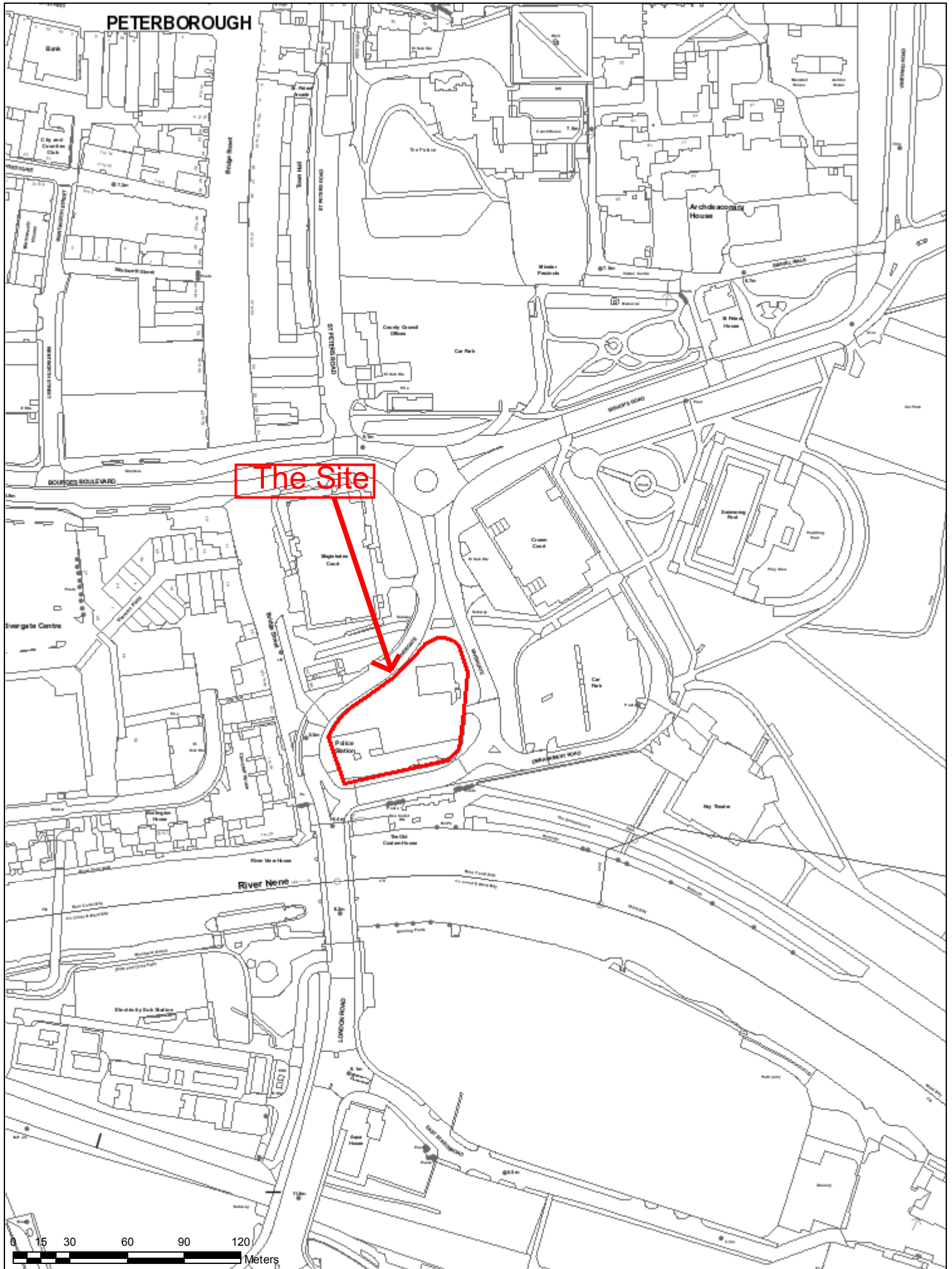
Reason: In order to ensure that the expanded school does not have any unacceptable impact upon the road network in accordance with policy PP12 of the adopted Planning Policies DPD.

- C19 Notwithstanding the submitted information prior to the commencement of the off-site highway works scheme (Option 1) an updated Arboricultural Method Statement including an updated tree removals and tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall thereafter be installed in accordance with the approved details prior to the commencement of the development and thereafter retained for the duration of the works.
Reason: In order to protect retained trees in accordance with policy PP16 of the adopted Planning Policies DPD.
- C20 The off site highway works shall include the replacement tree planting outlined in the submitted Arboricultural Method Statement dated July 2018 prior to the new road section first being opened to traffic . Prior to the implementation of the replacement planting details of a root barrier/deflector shall be submitted to and approved in writing by the Local Planning Authority. This shall thereafter be installed in accordance with the approved details before the mitigation planting is undertaken.
Reason: In order to mitigate against the tree loss and to protection the adjacent residential properties in accordance with policies PP3 and PP16 of the adopted Planning Policies DPD.
- C21 Notwithstanding the submitted details prior to the implementation of the off site highway works scheme (option 1) a noise assessment shall be undertaken to determine whether any noise mitigation measures are required to the adjacent residential properties. This assessment shall consider the noise impacts associated with the full expansion of the school. Any mitigation measures required shall be approved in writing by the Local Planning Authority and incorporated into the final design including cross reference with the final tree removal and protection plan. The development shall thereafter be carried out in accordance with the approved details.
Reason: In order to protect residential amenity in accordance with policy PP3 of the adopted Planning Policies DPD.
- C22 Notwithstanding the submitted details prior to the commencement of the off site highway works a Construction Management Plan for those works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:-
- Location of contactor parking
 - Provision for wheel wash
 - A scheme for the control of noise and dust including details of the plant to be used and the likely periods of use
 - Details of any temporary lighting
- The works shall thereafter be carried out in accordance with the approved Construction Management Plan.
Reason: In the interests of residential amenity and highway safety in accordance with policies PP3 and PP12 of the adopted Planning Policies DPD.

Copies to Councillors:

Judy Fox
John Fox
Stephen Lane

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Committee Location Plan Bridge Street Police Station 18/00894/FUL NTS

Scale 1:2,500
 Print Date: 23/08/2018

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Application Ref: 18/00894/FUL

Proposal: Demolition of Police Station (Sui Generis) and erection of 126 bedroomed Hotel (C1) with associated parking and circulation space

Site: Bridge Street Police Station, Bridge Street, Peterborough, PE1 1EQ

Applicant: MP MERCHANT (BS) LTD AND
PREMIER INN HOTELS LTD

Agent: Mr John Dadge
Barker Storey Matthews

Referred by: Director of Growth and Regeneration

Reason: The application is of wider public interest

Site visit: 05.06.2018

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

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

Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings:

The site is approximately 0.351 ha in size and is an island site with frontage to the Rivergate Gyratory one way road system. The site is almost fully enclosed and by a boundary wall and served by a single vehicular access centrally located along the eastern frontage. Pedestrian access is gained by crossing Rivergate from the south along the riverside or from the west from Bridge Street.

The building immediately to the south on the opposite side of the road is the Old Customs House which is occupied by the Sea Scouts and is Grade II listed. To the west and north is Lower Bridge Street. The site lies within the City Centre boundary and within the Rivergate policy area. To the north-west is the city centre conservation area.

The site is vacant but was formerly occupied as a full custody police station and a motor repair workshop for police vehicles, together with associated parking. Cambridgeshire Constabulary declared the Bridge Street Police Station site surplus to requirements following the closure of the police station in 2015.

The site consists of a brick built, mainly three storey office building, on the southern portion of the site, a smaller ancillary building (previously providing office accommodation and a garage workshop for servicing police cars) on the north eastern part of the site and a car park with space to accommodate approximately 55 vehicles.

Proposal:

The application seeks approval for the demolition of the existing Police Station and the construction of a 126 bed hotel (C1) over three floors with 120 x standard bedrooms and 6 x accessible bedrooms with associated restaurant/bar/café, parking, hard and soft landscaping.

The site would be accessed via an existing vehicular access to the east of the site. 39 no. car parking spaces including 3 no. disabled parking spaces are proposed.

2 Planning History

Reference	Proposal	Decision	Date
P0118/76	Renewal of temporary permission for a block of three garages	Permitted	21/04/1976
P0119/76	Renewal of temporary permission for office accommodation	Permitted	07/04/1976

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

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

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

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

National Planning Policy Framework (2018)

Section 12 - Achieving well-designed places

Decisions should ensure that development will function well and add to the overall quality of the area over the life time of the development, are visually attractive as a result of good architecture, layout, appropriate and effective landscaping, are sympathetic to the local character and history, establish or maintain a strong sense of place, optimise the potential of the site, create places which are safe, inclusive and accessible.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an areas and the way it functions. Conversely where the design accords with clear expectations in plan policies, design should not be used by the decision marker as a valid reason to object to development. Local Authorities should seek to ensure that the quality of the development approved is not materially diminished between permission and completion.

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Para 155. Flood Risk. Inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. Development should be subject to a sequential test and if appropriate an exceptions test.

Para 163 Flood Risk. In determining applications Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate applications should be supported by a Site Specific Flood Risk Assessment. Development should only be allowed in areas of flooding where in lighting of the assessment (and the sequential test and exceptions test as applicable) it has been demonstrated that within the site, the most vulnerable development is located in areas of lowest flood risk, unless there is an overriding justification, the development is appropriately flood resistant and resilient, it incorporates sustainable drainage systems unless inappropriate, any residual risk can be managed and safe access and escape routes are included as appropriate.

Section 15 – Conserving and Enhancing the Natural Environment

New development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life, identify and protect tranquil areas which have remained relatively undisturbed by noise and limit the impact of light pollution from artificial lighting on local amenity, intrinsically dark landscapes and nature conservation.

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 16 - Impact on Designated Heritage Assets

Local Planning Authorities should take account of the desirability of sustaining and enhance the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to or loss of the significance of the designated heritage assets should require clear and convincing justification. Where a proposed development will lead to substantial harm to the designated heritage assets permission should be refused unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Where harm is less than substantial this harm should be weighed against the public benefits including securing an optimum use of the asset.

Para 197 Impact on Non Designated Heritage Assets. The impact should be taken into account. In weighing applications that directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss of the significance of the heritage assets.

Peterborough Core Strategy DPD (2011)

CS04 - The City Centre

Promotes the enhancement of the city centre through additional comparison retail floor space especially in North Westgate, new residential development, major new cultural and leisure developments and public realm improvements, as well as protecting its historic environment.

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.

CS18 - Culture, Leisure and Tourism

Development of new cultural, leisure and tourism facilities will be encouraged particularly in the city centre

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)

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.

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

Peterborough City Centre DPD (2014)

PCC05 - Rivergate Policy Area

Mixed-use development incorporating approximately 100 dwellings will be supported provided that it assists the delivery of improved foot/cycle connections and conserves the listed buildings in the area.

PCC11 - Transport

Within the area of the City Centre Plan, all development which has transport implications will be expected to make a contribution to the delivery of the City Centre Transport Vision.

The provision of additional car parking spaces will be resisted within the City Core Policy Area.

Elsewhere in the City Centre new residential development within classes C3 and C4 will be expected to make provision for car parking in accordance with Policy PP13 of the Planning Policies DPD. There will be no minimum requirement for car parking spaces in association with any other type of development. Additional spaces will only be allowed if the development has provided a fully justification.

Peterborough Local Plan 2016 to 2036 (now at examination stage)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 and is now at examination stage.

Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP06 - The City Centre - Overarching Strategy

Promotes the enhancement of the city centre. Major new retail, culture and leisure developments will be encouraged. It is promoted as a location for new residential development and as a location for employment development including mixed use. Improvements to the public realm will be promoted and the historic environment protected.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP48 - Rivergate Policy Area

The principle of a retail-led, mixed use development incorporating approximately 60 dwellings will be supported provided that it assists the delivery of improved pedestrian and cycle connections, makes provision for active uses through the day and evening and conserves the listed buildings in the area. Development adjacent to the River Nene should take opportunities to improve the river and/ or its banks. Any proposals for comprehensive development of this area must be supported by a master plan or development brief.

4 Consultations/Representations

PCC Conservation Officer – No objection. With the site being currently vacant, the site is becoming increasingly deteriorated in appearance and a feeling of 'deadness' that is associated with such inactivity. The vacant site currently has a detrimental impact on the character and appearance of this very busy and prominent arterial route into the City Centre. It is also seen in conjunction with a Grade II* Customs House, adjacent and within the setting of the Grade I Peterborough Cathedral, especially in longer views crossing the bridge from the south bank.

Previous pre-application proposals have been discussed at length with Historic England, in terms of impacts on the aforementioned heritage assets. A 2005 pre-application enquiry was subject to broad height parameters considered by the previous Conservation Officer and Historic England. The general view was that development should be limited in height to 2-3 storey.

I agree with the comments of the Civic Society that there is an opportunity to re-design the gyratory to better effect in terms of highways. However, disruption and cost have likely put any ambition to do this entirely out of reach. As such my comments relate to the current site boundary, highway in its existing position and the application as submitted. I would support any proposal to re-design the road network to better effect.

The proposal has been subject to a number of recent design reviews, prior to submission. The quality of the proposal has been improved significantly from its first iteration, but still remains somewhat hindered by the regimented window layout, which is dictated by the rigid internal floor layout of absolutely identical rooms throughout the building. The fact that the entrance is not on the corner and does not extend beyond the ground floor is also a negative in the design, however, as previously mentioned, such requests do not meet the future occupiers needs and therefore has been submitted as it currently stands. They have however made attempts to make improvements throughout the process.

The proposal has come in at the maximum height permissible, of three storey with a flat roof, which is also supported by Historic England, in relation to impact on views of the Cathedral when travelling over Town Bridge. Historic England has commented on the proposal and is generally supportive. This is largely due to the fact that their scale, massing and road fronting advice has been followed from a 2015 pre-app.

It is positive that the corner elevations facing both Lower Bridge Street and Town Bridge have been addressed with improved corner treatment that adds interest to the streetscene and adds to what would otherwise be a rather boxy building with a flat roof.

However, I am still concerned by the lack of any proper frontage, especially on the corner facing towards the bridge. The use of brick detailing to treat what is essentially a blank first and second floor still has the impression of the internal arrangement dictating the exterior detailing. This corner should be visually strong and the main entrance, but remains wanting.

The North West elevation will not be particularly prominent from Bridge Street and will only be seen at an oblique angle. Main views of this elevation will be gained from the gyratory. Whilst I agree with the Civic Society's comments of it being monolithic, it will remain a lesser seen elevation in both longer and shorter views.

Although proposed to be constructed in buff brick, the colour palette picks up on the stone colours of the Cathedral and the Old Customs House. Due to the prominence of the site, a full scheme of materials should be submitted, as the plans currently do not provide sufficient detail on this.

Revised comments following amendments

Having viewed the latest 3D drawings, I am content that significant improvements have been made throughout the pre-app and application process. The design of the new construction is in many ways being led by strict internal room configurations of the type of hotel it will accommodate. Whilst not likely to win any design awards, it is in a position design and material quality to be on balance acceptable within its surroundings and a substantial improvement upon what exists on site.

The red brick perimeter wall, will sit comfortably with the proposed new materials for the building. The suggestion by the agent of brick tinting could be a solution, however, it is important to note that the process has varying degrees of visual success depending upon the skill of the person applying the tint. Would be ideal to secure by condition a sample in order to ensure a good match.

In relation to the materials and details of the building, we have seen various 3D images and examples from other buildings, but materials and finer details of the brickwork etc secured by condition, would be necessary to ensure a good finish.

From a heritage consideration the proposed works can be supported.

PCC Peterborough Highways Services – No objection. The traffic surveys were undertaken during the (ongoing) construction of the new access to the station car park. The traffic management for this scheme extends to the Rivergate/Bishops Road junction. This means that the surveys are likely to show less traffic on Bridge Street, Rivergate and Bishops Road.

The crossing from the site to the central island on the 'signalised' Rivergate crossing is actually an uncontrolled crossing.

The proposed vehicle trip generation for this site is lower than expected. There is a proposed site in the City Centre in a far more sustainable location (i.e. close to the bus and rail station) that predicted higher vehicle trip rates.

It is agreed that the traffic generation from this site will not have a significant impact on the network even taking the above into consideration. The only concern would be the cumulative impact of lack of the controlled crossing facility to the site, the increase in traffic movements the road which pedestrians will be required to cross and also the rise in pedestrians accessing the site.

I don't think we can signalise the crossing now because the number of lanes on Rivergate was reduced from 3 to 2 as part of the highway scheme last year. This means that if signals were incorporated on the lane closest to the police station then queues would form back around towards Bishop's Road which is clearly undesirable.

The LHA is comfortable with the levels of intended use given the nature of the development. CMP will be important so as to limit the activity on the adjacent highway network during peak periods.

PCC Pollution Team - The proposal is affected by high levels of noise from road traffic. Considerable attention via glazing and walls/roof will be necessary in order to achieve suitable noise levels within bedrooms. Recommends that noise mitigation measures contained within the noise report are conditioned.

Where sound insulation requirements precluded opening windows for rapid ventilation and cooling, as in this situation, mechanical ventilation systems will need to be installed. Acoustic trickle ventilators will not provide adequate ventilation for these purposes. The details should be secured by condition.

The nearest residential properties are 27m from the facade of the proposed development, and the plant room situated approximately 64m from the residential properties. As noted in the noise report additional mitigation/attenuation will be necessary. These details should be secured by condition.

There is the potential for odour from the kitchen associated with the development to cause problems for nearby residents. Suitable mitigation will therefore be required.

The development is near to a modelled exceedance in air quality standards. Should the use change to residential or the development include staff living in, consideration of air quality standards and modelling would be necessary.

Archaeological Officer – No objection. The proposed development site is located within the historic core of the city, immediately to the south of the scheduled Cathedral Precincts and to the north of the equally scheduled Customs House.

Cartographic evidence shows that the subject site was already developed by the end of the 19th century. However, investigations along Bridge Street have revealed complex sequences of development from the medieval period. In particular, work carried out on the side of Bridge Street opposite the Police Station unearthed a line of upright oak timbers set along the edge of river and into a palaeochannel infilling that contained 13th century artefacts, west of the present Town Bridge. The timbers may have formed a structure to protect the bridgehead from the effects of tidal scouring or alternatively they could have formed a section of wharf. The occurrence of in-filled river channel material to their rear indicates a degree of land reclamation and perhaps channel straightening in the medieval period.

It is possible that foundations of former structures, evidence for hythe and loading sites may survive at deeper depths within the proposed development site. Pockets of undisturbed ground may contain well-preserved remains surviving at shallower depths.

Notwithstanding the presence of two scheduled monuments in close proximity, the proposed development should have minimal impact on the setting.

On the basis of the available evidence, it is recommended archaeological monitoring of demolition work, followed by an assessment of the ground conditions, in order to inform an investigation strategy. An evaluation by trial trenching of selected areas is the preferred option, if feasible.

Lead Local Drainage Authority – No objection. The FRA and Drainage Strategy reduces the existing discharge to the greenfield rate which is good to see, tie that with the permeable paving and the drainage for this site is acceptable to us. Further details should be secured by condition and agreed prior to commencement.

PCC Wildlife Officer – No objection. Given their design and age, the buildings proposed for demolition are unlikely to support protected species, including bats, and note the applicant states that a visual survey of the buildings has been carried out by an ecologist with no evidence of bats found. There are opportunities for biodiversity gain and I would recommend the following measures to enhance the development for biodiversity: Incorporation of bird nesting and/ or bat roosting features within the site; use of bio-diverse green roofs on the sections of flat roof which would complement the proposed PV panels.

Peterborough Cycling Forum - Welcomes the proposal to install covered Sheffield cycle stands close to an entrance to the hotel. This follows best practice; the provision is secure and covered and the location is convenient and benefits from a high level of surveillance.

In the case of an hotel, Peterborough City Council (PCC) parking standards require 1 stand per 4 staff plus 1 stand per 10 bedrooms. It is noted that Premier Inn operates bike friendly hotels and allows bicycles to be kept in rooms if required. This is highly commended, although there is no guarantee this policy will not change in future, either under existing or different ownership. It is also noted the Travel Plan Coordinator will monitor the facility and 'if it regularly reaches capacity additional provision will be sought' (Travel Plan, 9.2.5). This should be firmed up by condition. Subject to the condition and in view of the policy to permit guests to store cycles in their room, the Cycle Forum is happy to accept this shortfall in cycle parking.

Welcomes the provision of related infrastructure including showers and changing facilities for staff, basic cycle maintenance equipment, and promotion of 'Ride 2 Work'.

The site is located on an 'island' surrounded by a high volume of traffic on the multiple lane Rivergate gyratory. Motor vehicle access is directly from the gyratory but this is not a safe or convenient access route for cyclists who, to enter the site, would have to turn right across two lanes of traffic. The only safe access route for cyclists is to arrive with pedestrians at the front of the hotel, via two crossings. Unless all cyclists, (staff and guests), are to be routed through the front door and reception area, a route must be provided around the outside of the building in order to access the cycle parking and rear entrance of the hotel.

Environment Agency – No objections. The previous use as police station and car maintenance workshop presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon Secondary aquifer A over a Principal Aquifer and the River Nene lies within 50 m of the site. The Planning Statement submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. Request conditions regarding contamination and foul drainage.

Natural England - Consultation Service – No objections. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes. The proposed development will not have likely significant effects on the Nene Washes Special Area of Conservation, Special Protection Area and Ramsar and will not damage or destroy the interest features for the SSSI – Nene Washes.

Historic England - No objections. The height, massing and design of the replacement hotel would not adversely affect the setting of either of the heritage assets and that the materials would not jar when viewed against these historic buildings. The proposal meets the aims and objectives of the National Planning Policy Framework with respect to the historic environment and there are no objections on heritage grounds.

Anglian Water – No objection. There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. The foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Peterborough Civic Society – Objects. Firstly, a great opportunity to improve traffic, pedestrian movement and the setting of the historic Old Custom House has been missed. The Rivergate gyratory road layout was devised when the bus station was relocated to Queensgate in the 1980's and when the lower part of Bridge Street was pedestrianised. The police station, which was then fairly modern and fully functioning, stood in the way of a logical realignment of the road as it emerged from Town Bridge, hence the splitting of the road into two one-way carriageways. Now that the police station is to be demolished it should be possible to safeguard land for a realignment of Rivergate when finance is available. The benefits of doing so are numerous. For one it would make crossing of Bridge Street for pedestrians much easier to the police station site and the Embankment. Vehicular traffic would be less delayed. The setting of the Customs House would be enhanced with a wide traffic free area between it and the proposed building. The hotel could utilise part of this area as an outdoor extension to its lobby/restaurant and bar facilities, an increasingly popular feature especially valuable where a building has a south facing aspect. The closure to vehicles of part of Rivergate would provide a development site to the east of the police station site which could be used to finance the road realignment.

The potential of this idea deserves to be fully explored. It would require some major redesign of the proposals currently under consideration but may not require any reduction in the floorspace to be accommodated on the slightly reduced site area. All that is required at this stage is to set the hotel building a few metres inboard of the Rivergate kerb line on the Bridge Street side. The sketch plan attached shows how this would affect the proposals.

The second area of concern is on architectural design. Although the architects have recognised the importance of protecting views of the Cathedral and have kept the roof –line of the hotel at the same level as the existing building the architectural quality is below what we would expect to see at this gateway to the city centre. The two main elevations to Rivergate manage to look uninteresting and busy at the same time. The long low shape of the two wings is punctuated by windows at regular intervals on each of the three floors with an offset in the first floor range which gives an unsettling jerkiness to the facade.

The elevation to the north-west is monolithic, more suited to a landscaped parkland setting rather than an urban centre. It would jar, visually, with the west side of Bridge Street which is highly articulated, comprising a great variety of building types and frontages. The south elevation is of smaller scale but includes five brickwork panels which give the unfortunate impression of openings which have been bricked up. The view from the east is of an open car park. The break in the screen wall for the access is too wide, failing to channel the view sufficiently. A good case is made in the Design & Access statement for the recessed corner feature as a focal point at this important arrival point. The recessed corner treatment is essentially a weak visual device which the designers have sought to address by using elaborate brickwork detailing and a diagonal canopy at roof level. Unfortunately the impact has been further weakened in locating the entrance to the hotel some distance to the north due to the need to provide a ramped footpath down to the foyer level, which is about three steps lower than the ground level. A dog-leg ramp could be used to bring the entrance

doors back to the focal point. Setting the building back from the road by about 3 -5 metres at the corner would make this possible.

The necessity to keep the profile of the hotel relatively low and level suggests that a strong horizontal emphasis could be used to give a distinct character to the structure. The shape of the site also hints that a curved plan form would reflect that shape, again making for a distinctive building.

Materials and detailing should be restrained and simple, letting basic form create the desired 'sense of place'. The line drawing sketch attached illustrates this treatment.

The Peterborough Civic Society would like to see these comments addressed and in the absence of amendments or convincing explanations must object to the granting of permission for the submitted scheme.

Local Residents/Interested Parties

Initial consultations: 52

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

One letter of objection has been received raising the following issues:

- the pollution that will be caused by the demolition of an already standing building and noise!
- the reconstruction of a large Hotel which might cut the light that streams into my Flat most days!
- the development will cause a lot of traffic problems during the building of the Hotel
- we have an opportunity to improve the road layout here and also enhance the area for pedestrians in light of the development work at Fletton Quays. The proposed plan would not enable this and seems a waste and the easy option.
- I fully support the suggestions by the Peterborough Civic Society to the current planning submission to realign and rejoin the northbound and southbound carriageways of Rivergate to remove the current highways dominance in this area, particularly in such close proximity to Old Custom House, a Grade 2 listed building.
Not only would the newly created pedestrian area between the new hotel (which I do not object to at all) and the Old Custom House have the advantage of having a quieter, riverside facing side of the hotel for guests, it would also have a much improved journey to Fletton Quays for visitors walking from the train station as well as away supporters on their way to the Football ground.
I hope the Council's planning committee are able to ensure these amendments are proposed to the developer and can be incorporated into the eventual scheme

5 Assessment of the planning issues

a) Background

The proposed works have been the subject of pre-application discussion with Planning Officers, the Principal Conservation Officer and Historic England. There have been a number of iterations to the design of the building.

b) The Principle of Development

Policy context

The site lies to the south of the city centre and is located within the 'Rivergate Policy Area' as defined under policy CC5 of the adopted Peterborough City Centre Plan DPD. This area provides an important link from the city centre core to the river Nene. The vision for the area is primarily to create a more prominent retail location that is better integrated with the City Core. This part of the city has undergone significant improvements to the public realm of lower Bridge Street. Active frontages

along this route are encouraged throughout the day and evening. Policy CC5 supports the principle of retail led, mixed-use development and envisages residential development. The policy also recognises the importance of new development must conserves the listed buildings located in the area. Policy CC5 also states that for comprehensive development of the Rivergate area, proposals must be supported with a Development Brief, Masterplan or SPD.

In addition, Policy CS18 of the Adopted Peterborough Core Strategy recognises the importance of creating a thriving city centre with the provision of cultural and leisure facilities. The city experiences high numbers of visitors each year and the policy supports, amongst other things, the provision of more conference and catering facilities and venues, high quality hotels and accommodation.

It is considered that the proposal would regenerate this important gateway site and provide a positive contribution to this part of the city centre and would complement the offer of services and facilities for the city and would accord with policies CC5 of the Adopted Peterborough City Centre Plan and policy CS18 of the Adopted Peterborough Core Strategy.

Objections have been made by the Peterborough Civic Society who consider that the proposal would be a missed opportunity to improve traffic, pedestrian movement and the setting of the historic Old Custom House. The Civic Society state that *'the Rivergate gyratory road layout was devised when the bus station was relocated to Queensgate in the 1980's and when the lower part of Bridge Street was pedestrianised. The police station, which was then fairly modern and fully functioning, stood in the way of a logical realignment of the road as it emerged from Town Bridge, hence the splitting of the road into two one-way carriageways. Now that the police station is to be demolished it should be possible to safeguard land for a realignment of Rivergate when finance is available.'*

The Civic Society argues that there would be benefits in doing so, *'For one it would make crossing of Bridge Street for pedestrians much easier to the police station site and the Embankment. Vehicular traffic would be less delayed. The setting of the Customs House would be enhanced with a wide traffic free area between it and the proposed building. The hotel could utilise part of this area as an outdoor extension to its lobby/restaurant and bar facilities, an increasingly popular feature especially valuable where a building has a south facing aspect. The closure to vehicles of part of Rivergate would provide a development site to the east of the police station site which could be used to finance the road realignment.'* The Civic Society has provided a sketch plan of how the area could be designed.

It is accepted that the a comprehensive development of the whole area would be the preferred approach however, the comprehensive redevelopment of the area would involve land outside the applicant's control and as stated above this site has become available for development and therefore the proposal is considered on its merits. It would be unreasonable to refuse the application on the basis that it is not part of a wider comprehensive development and policy CC5 does not require this.

c) Impact on Heritage Assets

Policy Context

The site is located in view of the Cathedral and the Old Customs House which is a Grade II listed building and therefore the proposal has the potential to harm the setting of these buildings. The City Centre Conservation Area is located to the north west of the site.

The National Planning Policy Framework (NPPF 2018) outlines government policy, including its policy in respect of the conservation of the historic environment. Paragraph 8 advises that development should sustain and enhance the significance of heritage assets and great weight is given to conserving designated heritage assets. Section 16 'Conserving and enhancing the historic environment' sets out high level policies concerning heritage and sustainable development. The approach set out in paragraphs 184-188 are of particular relevance.

The site is located within the setting of the City Centre Conservation Area, close to listed and locally listed buildings and development will impact on the setting of a number of important heritage assets. Section 72 of the Town and Country Planning Act 1990 places a duty on the LPA to pay 'special regard' to the desirability of preserving or enhancing the special character or appearance of conservation areas. The policies in the NPPF seek positive improvement in conservation areas.

Development of the site has the potential to impact on the wider setting of nearby listed buildings. The Local Planning Authority has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66(1) when considering whether to grant permission for development which affects a listed building or its setting to have a special regard to the desirability of preserving listed buildings, their special features and their setting, with the latter often an essential ingredient of its character.

Considerable weight and importance should be given to the avoidance of harm to conservation areas and the significance of a listed building and its setting. The presumption against the avoidance of harm is a statutory one, and can only be outweighed if there are material considerations strong enough to do so.

The Peterborough Local Plan provides the framework of local planning policies with which to make planning decisions. These policies are in conformity with the NPPF.

In accordance with policy PP17 of the Adopted Peterborough Planning Policies DPD a heritage statement supports the application.

Whilst the existing building is of no architectural merit it does not compete with these important historic assets and sits lower than the Old Customs House building. The applicant was advised during pre-application discussions that the building should be no higher than the neighbouring Old Customs House building.

The height of the new building would align with the Old Customs House. The extent of built form on the southern element of the site has also been reduced, compared to the existing built-form, shortening the length of building directly opposite the Old Customs House.

Corner position

At the south west corner, the junction of the southern and western elements of the building creates a reveal in the elevations and a canopy is proposed over this area. This corner position is an important aspect as it appears as the arrival to the site. Several proposals for the treatment of the upper floor facades to the reveals have been proposed, including a patterned brick detail, however it was felt that the elevation was still lacking. The applicant was advised to give this element further consideration and suggested some form of window detail would improve this elevation. Windows have now been added to the upper floor reveals with patterned cladding which adds interest and relief to these elevations. It is proposed that the overhung canopy would create changes in light and shade during the daytime and at night through a carefully designed lighting scheme; the details of lighting would be secured by condition.

The Civic Society has objected to the design and architectural quality of the building given the gateway location stating *'the two main elevations to Rivergate manage to look uninteresting and busy at the same time; the long low shape of the two wings is punctuated by windows at regular intervals on each of the three floors with an offset in the first floor range which gives an unsettling jerkiness to the façade; the elevation to the north-west is monolithic and would jar, visually, with the west side of Bridge Street which is highly articulated, comprising a great variety of building types and frontages. The south elevation is of smaller scale but includes five brickwork panels which give the unfortunate impression of openings which have been bricked-up. The view from the east is of an open car park. The break in the screen wall for the access is too wide, failing to channel the view sufficiently.'*

It is the Conservation Officer's view that the North West elevation will not be particularly prominent from Bridge Street and will only be seen at an oblique angle. Main views of this elevation will be gained from the gyratory. Whilst the Officer agrees with the Civic Society's comments of it being monolithic, it will remain a lesser seen elevation in both longer and shorter views.

The Conservation Officer considers that the quality of the proposal has been improved significantly from its first iteration. The Officer acknowledges that the design is still somewhat hindered by the regimented window layout, which is dictated by the rigid internal floor layout requirement of the hotel occupier. The fact that the entrance is not on the corner and does not extend beyond the ground floor is also a negative in the design, however, such requests do not meet the future occupier's needs. However, it is positive that the corner elevations facing both Lower Bridge Street and Town Bridge have been addressed with improved corner treatment that adds interest to the streetscene.

It is considered that the combination of windows, materials and the canopy creates more interest to this prominent corner space providing a visual appeal and a sense of arrival to what would have been a very bland unwelcoming space.

The proposal has come in at the maximum height permissible, of three storey with a flat roof, which is also supported by Historic England, in relation to impact on views of the Cathedral when travelling over Town Bridge. Historic England has commented on the proposal and is generally supportive. This is largely due to the fact that their scale, massing and road fronting advice has been followed from a 2015 pre-app.

Entrance

The entrance to the building would be within the west elevation approximately 10m to the north of the pedestrian crossing and not on the corner where the access to the police station is currently located.. Due to the height restriction set by the Old Custom House, the proposed ground floor level of the Hotel has been set lower than external ground level. It is stated that there wasn't the space for ramps and landings to accommodate the level change, therefore there would be a gradient of 1:21 from the pedestrian crossing down to the front of the building which has determined the location of the entrance.

The applicant states that due to the operational and functional needs of the future occupier, the reception has to be located between the restaurant / back of house areas and the bedrooms therefore the reception and entrance would be situated central to the building which works well with the distance required for the change in level to the proposed ground floor.

It is acknowledged that an internal layout with the entrance on the corner with a first floor restaurant/bar would have added interest and activity to this element of the building however as stated above this would not meet with the occupier's requirements.

The Civic Society considers the impact has been further weakened in locating the entrance to the hotel some distance to the north and suggests a dog-leg ramp could be used to bring the entrance doors back to the focal point. Setting the building back from the road by about 3 -5 metres at the corner would make this possible.

Other Design Matters

The Civic Society also suggests that *'the shape of the site also hints that a curved plan form would reflect that shape, again making for a distinctive building. Materials and detailing should be restrained and simple, letting basic form create the desired 'sense of place'.*

As stated above, the scheme has been the subject of a pre-application enquiry and a number of design proposals have been considered. Further revisions have been made since the formal application was submitted including the addition of upper floor windows and the addition of detailing within the corner reveal.

It is important that the perimeter wall, which is to be retained for the most part, sits comfortably with the proposed new materials for the building. The applicant has suggested brick tinting could be a solution. These details would be secured by condition. A plan has also been submitted reducing the length of wall around the hotel entrance to expose this elevation and additional landscaping is proposed.

In relation to the materials and details of the building, the applicant has provided a number of 3D images and examples from other buildings, but materials and finer details of the brickwork etc would also be secured by condition to ensure a good quality finish.

Conclusion

The Conservation Officer considers that significant improvements have been made throughout the pre-app and application process. The design of the new construction is in many ways being led by the internal room configurations of the type of hotel it will accommodate. The changes in levels needs to accommodate a 3 storey building as well as the access point and the size and shape of the site. It is considered that the design and material quality is on balance acceptable within its surroundings and a substantial improvement upon what exists on site. From a heritage consideration the proposed works are supported.

The proposal will bring economic benefits to the city through the provision of hotel accommodation which will support the local economy and the city centre leisure offer.

The existing building does not contribute significantly positively to the setting of the Old Customs House or the Cathedral or the Conservation area and the proposed building would represent a significant improvement. The proposal would represent an improvement to the existing setting and would not harm the significance of the two heritage assets.

It is considered that the work will preserve the character and appearance of the City Centre Conservation Area and positively contribute to the setting of the Cathedral and Old Customs House in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), and policies PP2 and PP17 of the Peterborough Planning (2012) and the National Planning Policy Framework (Heritage considerations).

d) Design and Visual Amenity

Layout

The layout of the building on the southern and western boundaries and the retained boundary wall would respect the existing built form and sense of enclosure and would screen the parking area to the rear of the site. Although the entrance would be further along the western boundary access to the site from the pedestrian crossing would be convenient.

Scale

The applicant was advised that the new building would be no higher than the ridge of the Old Customs House when viewed from the southern approach to the city centre over town bridge. The development proposed achieves three storeys without breaching the Old Customs House roofline utilising the lower level within the site set by the existing semi basement level. The scale of the development is considered to be acceptable and would respect the surrounding built form.

Appearance

Whilst the existing building is not considered to be of any architectural merit it is not harmful to the surrounding heritage assets, notably the Cathedral and the Old Customs House. The proposed brickwork would be a buff colour with matching mortar. The elevations would also include feature brickwork panels to add interest to the elevations as well as visual relief.

It is accepted that given the proposed use of the building the elevations are somewhat repetitive however, an attempt has been made to add interests to the elevations by way of offsetting the windows on the upper floors and the addition of detailing.

The layout, scale and appearance of the proposed development is considered to be acceptable and would not detract from the surrounding character of the site. Hence the proposal accords with policies PP2 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

e) Highway Implications

A Transport Assessment has been submitted in support of the application. The purpose of the Assessment is to assess the suitability of the site for the proposed development in transport terms and considers the location of the site the access and the level of traffic that might be generated by the proposed use.

The Assessment concludes that there would be a slightly higher increase in traffic movements in the AM during peak times with lesser impact during the PM peak times as traffic movements are more likely to be distributed throughout the afternoon and evening periods.

The Local Highways Authority has assessed the information and advises that the travel surveys were undertaken during the (ongoing) construction of the new access to the station car park. The traffic management for this scheme extends to the Rivergate/Bishops Road junction. Therefore the surveys are likely to show less traffic on Bridge Street, Rivergate and Bishops Road than would normally be the case.

The proposed vehicle trip generation for this site is lower than expected. There is a proposed site in the City Centre in a far more sustainable location (i.e. close to the bus and rail station) that predicted higher vehicle trip rates.

However the LHA agree that the traffic generation from this site will not have a significant impact on the network even taking the above into consideration.

The LHA raised the issue of the increase in traffic movements and the increase in pedestrians accessing the site from the crossing which is not signalised. The crossing from the site to the central island on the 'signalised' Rivergate crossing is actually an uncontrolled crossing.

The number of lanes on Rivergate was reduced from 3 to 2 as part of the highway scheme last year. To signalise the crossing now would result in queuing of traffic towards Bishop's Road which would be undesirable. The Local Highways Authority is comfortable with the levels of intended use given the nature of the development.

Access

Access to the site would be via an existing access to the east of the site. This access forms a junction onto the A15 Rivergate gyratory which incorporates two lanes running southbound past the site access. All vehicles must therefore enter the site from the north and exit to the south. The access would be slightly widened to accommodate the passage of larger vehicles into and out of the site. A tracking plan supports the application and demonstrates that a large articulated vehicle can enter the site, manoeuvre and leave in forward gear.

Parking

In accordance with the parking standards under policy PP13 of the Adopted Peterborough Planning Policies DPD for a 126 bed hotel one parking space per bedroom is required plus one space per 10m² of dining area, if this area is open to the public. The total number of car parking spaces required for the proposed hotel is 149 spaces. These are maximum parking standards.

The proposed hotel will have its own on site car park with 39 parking spaces of which 3 spaces will be allocated as disabled spaces. It is accepted that the provision is lower than the recommended standard however, in this case the site is conveniently located for the city centre and is an accessible location for non-car modes of travel.

The application is supported with a Travel Plan which includes measures to encourage hotel employees and guests to consider non-car travel to access the site. It is advised that hotel employees would not be permitted to park on-site.

In addition, it is accepted that the majority of Premier Inn bookings are made online, the booking page for the proposed hotel would be set up to inform guests that limited parking is provided on-site which is available on a first come, first served basis. The hotel information page would also highlight the nearest public transport facilities e.g. Peterborough Rail Station and identify the nearest Public Car Parks for those guests who choose to travel by car.

On balance, given the site's location and its accessibility to the railway/bus station and nearby public car parks it is considered that the provision of car parking would be sufficient to serve the site and therefore the proposal would accord with policy PP13 of the Adopted Peterborough Planning Policies DPD and policy LP13 of the Peterborough Local Plan (submission version).

Cycle Parking

The cycle parking standards require one stand per four staff plus one stand per 10 bedrooms, 4 no. parking stands are to be provided. It is expected that the cycle parking would be used primarily by staff and these will need to be covered. The details would be secured by condition.

It is accepted that it is unlikely that most of the guests would arrive at the site by cycle and in any event, it is advised that Premier Inn operates a policy whereby guests can take their cycle to the room. Therefore the shortfall in cycle parking is accepted.

The cycle stands are to be located to the rear of the site adjacent to the rear entrance. This is considered to be the correct location however there is no cycle access path at the rear. This issue has been raised by the Cycle Forum who have suggested the provision of a cycle path at the side of the building. The applicant confirmed that a path could be provided however, this would be on highway verge. The LHA has confirmed that this land should not be used as a footway or any other conduit for accessing the hotel car park due to the fact that it would negatively impact on highway safety by encouraging pedestrian access to a section of Rivergate on which there is no safe crossing point.

This was raised with the applicant and it has been confirmed that cyclists arriving at the front of the site would be able to wheel their cycle through the reception to the rear of the building to access the cycle parking. This is acceptable.

In addition, it is stated in the Travel Plan that should the level of cycle parking prove to be inadequate, further cycle parking would be provided. These details could be secured by condition.

It is considered that adequate provision would be available for cycle parking and the proposal therefore accords with policy PP13 of the Adopted Peterborough Planning Policies DPD.

Given the city centre location and the accessibility to alternative means of transport and the proximity of the site to a number of public car parks it is not considered that the proposal would result in an adverse impact on the highway network. Hence the proposal accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

f) Amenity

The site is located on an island site surrounded by a busy highway network. As advised within the

accompanying noise assessment the background noise levels in the vicinity of the site are high. The Noise Pollution Officer has advised that considerable attention to glazing and walls/roof will be necessary in order to achieve suitable noise levels within bedrooms. It is recommended that the noise mitigation measures contained within the noise report are secured by condition.

Where sound insulation requirements preclude opening windows for rapid ventilation and cooling, as in this situation, mechanical ventilation systems will need to be installed. Acoustic trickle ventilators will not provide adequate ventilation for these purposes. These details would also be secured by condition.

The nearest residential properties are 27m from the facade of the proposed development, and the plant room situated approximately 64m from the residential properties. As noted in the noise report additional mitigation/attenuation will be necessary. These details should be secured by condition.

There is the potential for odour from the kitchen associated with the development to cause problems for nearby residents. Suitable mitigation will therefore be required.

The development is near to a modelled exceedance in air quality standards. Should the use change to residential or the development include staff living in consideration of air quality standards and modelling would be necessary but any change of use currently needs planning permission.

There is a residential development to the west of the site – Rivergate Flats, however given the characteristics of the site at the edge of the city centre it is not considered that the hotel use would unduly impact upon the amenity of these nearby residential occupants from a noise and disturbance point of view.

One letter of objection from an occupier of the Rivergate flats has been received raising concerns about the pollution and noise that would be caused through the demolition of the building. It is accepted that there would be some disruption during the demolition and construction period however, this would be for a limited period and construction hours would be controlled under a Construction Management Plan.

In addition the objector states that the position of the building would impact on levels of light afforded by the occupier. However, whilst the building would be higher than the existing building given that there is a separation distance of some 27m between the site and the Rivergate flats it is not considered that the proposal would impact significantly on levels of light/overshadowing.

The proposal would not unduly impact upon the amenity of the neighbouring occupiers and hence the proposal accords with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

g) Ecology

There is no habitat on the site. The site is entirely hard surfaced save for the maintained verge on the outside of the perimeter wall forming part of the adopted highway. A biodiversity checklist is provided with this application and a visual examination for opportunities for bat roosts has been undertaken by an ecologist. The inspection concluded that there is no evidence of bat roosts and given that the existing building has been well maintained and is flat roofed it is unlikely that any are present. The Wildlife Officer accepts this assessment.

The Wildlife Officer has requested enhancement to the biodiversity of the site through the provision of bird boxes and the incorporation of green roof space to the flat roof elements of the scheme. It is accepted that there is the opportunity for biodiversity enhancements and the details of bird boxes would be secured by condition, however given the sensitivity of the site it is not considered appropriate to insist on a green roof in this instance. The proposal would therefore comply with policy PP16 of the Adopted Peterborough Planning Policies DPD.

h) Landscaping and Open Space/Amenity Space

There is currently no landscaping within the site and there is limited space within the site for landscaping. Through pre-application discussions Officers confirmed that a rooftop garden would not be appropriate in this instance as it would interrupt the Cathedral views and lead to an “active” roof scape with associated paraphernalia. The details of surfacing materials and soft landscaping would be secured by condition.

i) Flood Risk and Drainage

A site-specific FRA and drainage strategy accompanies this application. The site is located within Flood Zone 1 on the Environment Agency (EA) Flood map. Flood Zone 1 is the area which has a low probability of flooding and suitable for all land uses.

The proposed development of the site will not increase the impermeable surfacing at the site. It is proposed that on-site surface water will be intercepted by permeable paving and directed to attenuation prior to off-site discharge. Details of surface water drainage would be secured by condition.

It is not considered that the proposal would result in the risk of flooding to the site or to those neighbouring the site and therefore accords with policy CS22 of the Adopted Peterborough Core Strategy DPD and section 10 of the National Planning Policy Framework.

j) Contamination

An investigation into the potential for contamination of the site will be undertaken prior to development which would be secured by condition along with appropriate mitigation.

6 Conclusions

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

- The site lies within the City Centre Rivergate policy area where the principle of the hotel development is supported;
- The proposal would complement the offer of services and facilities for the city and bring economic benefits;
- The height, massing and design of the development would not adversely affect the setting of the Cathedral or the Old Customs House building and would represent an improvement;
- The site can be satisfactorily accessed by vehicles, cyclists and pedestrians;
- The site is within a sustainable location and the provision of car parking and cycle parking is considered to be acceptable therefore the proposal would not unduly impact upon the adjacent highway network;
- The appearance, layout and scale of the building is considered acceptable and will not result in a detrimental impact on the character of the area; and
- The proposal would not result in any significant impact on the amenity of neighbouring occupiers.

The development is therefore in accordance with Sections 12, 15 and 16 of the National Planning Policy Framework, Policies CS4,, CS16, CS17, CS18 and CS22 of the Peterborough Core Strategy, Policies PP2, PP3, PP4, PP12, PP13, PP16 and PP17 of the Peterborough Planning Policies DPD and policy LP6, LP13, LP16, LP19 and LP48 of the Proposed Submission version of the new Peterborough Local Plan.

7 Recommendation

The case officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

- C 2 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing. No demolition/development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

- C 3 Notwithstanding the submitted information, no development shall take place above base course until details of the following materials have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing materials – samples shall be made available on site for inspection
- Windows and doors
- Rainwater goods
- Any externally visible sustainable technologies
- Any externally visible flues, vents or similar features

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 Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 4 No development other than demolition shall take place until a detailed design, in accordance with 'Flood Risk Assessment & Drainage Strategy (619327-MLM-ZZ-XX-RP-C-0001) and drawing number: 619327 MLM ZZ XX DR C 0110', and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority.

The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD. This is a pre-commencement condition as the details will need to be agreed prior to works commencing on site.

- C 5 Notwithstanding the submitted information, no development shall take place above base course until details of the finish and colour of the perimeter wall have been submitted to and approved in writing by the Local Planning Authority. These details shall include a sample panel of the treated brickwork which can be inspected on site. The development shall be implemented in accordance with the approved details and shall thereafter remain as such.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP17 of the Peterborough Planning Policies DPD (2012).

- C 6 No development other than demolition, approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

- C 7 Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason Should remedial work be required, to ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

- C 8 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

- C 9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason A piling risk assessment should be provided if contaminants are identified during site investigation that may be mobilised towards the underlying Principal Aquifer if piling is proposed.

- C10 No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- C11 Prior to the commencement of the development a construction management plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall include:

- Haul routes to and from the site.
- The location of parking, turning, loading and unloading areas for construction vehicles.
- The location of storage compounds and welfare facilities.
- Wheel washing facilities capable of cleaning the wheels and underside of the chassis.
- Location of any temporary access points.
- Hours of work, including details of piling, if required.

- Construction delivery times (consideration should be given to limit the activity on the adjacent highway network during peak periods)
- Control and dust and noise

The information in the construction plan shall be adhered to throughout the entire construction period.

Reason: In the interests of highway safety in accordance with policy PP12 adopted Planning Policies DPD. This is a pre-commencement condition because it is necessary to demonstrate that the development can be constructed without resulting in a detrimental impact on the adjacent highway.

- C12 Prior to the first occupation of the development the area shown for the purposes of parking/turning on drawing number DR-A-0001 P2 shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.

Reason: In the interests of highway safety in accordance with policy PP13 adopted Planning Policies DPD

- C13 The number of covered Sheffield stands must be increased as soon as occupancy levels regularly reach 75% in the case of 4 stands, or 80% in the case of 5 or more stands in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details and shall thereafter be retained.

Reason: In order to encourage sustainable modes of transport and in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

- C14 Prior to first occupation of the development a scheme of nesting boxes for birds shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cater for a number of different species such as House Sparrow, Starling and Swift and shall include details of the number and design of boxes and their location. The boxes shall thereafter be implemented before the building is first occupied.

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

- C15 Prior to the installation of any external lighting the details including design, position, LUX levels and spill off site, shall be submitted to and approved in writing by the Local Planning Authority. The levels should not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Light Pollution" (GN01:2011).

The development shall thereafter be carried out in accordance with the approved details prior to the first occupation, and thereafter maintained as such.

The applicant is required to demonstrate compliance with this condition e.g. by measurement or calculation, in circumstances where reasonable concern arises from resultant lighting levels.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policies CS16 and CS17 of the adopted Peterborough Core Strategy DPD (2011) and Policies PP3 and PP17 of the Adopted Peterborough Planning Policies DPD (2012).

C16 No development other than demolition shall take place until a scheme for the hard or soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels
- Planting plans including retained trees, species, numbers, size and density of planting
- Surfacing materials

The approved hard landscaping scheme shall be carried out, prior to the occupation of the development and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: In the interests of visual amenity and then enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.

C17 Prior to the first occupation of the development hereby approved the cycle parking shall be implemented in accordance with drg. no. DR-A -0001 Rev P2. The cycle stands shall be covered. The cycle parking area shall thereafter be retained for the purposes of cycle parking in connection with the development in perpetuity.

Reason: In the interests of highway safety and to encourage travel by sustainable modes in accordance with policy CS14 of the adopted Core Strategy.

C18 Prior to the commencement of development other than groundworks and foundations the details of the colour of the boundary wall shall be submitted to and approved in writing by the Local Planning Authority. A sample panel shall be made available on site for inspection. The wall shall be finished in accordance with the approved details prior to the development being brought into use and shall be retained as such thereafter.

Reason: In the interests of the visual amenity of the area and in accordance with policy PP2 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

C19 The development hereby approved shall be carried out in accordance with the submitted Noise Assessment (Reference 102343/MLM-ZZ-XX-RP-U-0001) and the mitigation measures detailed within Section 5.4 Tables 9 and 10 of the report. The mitigation measures shall be fully implemented prior to the hotel being brought into use, and these mitigation measures shall thereafter be retained and maintained as such.

Reason: In the interest of amenity and in accordance with policy PP4 of the Adopted Peterborough Planning Policy DPD.

C20 No development shall take place other than demolition unless a scheme has been submitted to and approved in writing which specifies the provisions for mechanical ventilation ensuring compliance with the Noise Insulation Regulations 1975 (including acoustic ventilation units incorporating fans for insertion in external walls) and the Approved Document F. The approved scheme shall be implemented prior to the first occupation of the development.

Reason: In the interests of amenity and in accordance with policies PP2 and PP17 of the Adopted Peterborough Planning Policies DPD and policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD.

C21 No development other than demolition shall take place unless a scheme which specifies the provisions for attenuation of fixed mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. The rating level of noise emitted from the site should not exceed 50 dB LAeq, 1 hour between 07:00hrs and 23:00hrs, and 34dB LAeq, 15 minutes at any other time. The noise levels should be determined at the nearest noise sensitive premises. The measurements and assessment should be made according to BS:4142:2014.

The attenuation measures shall be fully implemented prior to the hotel being brought into use, and these measures shall thereafter be retained and maintained as such.

Reason: In the interests of amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

C22 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of any such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority before installation and should be installed before the use of the premises commences, and thereafter maintained as such.

Reason: In the interests of amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

C23 Before any mechanical extract ventilation or plant associated with the control of steam and cooking fumes is installed on site, details of the proposed Sound Power Level (SWL) and frequency spectrum data for mechanical extract ventilation shall be submitted to and agreed in writing by the Local Planning Authority and will not be operated except in accordance with the approved scheme. The plant and/or mechanical extract ventilation shall be designed so it does not exceed the noise levels specified in Condition 21.

Reason: In the interests of amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

C24 The development shall be implemented in accordance with the following approved Plans:

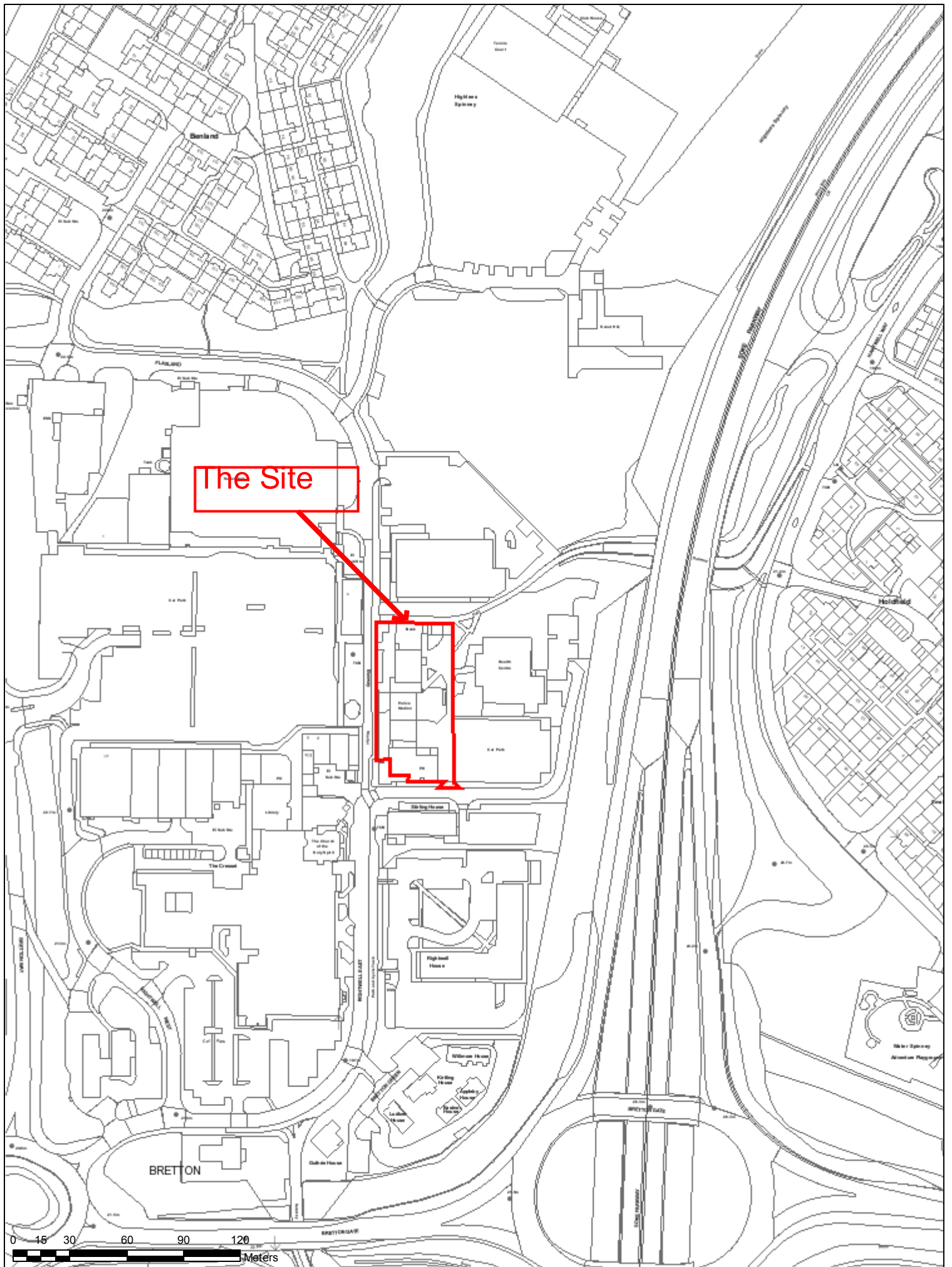
- Site Location Plan
- Proposed elevations 01 drg. no. –SBA -XX-ZZ -DR-A -201 rev P2
- Proposed elevations 02 drg. no. SBA-XX-ZZ-DR-A 202 rev P2
- Proposed elevations 03 drg. no. SBA-XX-ZZ -DR-A -203 rev P3
- Visualisation 01 drg. no. SBA-DR-A-401 rev P3
- Proposed ground floor Plan drg. no. SBA -XX-00 -DR-A -0001 Rev P3
- Proposed first floor plan drg. no. –SBA -XX-01 -DR-A -0002 Rev P2
- Proposed second floor plan drg. no. - SBA -XX-02 -DR-A -0003 Rev P2
- Proposed roof plan drg. no. –SBA- XX-XX-DR-A -0005 Rev P2
- Proposed pedestrian route drg. no. –SBA -XX-XX-DR-A -0004 Rev P2
- Section AA drg. no. SBA-XX-ZZ-DR-A-0101 Rev P2
- Section BB and CC drg. no. SBA-XX-ZZ-DR- A-0102 Rev P2
- Topographical Survey drg. no. 16387 ea-01 Rev A
- Swept Path Analysis drg. no. TR01
- Flood risk and drainage strategy
- Noise Impact Assessment

Reason: For the avoidance of doubt and in the interests of proper planning.

Copies to Councillors:

Mahboob Hussain
Amjad Iqbal
Mohammed Jamil

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Committee Location Plan Bretton Court 18/00491/R3FUL NTS

Scale 1:2,500
 Print Date: 23/08/2018

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Application Ref: 18/00491/R3FUL

Proposal: Conversion of B1 office block (excluding ground and first floor of Public House) to 43 residential flats, including roof top extension; and alterations to existing elevations through insertion/amendment of windows and cladding

Site: Bretton Court, Rightwell East, Bretton, Peterborough

Applicant: Mr Gary Clarke
Medesham Homes

Agent: Mr Leonardo Mattioli
Capital PCC

Referred by: Head of Planning Services

Reason: This is a City Council application

Site visit: 10.07.2018

Case officer: Nick Harding

Telephone No.: 01733 454441

E-Mail: nicholas.harding@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings

The application site is located on Flaxland, within the Bretton District Centre and lies to the east of the Bretton Shopping Centre car park. Bretton court is a part 4 storey and part 3 storey building with commercial occupiers at ground floor and office on the upper floors. The upper floors are now vacant. The building was constructed in the early/mid 1970's. At the south corner of the building there is a Public House, (The Roundhead), which occupies 2 floors, ground and first floor, which has been vacant for at least the last 8 years. Elsewhere the ground floor of the building is currently leased out as shops and offices and the roof, on the third floor, also has a number of leases for mobile phone and telecommunication equipment on it. This development intends to retain the commercial units on the ground floor and the telecommunications equipment on the roof.

To the rear of the site is a Health Centre, to the north is the Aldi supermarket and to the south is Stirling House, an office building. The immediate surrounding character is predominantly commercial.

Proposal

The application seeks approval for the conversion of the upper floors from offices (B1) to residential (C3) and the addition of a 3rd floor above the southern element of the building which currently has 2 upper floors resulting in the entire building being 4 storeys.

The Council owns all the (predominantly) hard landscaped area at the rear of the block, which would be used for future refuse collection points and cycle stores serving this conversion. Some external works are required including the removal of a wall and re-surfacing to allow for the manoeuvring of refuse vehicles.

The proposal would provide 43 no. apartments comprising 30 no. 1-bed, 11 no. 2-bed and 2 no. 3 bed however may initially be used for temporary accommodation for homeless people.

2 Planning History

No relevant planning history

3 Planning Policy

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

National Planning Policy Framework (2018)

Section 12 Achieving well-designed places

Decisions should ensure that development will function well and add to the overall quality of the area over the life time of the development, are visually attractive as a result of good architecture, layout, appropriate and effective landscaping, are sympathetic to the local character and history, establish or maintain a strong sense of place, optimise the potential of the site, create places which are safe, inclusive and accessible.

Para. 130 Poor Design

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an areas and the way it functions. Conversely where the design accords with clear expectations in plan policies, design should not be used by the decision marker as a valid reason to object to development. Local Authorities should seek to ensure that the quality of the development approved is not materially diminished between permission and completion.

Section 15 – Conserving and Enhancing the Natural Environment

Para 180 Pollution. New development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life, identify and protect tranquil areas which have remained relatively undisturbed by noise and limit the impact of light pollution from artificial lighting on local amenity, intrinsically dark landscapes and nature conservation.

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.

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.

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.

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)

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.

Peterborough Local Plan 2016 to 2036 (Examination Stage)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 and is now at examination stage.

Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP02 - The Settlement Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP08 - Meeting Housing Needs

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

PCC Peterborough Highways Services – Objects. To accord with PCC DPD PP13 for a C3 dwelling, 56 allocated off highway parking spaces are required with 10 unallocated visitor parking spaces. The LHA is minded that nearby private parking is available however we would comment that this is time limited, which maybe suitable to apportion some of the visitor parking requirement to. The applicant is not proposing any allocated parking for the residential dwellings.

The applicant has indicated 2 external areas for the parking of cycles but has not specified how many spaces they are to provide. To accord with PCC DPD PP13 which requires 1 space per bedroom, 56 spaces should be provided in a secure covered shelter.

The applicant has indicated that a secure area is proposed to be formed to the rear of Stair A for the storage of residential waste and cycle storage, however within this area is a rear customer access to a retail unit (BetFred) so it could not be a secure area if it was accessible by the general public.

The applicant has not explained how the existing retail users on the Ground Floor of the building will continue to gain access for their servicing vehicles and refuse collection points, as some existing service doors access into the secure residential areas (Flaxland to the front of the building is a Bus Only way)

Recommends refusal as the development would not provide adequate parking facilities within the curtilage of the site for the parking of cars and cycles; the proposal is therefore contrary to policy PP13 of the Adopted Peterborough Planning Policies DPD.

Lead Local Drainage Authority – No objections. As it stands, we have no objections to the proposed development. However we would require details of the proposed bin store drainage, which can be provided now or by way of condition.

PCC Pollution Team – No objections - The conclusions of the noise impact assessment are acceptable to this section. Construction work should not begin until a scheme for protecting the proposed noise sensitive development from noise has been submitted to and approved by the local planning authority; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

Waste Management - No concern in connection with waste services and provision. Will require confirmation of access by a waste collection vehicle which will need to access over third party land.

PCC Tree Officer – No objection. There are two Rowan which have been identified for retention. Otherwise there is no vegetation of value on the application site. It is noted that there are trees surrounding the site therefore the protection of trees from accidental damage e.g. from construction compound/welfare facilities in close proximity must be considered. There is no objection to the proposal. It is recommended that a Tree Protection Plan is produced to protect the onsite trees and those immediately adjacent to the site. This can be secured by way of condition.

PCC Property Services - No objection to proposal. Confirmation will need to be sought as to the access to the telecoms masts on roof. There is currently a door and access ladder.

PCC Strategic Housing - 30% of the units should be affordable units - 13. The mix is supported. We would expect to see 70 % affordable rented and 30 intermediate. 20% of the units should meet lifetime homes. The developer should approach the city council for funding.

PCC Lifetime Homes - No comments received

Anglian Water Services Ltd - The foul drainage from this development is in the catchment of Flag Fen Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the

investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. Recommends Surface Water Management condition.

Peterborough Cycling Forum - No comments received

Cambridgeshire Fire & Rescue Service - No comments received

Police Architectural Liaison Officer (PALO) - Supports application as it will bring the building back into use and provide emergency accommodation for vulnerable people. There is no mention of security in the design and access statement. An access control system should be provided. There is no mention of security gates at the rear.

Bretton Parish Council - The following concerns have been raised:

- There is no provision for car parking and we believe that the applicant's two presumptions are dangerous to the future viability of their scheme, in that the residents at no time will want cars, and that at the same time there is parking available if they do want it. We say this because the original offices had rights to the car park at the rear. But the building has not been occupied for years and in that time Bretton Centre was re-developed and Sainsbury's have stopped the use of their car park for general centre parking. The car park at the rear has now been used for general parking in recent times.
- We believe that the allocations of bins are totally inadequate and more are needed.
- We hope the bollards that will be put in will not stop access to the Health Centre and that cars and the disabled will still be able to get through
- There does not seem to be accommodation for a caretaker. Is he or she going to be living on site?
- This development is considered Sheltered Housing and as such provision is required for the welfare of the residents in the premises. Does this mean that 1 of the 2 part time workers will be employed either as a warden or caretaker?
- Has consideration been given to the possible purchase of the entire building which would ensure a cohesive development?
- There appear to be telephone masts on the roof of the building. How is access to the roof obtained?
- Is there any provision being made for the storage of the existing trade bins?
- We have concerns that the cladding will be fire retardant. What steps are being made to ensure they are?

Further comments following re-consultation

We still have several issues and until they are resolved we object to this planning application. We agree to the idea of creating temporary accommodation at this location, however, until amendments have been made to the plans we are unable to fully agree to them.

Our objections are as follows:

- Upon consideration of the first plan we asked whether the development was sheltered housing. This question was posed to the developer and the reply was "no this is not sheltered housing". With all due respect this is complete nonsense as the planning application clearly states that this renovation is for sheltered housing. In this case it seems that the response from the developer is inconsistent with the application they have put forward.
- If this development is sheltered housing, there is no provision for car parking. We would anticipate that a warden will need to be in attendance and on site, this would require a parking space which has not been allocated within the plans.

- If this development is not for sheltered accommodation, then there is no provision for resident's car parking at all. As per Appendix V of the Peterborough Local Plan there should be an allocation of one parking space per dwelling.
- It is anticipated that there will be families living in this development, there is no provision for storing pushchairs and items associated with having a young family in this development.
- We are pleased that additional cycle spaces will be allocated, however, we are concerned about where they will be situated. It is a concern that the cycle shelter may obstruct the emergency access routes. It is noted that the bins are also situated within this area.

Local Residents/Interested Parties

Initial consultations: 151

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

2 letters have been received from neighbouring occupiers raising the following issues:

- The shared-use path near to the front of the site is not wide enough for a buggy/wheelchair and there is no path of the opposite side.
- Improvements are needed to the pedestrian/cycle/motor vehicle interactions in the area close to the front of Rightwell House.
- There are many desire lines pedestrian and cycle crossings of the bus/cycle/pedestrian-only street which links Rightwell with Flaxland. Its straight through aspect for buses and cycles gives the impression that the vehicles have priority, and motor vehicle speeds are sometimes rather high, even where sightlines are poor. It nevertheless tends to operate as a "shared-space" area where all users generally look out for others.
- The developer should at the least be required to create a distinctly coloured or textured surface to link the sides of the two crossings which have textured paving and dropped kerbs, and are close to the entrances to Rightwell House. These crossings will be of use both to the future residents of the building and to the public at large. They will also remind drivers and cyclists of their need to give way to pedestrians. Ideally the surface should be of red blockwork, or at a minimum red resin to overlay the existing patched tarmac.
- The more northerly crossing is exactly opposite the northern entrance of the building, and the southerly crossing (which includes a cycle approach on its western side) is opposite Betfred, adjacent to Rightwell House's southern entrance.
- A further comment is that the pedestrian and cycle approach from the south, to the bus-only link, is poorly laid out at its junction with the entrance to the car parking of the pub, health centre and an office block. An appropriate change to the raised planting bed which restricts the pedestrian footway would be a great improvement, and reduce the frequent diagonal crossing of the junction by pedestrians. It would also support the use of the crossings described above.
- The site, and the car parking behind it, have been an eyesore for some 10 years, and I welcome their redevelopment.
- The exterior design proposals are too "loud" for this suburban site. They are architecturally incoherent, neither complementing nor matching the existing exterior walls which would remain unaltered. In no way do they sit well with other surrounding buildings either.
- Air conditioning and exterior appearance: the existing building proved to require large and unsightly addition of air ducts and air conditioning units on the roof. The elevations and visualisations show these as removed - thank goodness! No explanation is given as to why the proposals will not require air conditioning. I object to the application as it provides no explanation for this.
- Our Environment Capital City presumably demands high sustainability standards for its developments. It would be wrong for any new development to be approved unless it were certain that energy consuming equipment would later be added.
- The existing office floors have toilets etc adjacent to the two staircases, with the foul water

piped down to existing sewage drains. The proposed flats have bathrooms distributed along the whole plan, which will require their waste be piped horizontally, at floor level, to reach the existing drains. Even if practical this would occupy space in many flats, and would be most undesirable to their occupants. Without an appropriate explanation I object to this aspect of the proposal.

- The applicant, who owns part or all of the car parking to the building's rear, must be required to take responsibility for it. At present the markings are worn out, various spaces are blocked by overgrown vegetation, and fly tipping has been present for a long time.
- Vehicle parking proposals: The applicant rightly states that Bretton Centre is a hub for walking, cycling and bus services, but this is an insufficient reason for not providing car parking for the residents and their visitors. While it may be true that any homeless families for which the flats might be used are likely to have low car ownership, the flats would be an attractive renting proposition for ordinary families, indeed compared with flats in London would be spacious and economical. There is every reason to suppose that they would have similar car ownership to the residents of my own street, where parking is a problem.
- As an occasional transport activist I find the proposal that the flats should be "car-free" an attractive one. It is however entirely unrealistic without enforcement as part of a "green transport plan".
- The proposed provision of 22 cycle parking spaces at each staircases is unlikely to be sufficient, given the special location of the site, and would certainly not be so if "car-free" residence were enforced.
- Though details of the cycle parking are not given, the 10 stands (presumably 20 cycles) shown at the northern staircase don't match the claimed 22 spaces.
- It is important that the cycle parking provided should be secure and easy to use. It is important that the northern doors should be easy to open while pushing a cycle, eg powered doors. It is equally important that the exterior cycle parking proposed for the other staircase should be easy to access but entirely secure.
- For use either as flats or emergency accommodation for homeless families it is essential that proper security arrangements are in place, including on-site management staff in the case of emergency, temporary residence. This needs to be spelled out and should be required of the applicant.

Stirling House

- Generally supportive of the application and refurbishment of Bretton Centre
- We note the intention to replace the existing precast concrete panels, the details of which we understand will be made available at full planning application stage.
- The addition of a fourth floor will create a more symmetrical roof line to the structure.
- The proposal would transform this dated, dull & rather ugly building for the better.
- Concerned that the Roundhead is not included in the proposals & therefore, it seems it is likely it will continue to remain an eyesore & 'a blot on the landscape' for many years to come.
- The City Council should make every possible effort at this time to either purchase the Roundhead or take on the Lease which has been advertised for many years with, obviously, little or no interest from prospective tenants. Additional flats could then be included in the overall proposal &, at the same time, control the use of this part of Bretton Court as, clearly, the Council is extremely concerned about the potential noise level & overall disturbance if indeed its use reverted to an active Public House.
- If neither of these options are possible we would request that the Council take all measures in their power to enforce the Owner to improve this element of Bretton Court to bring it into keeping with other properties in Bretton Centre.
- As owners of Stirling House we have for far too long had to endure overgrown landscaping, graffiti, boarded up & broken windows together with a likely rat & pigeon infested interior greatly detracts from the remainder of this refurbished part of Bretton.
- This privately owned employer, has carried out its business from this office since 1972 enjoying the highs & tolerating the lows in the fortunes of this Peterborough Township.
- The recent refurbishments in & around the Centre, now to be extended by the current

proposals for Bretton Court, have generated an atmosphere of improved optimism for the Centre. But to leave the Roundhead as it is, semi if not totally derelict, would be to 'spoil the ship for a ha'peth of tar.' Every effort you could take to avoid this situation would be greatly appreciated.

5 Assessment of the planning issues

a) The Principle of Development

The application site is currently in sole commercial use with shops, etc. at ground floor and offices above and the public house occupying the southern end of the building at ground floor and first floor. The principle of the conversion of the existing upper floors to residential is supported and indeed under Schedule 2, Part 3 Class O of the Town and Country Planning General Permitted Development Order 2015, the conversion is permitted development subject to the transport and highway impact, risk of contamination, risk of flooding and amenity provision of the future occupiers is satisfied. For the conversion of the existing building the applicant could have applied to the Local Planning Authority as to whether prior approval would have been required for the conversion, however as the proposal seeks permission to add an additional floor to part of the building and changes to the facades of the building a full planning application is required.

The site is located within the Bretton District Centre; a sustainable location and close to services and facilities which would meet the needs of the future occupants.

The principle of the development would accord with policy CS2 of the Adopted Peterborough Core Strategy DPD and is therefore acceptable subject to meeting the requirements of other relevant planning policy and material considerations.

b) Highway implications

The site is situated within Bretton District Centre which is considered to be a sustainable location in terms of access to facilities and services as well as being served by a good public transport service.

No car parking would be available to serve the development and whilst there is a car park located to the rear of the site this is not under the control of the applicant.

It is understood that the office was served by off site parking but that this is no longer associated with the existing office building. Under policy PP13 of the Adopted Peterborough Planning Policies DPD the office building would require one space per 30m² of floor space. This would equate to 87 parking spaces. In accordance with the parking standards the proposed scheme would require 56 car parking spaces; one space per one bed flat and two spaces per two bed flat. 10 unallocated visitor parking spaces would also be required to comply with the parking standards.

The Local Highways Authority recommends refusal of the scheme as the development would not provide adequate parking facilities and is contrary to policy PP13 of the Adopted Peterborough Planning Policies DPD.

It is considered that there would be a lesser demand for parking as a result of the conversion of the office building and the additional floor space for residential than would be the case for the existing use. It should be noted that the existing building could be reoccupied as an office at any time, with no parking provision. It is therefore considered unreasonable to refuse the application on the grounds of a lack of parking provision.

The adjacent Bretton Centre Car Park would not be available for use long term by the occupiers of the building whether as an office or as residential as the use of the car park is time limited for up to 4 hours and this is controlled by an ANPR system. However the car park could potentially be used for visitors.

The applicant has indicated on the plans the provision for cycle parking. The plans have been amended since the initial submission relocation cycle parking from the lobby area to staircase B to an area to the rear of the building. The original location would be not appropriate and would have restricted access to and from the building in the event of a fire/emergency. In accordance with the parking standards the development should provide one cycle parking space per bedroom; 56 spaces. This however, is considered to be an over provision of cycle parking and one space per flat would be reasonable. This level of provision along with the details of the shelters would be secured by condition.

The proposal would provide much needed short term housing and is in a location which is sustainable with local services and facilities to meet the residential needs of the future occupiers of the development and which is served by a frequent bus service. On balance it is considered that the lack of car parking provision is outweighed by the overwhelming need to provide housing for the city, particularly affordable housing.

The LHA has raised concern regarding the servicing of the retail/commercial units on the ground floor, for example where the waste collection points would be located. A revised plan has been submitted which has identified the location of the commercial refuse bins.

A tracking plan has been submitted which demonstrates that a refuse collection vehicle can enter the site and leave in forward gear. The Waste Management Section raises no objection to the proposal subject to the applicant confirming that that the vehicle could cross third party land.

Refuse bins would be located in the lobby areas. The applicant has confirmed that the bins would be moved outside to the collection point on the collection day by a visiting caretaker.

The Parish Council has raised concern regarding the location of the cycle shelter and refuse bins which they consider may obstruct the emergency access routes. The revised plans indicate where the commercial refuse bins would be located and it is not considered that access would be obstructed.

It has also been confirmed by the applicant that the proposed bollards to the rear of the site will not prevent access to the Health Centre and that cars and the disabled will still be able to get through.

The proposal would not unduly impact upon the adjacent highway and a safe and convenient access can be achieved. Hence the proposal would accord with policy PP12 of the Adopted Peterborough Planning Policies DPD.

Comments have been received regarding the roads/footpaths in close proximity to the site. It is stated that the shared-use path near to the front of the site is not wide enough for a buggy/wheelchair and there is no path of the opposite side. It is suggested that improvements are made to the pedestrian/cycle/motor vehicle interactions in the area close to the front of Rightwell House for example, there should be a distinctly coloured or textured surface to link the sides of the two crossings which have textured paving and dropped kerbs, and are close to the entrances to Rightwell House. It is argued that these crossings will be of use both to the future residents of the building and to the public at large. They will also remind drivers and cyclists of their need to give way to pedestrians.

A further comment is made regarding the pedestrian and cycle approach from the south, to the bus-only link, which is poorly laid out at its junction with the entrance to the car parking of the pub, health centre and an office block. It is suggested that a change to the raised planting bed which restricts the pedestrian footway would be a great improvement, and reduce the frequent diagonal crossing of the junction by pedestrians.

Whilst it is accepted that these changes would improve the footway network near to the site; this is an existing building and the works are not deemed to be reasonably related to the development per se and are not needed in order to make the proposal acceptable. It should be noted that PCC

Highways has not identified the need for these enhancements.

c) Visual Amenity

The project involves work to an existing building, originally believed to be a 'Clasp Mk 5 prefabricated' building constructed in the 1970's. It is proposed to cover/replace the external fabric of the building with silicon insulated external render. The facing material would sit 60mm outward from the face of the existing façade, making the envelope of the building slightly bigger. The concrete panels would be retained where possible and a change of fenestration design; essentially filling in some of the large areas of glazing associated with the office use resulting in a more residential/domestic appearance. The colour of the render would be white with blue detailing. The windows will be aluminium faced timber windows, designed to allow cleaning from the inside. The details would be secured by condition.

The Parish Council questioned the cladding/render material and whether this material would be fire retardant given the recent issues with the cladding of buildings. The applicant has confirmed that the material would meet Building Regulations requirements and would be of appropriate fire retardant standards.

The appearance of the ground floor of the building, including the part occupied by the Roundhead public house would be unchanged.

It is proposed that the new façade design, with fragmented horizontal lines, acknowledges the original design of the building but also deconstructs it, providing a domestic identity.

A neighbouring occupier has raised objections to the exterior design of the building stating that this is too "loud" for this suburban site and that they would not complement or match the exterior walls which would remain unaltered. It is considered that the existing concrete clad building is not of any aesthetic benefit to the area and whilst it is accepted that it would only be the upper floors which would be re-cladd it is considered that the proposal would enhance the appearance of the building and would respect the surrounding development within the Bretton Centre and the neighbouring Aldi supermarket to the north of the site.

The issue that the public house is not part of the scheme has also been raised by the owner of the neighbouring property at Stirling House who fears that *'it is likely it will continue to remain an eyesore and 'a blot on the landscape' for many years to come.'* The neighbour requests that *'every effort is made to purchase the Roundhead or take on the Lease. Additional flats could then be included in the overall proposal and, at the same time, control the use of this part of Bretton Court as, clearly, the Council is extremely concerned about the potential noise level & overall disturbance if indeed its use reverted to an active Public House.'*

No changes are proposed to the appearance of the public house. This is disappointing however, it is not in the control of the applicant and the situation doesn't render the proposal unacceptable.

Reference has been made to the number of air conditioning units on the existing building and that the removal of these units would improve the appearance of the building. This is accepted. It is questioned as to how the building would be ventilated in the future without the need for external units on the building. The details of noise mitigation would be secured by condition and in addition to that a condition would be appended requiring details of any plant/services to be installed on the external elevations be agreed in writing.

d) Meeting Housing Need

Policy CS8 of the Adopted Peterborough Core Strategy DPD requires residential development of 15 or more units, including converted buildings, to provide 30% affordable homes. The proposal would require the provision of 13 no. affordable units with a tenure of 70% affordable rented and 30 intermediate units. 20% of the units should meet lifetime homes.

As stated earlier the applicant could have implemented his permitted development rights and applied to convert the existing office building under a prior approval application in which case the Local Planning Authority would not be able to insist on affordable housing provision. With this in mind, it is only reasonable to consider the uplift of units to be provided with the addition of the fourth floor element. The number of units in this element of the scheme would be 10 units which would not trigger the requirement for affordable units to be secured under the Council's plan policy.

Furthermore, the Government's vacant building credit regime is applicable in this case and so the existing floorspace cannot be taken into account for affordable housing provision purposes.

The Parish Council has queried the use of the building stating that the application refers to 'sheltered housing'. This question was raised with the applicant who confirmed that the use would not be for sheltered housing. It is unclear where the Parish Council has seen this reference as the application refers to social rented housing and or temporary accommodation.

e) Residential Amenity

The development would achieve a satisfactory level of amenity for the future occupiers of the building. It is accepted that the conversion of an existing building poses more challenges than would be the case for a complete new build. For example the need to cover the large areas of windows and the dividing of the building into small units reduces the amount of natural light available to the habitable spaces. However all bedrooms and living areas would be served by windows.

The two current staircases will be reduced in size internally, to comply with residential use and allow service areas around them for refuse collection store.

Due to the nature of the site there would be no private amenity space available. However, Bretton Park is located just a short walk away. The site is situated with good pedestrian/cycle links to the city centre.

Although no parking is available to serve the development cycle parking provision for each flat would be provided as discussed above.

The Police Archaeological Liaison Officer has advised that no information on security/vulnerability to crime has been submitted with the application. It will be important to implement an access control system and security for the cycle storage would be required at the very least. These details would be secured by condition.

It is considered that the proposal would provide an acceptable standard of amenity and would accord with policy PP4 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

f) Noise

A main concern with the proposal is the neighbouring public house (The Roundhead). The public house has been vacant for a number of years however, it could re-open at any time, although a new licence would be required and this would consider the mix of uses, including residential near the pub.

A noise report supports the application. The report acknowledges that significant adverse impact is expected given the close proximity of the mechanical plant at the rear of the site to the NSRs. Mitigation measures has been recommended to minimise the impact of these units on any future occupants of the proposed development. The adjoining public house, whilst currently vacant, has been assessed and a scheme of additional soundproofing to the adjoining partitions has been advised to achieve minimum standards of sound insulation. Additionally, glazing and ventilation recommendations have been provided as to achieve the internal noise levels for the proposed development according to BS8233:2014 noise criteria.

The Pollution Control Officer accepts the findings of the report and recommends a condition seeking the noise mitigation measures to be agreed and implemented prior to occupation of the development.

It is considered that with the proposed mitigation measures adequate noise protection can be achieved. The proposal therefore accords with policy PP3 of the Adopted Peterborough Planning Policies DPD and section 15 of the NPPF.

g) Drainage

Surface Water Drainage

This is an existing building however there will be a small area of additional hard surfacing which should be sustainably drained. These details would be secured by condition.

Anglian Water currently raises of objection as the hierarchy for drainage in accordance with the Building Regulations has not be followed. Again this will be agreed by condition.

Foul Drainage

Comments have been made regarding the foul drainage and there is concern that the conversion of the building to individual flats would require waste be piped horizontally, at floor level, to reach the existing drains. This matter would be dealt with under the Building Regulations.

Anglian Water has confirmed that there is capacity in the sewerage system.

It is not considered that the proposed development would be at risk of flooding nor would the proposal result in flooding outside the site and the amenity of the future occupiers would be protected. Hence the proposal accords with policy CS22 of the Adopted Peterborough Core Strategy DPD.

h) Accessibility

There are obviously constraints with the conversion of an existing building. It is proposed that the existing lift, in the north staircore B, will be removed and a new lift provided which would be DDA compliant. Staircore A will have a completely new DDA compliant lift. The 2 no. existing steel staircases are to be redesigned and reduced in size, for residential use. It was originally proposed that cycle storage would be provided in staircase B. This has now been removed to ensure the exit is not obstructed.

The Parish Council has commented on the lack of provision for the storage of pushchairs, etc. given that the apartments are likely to be occupied by families. However, the units are modest in size so could not be occupied by large families. A lift would be available and it is therefore likely that such items would be taken to the respective apartments.

i) Landscape Implications

There are limited trees/shrubs within the site however, it is proposed to retain two Rowans to the rear of the site. The Tree Officer had advised that these are protected during the works to the building. The proposal would not result in any adverse landscape implications in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD.

j) Telecoms Equipment

It has been confirmed that access to the telecoms units on the roof of the building would be provided through 2 no. roof hatches accessed with ladders from the stair landings on the 3rd floor.

k) Help for Occupants

Whilst the flats may be initially used for temporary accommodation, there is no need for on-site support to be available. On-site support is not available at the locations where existing temporary accommodation is in operation.

6 Conclusions

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

- The proposal would provide 43 affordable housing units which would meet an identified housing need for the city;
- The site is located within a sustainable location which is close to services and facilities to meet the needs of the future occupiers without the need to travel by car;
- Cycle parking would be provided for each of the units;
- The proposed refurbishment of the building would respect the surrounding character and would significantly improve the appearance of the building; and
- The proposal would provide a satisfactory level of amenity for the future occupiers.

Hence the proposal accords with policies PP2, PP3, PP4, PP12 and PP16 of the Adopted Peterborough Planning Policies DPD, policies CS2, CS8, CS16 and CS22 of the Adopted Peterborough Core Strategy DPD and sections 12 and 15 of the NPPF (2018).

7 Recommendation

The case officer recommends that Planning Permission (Regulation 3) is

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

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

- C 2 No hard-standing areas shall be constructed until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall be implemented prior to the occupation of the development for which planning permission has been granted.

Reason: To prevent environmental and amenity problems arising from flooding and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

- C 3 Prior to the commencement of development a scheme for protecting the proposed noise sensitive development from noise has been submitted to and approved by the local planning authority; all works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied.

Reason: In the interests of amenity for the future occupiers of the development and in accordance with policy PP4 of the Adopted Peterborough Planning Policies DPD and section 15 of the National Planning Policy Framework. This is a pre-commencement condition as the main works involve replacing windows/re-cladding and it is appropriate that these details are agreed before works commence.

C 4 No development other than internal works shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority.

- Walling and roofing materials - samples shall be made available on site for inspection
- Windows and doors
- Rainwater goods
- Any externally visible sustainable technologies
- Any externally visible flues, vents, air conditioning units or similar features

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).

C 5 Notwithstanding the details hereby approved a scheme for the security/crime prevention measures to be provided shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an access control system, security gates and lighting. The approved details shall be provided prior to any part of the development being occupied.

Reason: In the interests of security and vulnerability to crime and in accordance with policy CS16 of the Adopted Peterborough Planning Policies DPD.

C 6 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

C 7 Prior to the commencement of the development a construction management plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall include:

- Haul routes to and from the site.
- The location of parking, turning, loading and unloading areas for construction vehicles.
- The location of storage compounds and welfare facilities.
- Location of any temporary access points.
- Hours of construction and delivery times.

The information in the CMP shall be adhered to throughout the entire construction period.

Reason: In the interests of highway safety in accordance with policy PP12 adopted Planning Policies DPD. This is a pre-commencement condition because it is necessary to demonstrate that the development can be undertaken without resulting in a detrimental impact on the adjacent highway.

- C 8 Notwithstanding the approved plans details of the proposed cycle stands and shelters shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the cycle parking has been provided in accordance with the approved details. The cycle parking shall thereafter be retained for the purpose of the parking of cycles and for no other use.

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

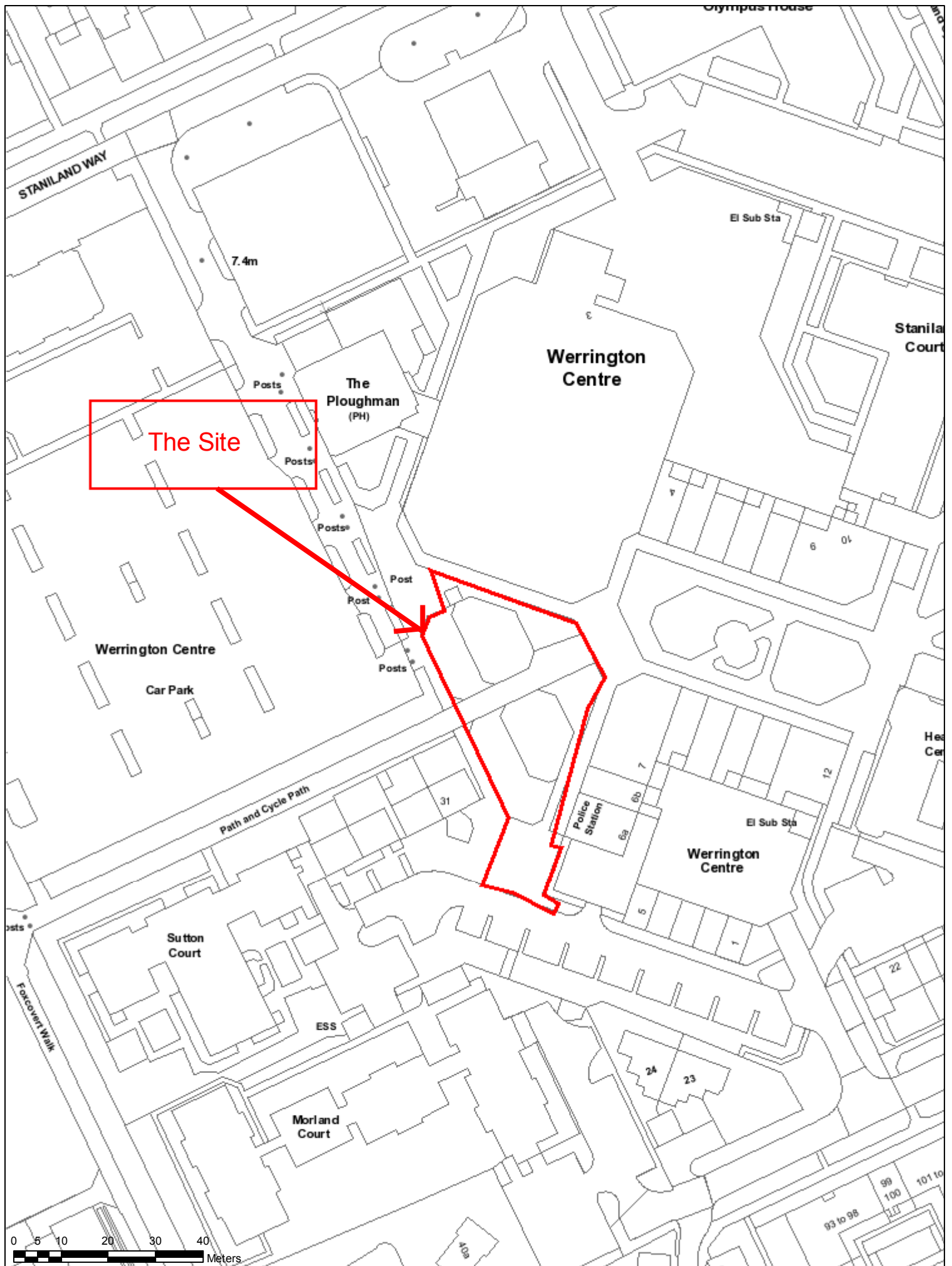
- C 9 The development shall be implemented in accordance with the following approved plans:

- OS Map (Location Plan) drg. no. PC-BC-AL-0-0000 Rev P3
- Existing Site Plan drg. no. PC-BC-AL-0-0001 Rev P3
- Proposed Site Plan drg. no. PC-CC-AL-0-101 P3
- Landscaping and Refuse Tracking drg. no. PC-BC-AL-0-124 Rev P2
- Proposed east and west elevations drg. no. PC-BC-AL-0-120 Rev P2
- Proposed north and south elevations drg. no. PC-BC-AL-0-121 Rev P2
- Proposed ground and first floor drg. no. PC-BC-AL-0-0110 Rev P1
- Proposed second and third floors drg. no. PC-BC-AL-0-0-111 Rev P1
- Proposed roof plan drg. no. PC-BC-AL-0-112 Rev P1
- Accommodation schedule drg. no. PC-BC-AL-0-123 Rev P1
- Noise Report

Reason: For the avoidance of doubt and in the interest of proper planning.

Copies to councillor:

Angus Ellis
Stuart Martin
Scott Warren



Committee Location Plan Land Adj Werrington Police Station 18/00667/FUL NTS



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Application Ref: 18/00667/FUL

Proposal: Erection of two single storey shop units with new access and landscaping

Site: Land Adjacent To, Werrington Police Station, 6A Skaters Way, Werrington

Applicant: KREAM Ltd

Agent: DT Architects

Site visit: 26.06.2018

Referred by: Cllr Fox, Fox and Lane

Reason: Anti- social behaviour, effect on viability of centre, noise disturbance, inconsiderate parking.

Case officer: Mr M A Thomson

Telephone No. 01733 453478

E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site comprises two landscape beds situated at the western end of Werrington District Centre, and is host to two mature eucalyptus trees.

To the north is Tesco Superstore, with the Ploughman Public House beyond. To the east is the core of the District Centre comprising a number of A1(shops), A2 (professional services) and A5 (hot food and takeaways) units situated around a central courtyard, with a vacant doctors surgery and bus stop at the far end of the site. To the south and south-west are Sutton Court, Morland Court and two pairs of semi-detached properties. To the south east is a row of retail units, accessed from Skaters Way. Situated to the immediate west is an open surface car park.

The application site is situated outside of the Primary Shopping Area (PSA), but is within the District Centre.

Proposal

The Applicant seeks planning permission for the 'erection of two single storey shop units with new access and landscaping'. The proposed land uses are A1 (shops), A2 (professional services) and A3 (food and drink)..

Unit A would have a floor area of 15.2m x 12.5m with a height of 4.3m using a flat roof. A parapet and trellis is proposed standing at 1.3m above.

Unit B would have a floor area of 22.2m x 11.1m with a height of 4.3m using a flat roof. A parapet and trellis is proposed standing at 1.3m above.

Both units propose the following materials;

- Timber cladding;
- Aluminium profile cladding;
- Dark grey aluminium windows;
- Green wall system;
- Framed wire trellis with artificial climbing plants

The reason for the trellis is to screen necessary plant to be situated on the roof of the units.

Each unit would be provided with a covered outdoor seating area.

At the time of writing this report the former Police Station, situated to the immediate east of Unit B, was subject to a planning application for a change of use to funeral home (18/00910/FUL).

2 Planning History

Reference	Proposal	Decision	Date
16/00847/FUL	Change of use of Police Station to mixed use of A1, A2, A5, B1 and D1	Permitted	14/06/2016
18/00910/FUL	Change of use from Police Station to Funeral Home	Pending Consideration	

3 Planning Policy

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

National Planning Policy Framework (2018)

Section 2 - Achieving sustainable development

Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres

Peterborough Core Strategy DPD (2011)

CS14 - Transport

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

CS15 - Retail

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

Peterborough Planning Policies DPD (2012)

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.

PP09 - Development for Retail and Leisure Uses

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

PP11A - (a) Shop Frontages (including signage)

Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

PP11B - (b) External Shutters

Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

PP11C - (c) Canopies

Will only be acceptable on the ground floor of a shop, café, restaurant or public house and only if it can be installed without detracting from the character of the building or surrounding area.

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

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 (Submission)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP12 - Retail and Other Town Centre Uses

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate district and local centres. Retail development will be supported within the primary shopping area. Non retail uses in the primary shopping area will only be supported where the vitality and viability of the centre is not harmed. Only retail proposals within a designated centre, of an appropriate scale, will be supported. A sequential approach will be applied to retail and leisure development outside of designated centres.

The loss of village shops will only be accepted subject to certain conditions being met. New shops or extensions will be supported in connection with planned growth and where it would create a more sustainable community subject to amenity and environmental considerations provided it is of an appropriate scale.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP33 - 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.

4 Consultations/Representations

PCC Tree Officer

No objection - Supporting the application is an Arboricultural report produced by John Wilcockson, Arboricultural Consultant. The report outlines the removal of a group of mixed broadleaved trees (G6), two Whitebeam (T380 and T381) and a single Eucalyptus T386). Looking over the documentation it appears that G6 is outside the red line and that the additional Eucalyptus to include T337 is alluded to be removed.

The Eucalyptus are the dominant trees on the site and I agree with the appraisal of the trees. Their long term potential is fairly limited compared to other species. So whilst they look relatively mature this is due to their fast growing characteristics which generally speaking compromises their structure.

There is no arboricultural objection to the proposal. If the application is successful it is recommended that further information on tree protection is provided by condition along with a definitive account of tree removals and retentions. It is noted in the report that T377 Eucalyptus could be retained but I believe its removal and replacement would be a better solution. In any case a strong landscape planting scheme that adds character with trees that break the skyline to replace the Eucalyptus would be appropriate. In this case fastigate trees (not hornbeam) would be appropriate. However, root barriers/deflectors must be employed to prevent future damage/nuisances.

Werrington Neighbourhood Council

Object - Although Werrington Neighbourhood Council would be supportive of any proposals that truly renovated the centre, this development seems to be generally very detrimental.

The proximity of the proposed units and servicing area to Sutton Court would generate noise, disturbance and a loss of privacy. No hours of use proposed.

The servicing area appears substandard, and conflicts with key pedestrian and cycle movement. It will remove a key entry into the Centre and would lead to potential safety hazards.

The positioning of the development with a seating area creates a bottle neck for accessing the Centre, and blocks views to the rear of the Centre creating a barrier, reducing footfall.

The Centre has ongoing anti-social behaviour issues. Failure to make good use of the central square area and by placing the units into a courtyard effect will only encourage youth gatherings, making the Centre a no-go area at night.

The positioning of the unit will lead to a loss of a green space and attractive trees. Trees provide a broad range of benefits from providing wildlife habitat, including shrubbery, provide an attractive aspect to the area giving screening, shade, storm water attenuation, visual amenity and softening and complimenting the built up area, whilst diluting the impact of pollution.

The removal of easily accessible entry points is to the detriment of pedestrians and cyclists. There should be improvements in walking and cycling connections to the District Centre.

The proposed development, by reason of its size and siting, would have an adverse visual impact on the scale and character of the Centre. The location seems to be wholly detrimental to the appearance of the centre and changes its character in an adverse way. It will affect the development on the character of the neighbourhood and is out of character in terms of its appearance compared with existing development in the vicinity. The units give an unacceptably high density / over-development of the site, especially with the loss the open aspect of the neighbourhood. This development is destructive of the original design whilst not replacing it with anything better.

The current Centre needs to be protected and supported and it is noted that non A1 uses will only be granted if the development would maintain or enhance the vitality and viability of the Centre and appearance of the frontage.

The application is contrary to LP12, LP13, LP16 and LP17.

Werrington Neighbourhood Council therefore objects to this application. It is also aware of widespread community concern for this application

PCC Peterborough Highways Services

First Round of consultation

Comments - Peterborough Highway Services has reviewed the submitted transport statement and has the following comments:

- The TRICS trip rates used in the TA are for a non-food superstore which does not actually reflect the size of units proposed, that said, no discounting has been applied for the fact that the units are located in a district centre. I would therefore be mindful to accept the rates although not necessarily the methodology behind them.
- Units of the size proposed are unlikely to generate a significant volume of Peak Hour traffic compared to that generated by the existing centre (in particular the Tesco foodstore) therefore the additional trips will not have a significant effect on the highway.

The layout of the scheme could be improved however, to maintain pedestrian desire lines alongside and on the approaches to the new units.

The servicing otherwise looks acceptable in terms of turning and manoeuvrability but would benefit from being conditioned to be retained as such, should consent be granted.

Second Round of consultation

No objection - Further to the receipt of amended plans the Local Highways Authorities observations have been taken into consideration.

Police Architectural Liaison Officer (PALO)

Support - This proposal would improve an area that has over the years been allowed to over grow and attract anti-social behaviour. I believe community safety and vulnerability to crime has been considered. My only comment would be regarding any changes to the centres external lighting scheme and if there is going to be provision or any external CCTV as I believe some areas of the Centre are covered by CCTV. I am happy to be contacted by the developer to discuss ongoing security measures for the proposed development and if there is a requirement for a BREEM security needs assessment.

Open Space Officer

No objection – The Landscape Areas which are subject to removal/redesign are not definitive Public Open Space. Added to our discussion I concur with your thoughts on the removal of the Landscaping area to the left of the Loading Bay and conversion of such to hard surfacing.

Local Residents/Interested Parties

Initial consultations: 89

Total number of responses: 31

Total number of objections: 30

Total number in support: 0

Objections have been received from the Ward Councillors Fox, Fox and Lane, Fiona Onasanya MP, Werrington Town Council and the Peterborough Civic Society.

25x letters of representation have been received raising the following concerns;

- Highway safety and an increase in traffic;
- Skaters way has a weight limit and not suitable for delivery traffic;
- The centre is in need of refurbishment, it does not need additional units when there are units already empty;
- The centre is subject to issues of anti-social behaviour and vandalism, and the proposed scheme would exacerbate this;
- Increase in noise

- Loss of open space
- Design would not improve the character of the area and is out of keeping;
- No hours of use shown;
- The works to Ken Stimpson School and the elderly residents at Sutton Court need to be factored into this application;
- There is no need for 120 new flats;
- There is no dentists in this area and the doctors is full; and
- Has the Council undertaken due diligence checks on the Applicant?

Cllr's Fox, Fox and Lane

Objection - For the following reasons:

1. Werrington Centre has often been prone to anti-social behaviour and the addition of two units along an important frontage will limit a view from a policing and CCTV coverage. The units will add to the potential for persistent, ongoing misbehaviour.
2. The Centre is recognised in the Council's Local Plan as being in need of regeneration. There has been a number of empty shop units at this location for the past few years, with two or three still remaining so. These two units do not enhance the viability of the Centre as a shopping destination because they might add to the problem should contracts fail at any time.
3. The Local Plan would encourage additional business premises, but not if they could be a risk to existing business. Planning permission for non-A1 use will only be granted if the development would maintain or enhance the vitality and viability of the centre. The Centre has steadily lost its collection of traditional neighbourhood core shopping outlets and is slowly being replaced by a number of small cafe/takeaway outlets. To our mind, this does not resemble any form of regeneration.
4. The proximity of the two units to adjacent housing does not help the amenity for those residents. The outside seating area will subject the closest homes to constant noise pollution.
5. The access road for deliveries to the new stores would also subject the nearest homes to noise pollution from deliveries to the units.
6. This location, to the rear of Werrington Centre, is prone to on-kerb parking. We fear for a similar abuse on each side of the proposed access road that would obstruct pedestrians with wheelchairs or baby buggies, as well as mobility scooters, due to the reduction of the footpath.

Fiona Onasanya MP

Objection - For the following reasons:

- Noise, disturbance and a loss of privacy to adjoining residents. No opening hours are proposed;
- The proposed delivery area would remove a key entry point into the Centre, and lead to potential safety hazards;
- The seating area could cause a bottleneck effect;
- The centre has ongoing anti-social behaviour issues;
- Loss of green space and trees;
- The development does not accord with Policies LP13, LP16 and LP17

Without the approval of the Werrington Neighbourhood Council, Civic Society and wider community, I must unfortunately object to this application until further considerations and remedies to the above points are made.

Peterborough Civic Society

Objection - On the following grounds:

- Need for a comprehensive approach;
- Poor design and overdevelopment of the site;
- Loss of trees and open space;
- The proposed servicing area is not safe, involving reversing over footpaths with a potential for accidents; and
- Noise.

5 Assessment of the planning issues

The Principle of Development

As set out under Chapter 6.9.1 of the Peterborough Core Strategy DPD (2011) retailing is a dynamic industry. The most successful retail centres are those which are able to adapt, providing a broader range of facilities and services in a high quality environment.

The Peterborough Retail Centres Study (2009) confirms that the district centres now in most need of further investment are Werrington and Millfield.

Policy CS15 states the strategy for retail development in Peterborough is to ... support ... existing District Centres ... to ensure they continue to cater for the retail needs of the communities that they serve. New retail development will be encouraged to maintain and enhance the vitality and viability of centres, with a requirement that the nature and scale of any retail development should be appropriate to the role and function of the centre in which it would be situated.

Policy PP9 states where development is proposed within a District Centre..... the proposal should be of an appropriate scale (in terms of gross floor space) in relation to the role and function of the centre.

The proposed units would be occupied as either an A1, A2 or A3 uses, and would have a total floor area of 437sqm, with a gross internal floor area of 328sqm, an average of 164sqm of gross internal floor area per unit.

The proposed uses and scale of development is considered to be an appropriate scale for the centre, and the principle of development is therefore considered to be acceptable.

In addition, the proposal would contribute towards regenerating the centre through the investment of two new retail units and help its overall viability and vitality. As such the proposal is considered to accord with Policies CS15 of the Peterborough Core Strategy DPD (2011) and PP9 of the Peterborough Policies DPD (2012).

As set out within letters of representation there are a number of vacant units within the Centre.

Letters of representation have also highlighted that the existing units should be occupied before new retail units are constructed, and the units could be built but not occupied. These are not planning matters which Members can take into account in the determination of this application.

In response to representations received, it is recognised a holistic approach to redeveloping the Centre would be preferable, however this application is for the erection of two retail units only, and not the regeneration of the Centre, and Officers are required to determine the application which has been submitted to us.

Design and Layout

The proposed units would predominantly fall within two existing landscaped areas, which are host to low level planting and two mature eucalyptus trees. The loss of the trees are discussed in further detail below, however as confirmed by the Council's Open Space Officer these landscaped areas are not Public Open Space, and are afforded no protection, and there is no objection to the loss of these spaces.

As the units would largely be located over these landscaped areas the physical permeability of the site would remain, with pedestrian and cyclists being directed along similar routes, whether they would be travelling from the north, east, south or west.

The proposed units are modern in design and materials, and are in contrast to the existing centre. However, as set out within the Core Strategy and letters of representation, the Centre is in need of regeneration, and if this were to occur new materials would likely be introduced to add visual interest. The proposed materials are not considered to be unacceptable in isolation, and whilst these would appear in contrast to the surrounding buildings, if the Centre was regenerated at a later date materials such as what is proposed would be encouraged.

It is also acknowledged that the proposed units would block views of the centre from the car park and from Sutton Court to the south, however the existing footways would be maintained, retaining sight of the Centre core. The units would retain an element of visual permeability and visitors to the centre would be encouraged into the Core to see what is beyond.

Therefore whilst the materials and design of the units would be different to that of the centre core, it is not considered these would unacceptably harm the character or appearance of the immediate area. Subject to securing material samples the proposal is considered to accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

Crime and Anti-Social Behaviour

The Police and Architectural Liaison Officer (PALO) has raised no objection to the proposal as the landscaped areas have been allowed to over-grow historically and attract anti-social behaviour (ASB).

Letters of representation have raised concerns of increased ASB, however the PALO has confirmed community safety and vulnerability to crime has been considered. Comments have been raised with respect to the changes to any external lighting or the provision of any external CCTV as some areas of the Centre are covered by CCTV. Whilst this application cannot secure funding to provide an improved CCTV network for the whole Centre, a lighting scheme and details of any external CCTV for the units can be secured by planning condition. Subject to these conditions the proposal would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

Highways

There are two main servicing areas for the units within the Centre, which are accessed from Staniland Way to the north and Skaters Way / Sutton Court to the south. This proposal would create a new loading area within a pedestrianised area to the south of Unit B, adjacent to the former Police Station, to serve the proposed units.

Further to the receipt of amended plans the Local Highway Authority have raised no objection to the proposed servicing arrangement; the use of Skaters Way and Suttons Court for deliveries is deemed to be suitable, and that pedestrian routes would be satisfactorily maintained. The servicing arrangement would not prejudice existing parking provision on Skaters Way / Sutton Court.

As set out above the areas of soft landscaping will be secured by planning condition, and it is anticipated that the area of landscaping adjacent to the servicing area would likely be hard landscaped to improve permeability and accessibility.

As the application site is within a district centre off-street parking is not required to be provided for members of staff. There is a large surface car park to the immediate east and the centre is served by a regular bus service.

The proposed servicing arrangement is considered to accord with Policies PP12 of the Peterborough Core Strategy DPD (2012).

Letters of representation have raised concerns with on-kerb parking, and that the servicing arrangement would hinder safe access for cyclists and pedestrians. It is understood that on-kerb parking is an existing issue, however planning applications cannot be used to resolve existing issues. The servicing area, and Skaters Way, is subject to a weight limit. The Local Highway Authority have confirmed there is no weight limit on Skaters Way, and the access to the proposed loading area would be subject to a S278 agreement, and would be for loading and unloading only.

Amenity of Neighbour Occupiers

To the immediate south-west is 28-31 Sutton Court, 4 residential properties with rear gardens which face north onto the adjoining surface car park. These properties' gardens are bounded by a 1.8m high brick wall, with mature landscaping to the north.

Unit B and its outdoor seating area would be positioned in close proximity to the rear garden serving No. 31 Sutton court. The unit would be positioned to the east of this properties garden, however given the height of the structure and the juxtaposition of the unit to the travelling sun path it is not considered the proposal would result in an unacceptable loss of light to this properties garden. The unit would also be single storey, therefore given the position of the 1.8m high wall, it is not considered the proposal would result in an unacceptable loss of privacy.

The daily operation of the unit including deliveries, the outdoor seating area and any necessary external plant could result in adverse levels of noise and disturbance to these neighbouring properties, however, the application site and these properties are within the District Centre, where you would expect persons to visit throughout the day and early evening 7 days per week, To help mitigate any potential harm caused, the hours of use and hours of delivery of the units could be controlled by planning conditions, and as well as the hours to which the outdoor seating areas could be used. Details of any external plant could also be secured by planning condition to ensure these operate within acceptable levels.

Biodiversity

The proposed development would result in the loss of two landscaping areas, of which there are two what appear to be mature Eucalyptus trees.

The Council's Tree Officer has assessed the submitted Arboricultural report and concluded that whilst the Eucalyptus trees are dominant, their long term potential is limited and their fast growing characteristics generally compromises their structure.

The Council's Tree Officer has raised no arboricultural objection to the proposal, subject to conditions seeking tree protection clarification of tree removals and retentions. Subject to these conditions the proposal would not have an unacceptable adverse impact on the biodiversity value of the site, and would accord with Policy PP16 of the Peterborough Policies DPD (2012).

Other Matters (Council's response in italics)

- There is no need for 120 new flats – *This application is for the erection of 2x retail units only.*
- There is no dentists in this area and the doctors is full - *This application is for the erection of 2x retail units only.*
- Has the Council undertaken due diligence checks on the Applicant? – *This is not a material planning consideration and cannot be considered.*

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 proposed retail units would go towards regenerating this District Centre through the investment of two new retail units, and would improve the shopping provision for the Centre and its overall viability and vitality. As such the proposal is considered to accord with Policies CS15 of the Peterborough Core Strategy DPD (2011), PP9 of the Peterborough Policies DPD (2012) and the National Planning Policy Framework (2018).
- The proposed retail units would not unacceptably harm the character or appearance of the area, and would not give rise to crime or anti-social behaviour, and would accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012);
- The proposed retail units would not unacceptably harm the amenity of adjoining neighbours, and would accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012);
- The proposed development would not result in the loss of public open space, and the loss of two non-native trees and replacement landscaping is considered to preserve the biodiversity value of the site in this instance, in accordance with Policy PP16 of the Peterborough Policies DPD (2012); and
- The proposal would not result in a highway safety hazard and satisfactory servicing can be provided thereby according with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

7 Recommendation

The case officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

- C 2 No development shall take place above slab level until material details of walling, roofing and external doors have been submitted to and approved in writing by the Local Planning Authority. 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).

C 3 Prior to the commencement of development a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting
- Details of any boundary treatment
- Bin storage areas
- Planting plans including retained trees, species, numbers, size and density of planting. Trees to replace the Eucalyptus are encouraged to be fastigiate (not hornbeam).
- Specification of tree pits including tree barriers and deflectors

The approved hard landscaping scheme shall be carried out prior to the occupation of the unit to which it relates, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation of the unit to which it relates, or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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 visual amenity and enhancement of biodiversity in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 and PP16 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

C 4 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 the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

C 5 Prior to the commencement of any development, which includes any demolition, a Construction/Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include (but not exclusively the following):-

- a noise management plan including a scheme for the monitoring of construction and demolition noise;
- a scheme for the control of dust arising from building, demolition and site works;
- a scheme of chassis and wheel cleaning for construction and demolition vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- a scheme of working hours for construction;;
- a scheme for parking, turning and loading of contractors vehicles; and
- a scheme for access and deliveries including hours.

Thereafter the details shall be implemented in accordance with the approved details.

Reason: In the interests of the amenity of the area and highway safety in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD (2011) and PP12 and PP13 of the Peterborough Policies DPD (2012). This is a pre-commencement condition because these details will be required to be carried out/put in place before development begins.

- C 6 Prior to the occupation of each unit details of hours of use of the unit, the associated outdoor seating areas and deliveries and servicing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the unit shall operate in accordance with these details.

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

- C 7 Prior to the occupation of the each unit details of all mechanical ventilation and extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include manufacturer detailing. Thereafter all equipment shall be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of protecting the amenity of neighbouring residents, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

- C 8 Prior to the occupation of each unit details of security measures shall be submitted to and approved in writing to the Local Planning Authority. These security measures shall include details of any external lightening and CCTV system. Thereafter the approved lighting and CCTV system shall be implemented in accordance with the approved details and retained and maintained as such thereafter.

Reason: In the interest of crime prevention and anti-social behaviour, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C 9 No work shall take on the application site (including soil stripping, preconstruction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until a site specific Method Statement and/or Tree Protection Plan to BS5837:2012 *Trees in relation to design demolition and construction – Recommendations* methodology has been submitted to and approved by the Local Planning Authority that identifies (not exclusively) the following:

- Trees to be retained and those to be removed.
- Commentary on the reasoning behind every tree retention and every tree removal with additional commentary on future growth, shading and seasonal nuisances;
- Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the application site;
- Details of **all** Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable);
- Details of facilitation pruning;
- Location for access, material storage, site office, mixing of cement, welfare facilities etc; and
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees.

The scheme shall be implemented strictly in accordance with the agreed details/plans. The tree protection shall be erected according to the specification and locations shown on the agreed Tree Protection Plan. Signs will be placed on the tree protection emphasising that it is not to be moved, nor the area entered into until the end of development without written permission from the Local Planning Authority's Tree Officer.

REASON: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

C10 The units hereby approved shall only operate and receive deliveries between the following hours;

Units & Hours of Delivery
08:00 - 20:00 Monday to Saturday
09:00 - 18:00 Sunday

Outdoor Seating Areas
09:00 - 18:00 Monday to Sunday

Reason: In the interest of protecting the amenity of neighbouring residents, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012).

C11 The development hereby approved shall be carried out in accordance with the following approved plans:

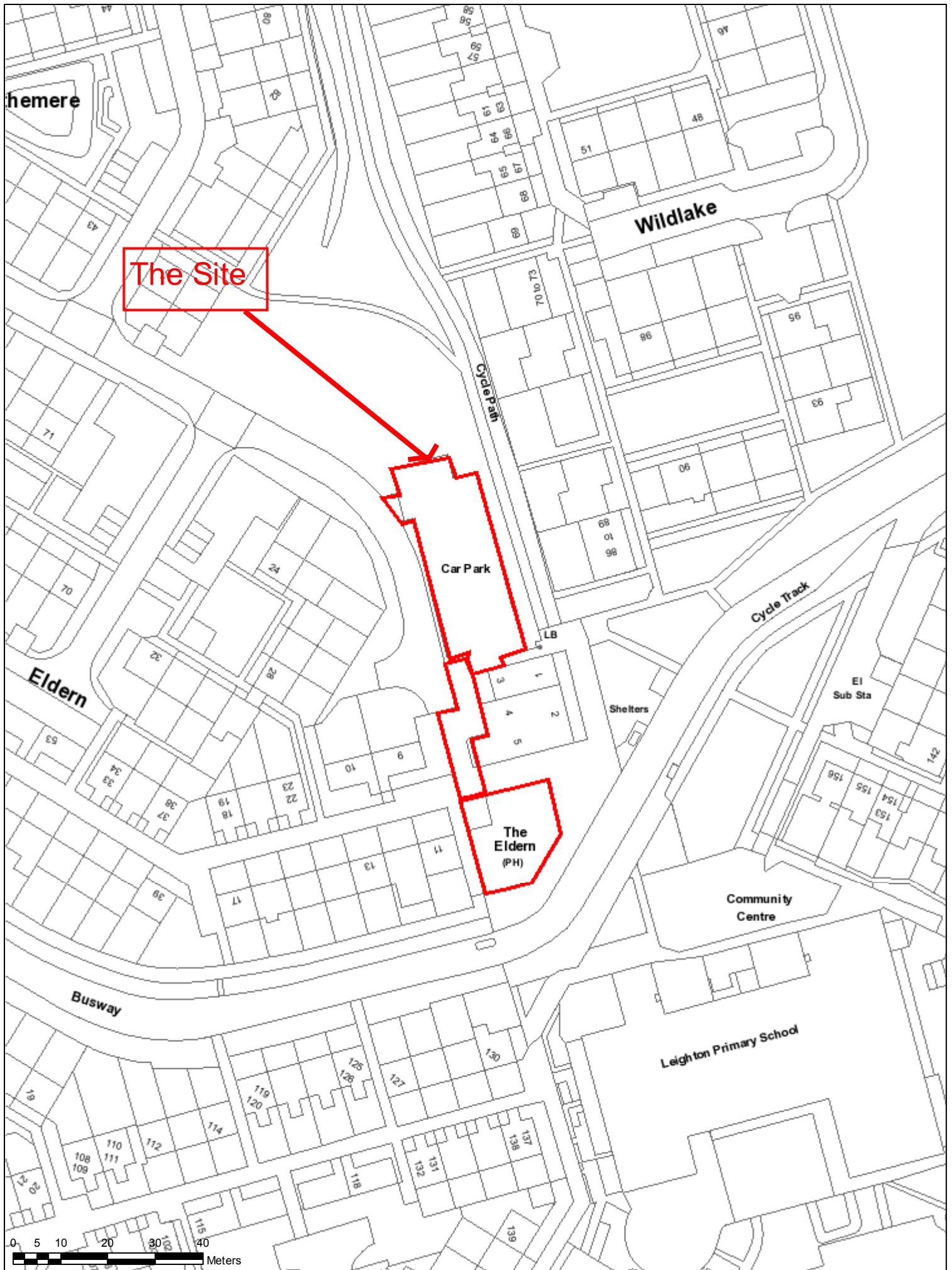
- Location Plan (25.01.18)
- Existing Site Layout (02.02.18)
- Proposed Site Plan (27.03.18)
- Proposed Floor Plans and Elevations (27.03.18)

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

Copies to Councillors:

Judy Fox
John Fox
Stephen Lane

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Committee Location Plan The Eldern, Orton Malborne 17/02205/FUL NTS

Scale 1:1,000
 Print Date: 23/08/2018

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Application Ref: 17/02205/FUL

Proposal: Conversion of first floor from 1 to 3 flats and construction of dormer window

Site: The Eldern, Eldern, Orton Malborne, Peterborough
Applicant: Mr Sunner
Agent: SLR Architectural

Referred by: Cllr Casey
Reason: Car parking

Site visit: 08.08.2018

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

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The Eldern was originally built as a public house (PH), and it is located within the Eldern Local Centre. The building is of an irregular shape with a large roof scape, and was until recently a PH at ground floor with a single flat above. The ground floor is now occupied by 4x 1-bed dwellings.

To the immediate north of the site are retail uses with residential units above. There are also some residential properties to the west and south west of the site, and a bus-way to the immediate south with Leighton Primary School beyond. The building is not served by any designated car parking, however there is a communal car park located to the north of the site.

Site History

In 2014 under planning application reference 14/01240/FUL planning permission was applied for to convert the ground floor of the PH into 7x 1-bed flats. This application was refused due to concerns in respect of future occupier amenity, lack of cycle and car parking and that a S106 legal agreement for infrastructure had not been entered into.

Subsequent to this, planning permission was applied for to convert the ground floor to 4x 1-bed flats together with the creation of a shared amenity / drying space under planning application reference 14/01893/FUL. This planning application was approved and has now been implemented.

Proposal

This application seeks planning permission for the conversion of the first floor of the building from 1 x 3 bedroom flat into 3 x flats (2 x 2 bedroom flats and 1x 1-bedroom flat), together with the construction of a large roof dormer extension. The proposed dormer would extend along the east, south-east and southern roof slope of the building. An existing high level first floor window on the northern elevation is also proposed to be changed into a standard sized window, to serve the kitchen of Flat 3.

Amended plans have been received during the course of the application, to clarify the red-line site application boundary and to insert an additional first floor side facing window into Flat 1.

2 Planning History

Reference	Proposal	Decision	Date
14/01240/FUL	Convert former public house into seven one-bed residential units at ground floor level	Refused	22/09/2014
14/01893/FUL	Convert former public house into four one-bed residential units at ground floor level	Permitted	23/04/2015

3 Planning Policy

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

National Planning Policy Framework (2018)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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.

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, 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.

PP13 - Parking Standards

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

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.

Peterborough Local Plan 2016 to 2036 (Submission)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

PCC Peterborough Highways Services

First Round of consultation

Comments - It stated in the pre application information that the existing car park was to be used for the parking requirements of the residents of the new dwellings.

As the existing car park also provides parking facilities for people visiting the nearby Nisa store and takeaway it was unclear as to whether the car park could safely accommodate the additional parking requirements of the new residents.

As a result of the above the Local Highway Authority (LHA) stated that should a formal application be submitted that a parking survey of the car park would need to be carried out.

Upon submission of the completed parking survey the LHA can then make a robust assessment of the proposals and submit final highway comments.

Second Round of consultation

No objection - The data and video footage collected as a result of the Parking Survey has demonstrated that the car park has sufficient available capacity to accommodate the parking requirements of the 2 additional flats proposed.

Police Architectural Liaison Officer (PALO)

No objection - This section is aware of the issues regarding anti-social behaviour. We are mindful that the existing conversion has improved the look of the building and with this proposed conversion and refurbishment of the bin stores this would improve the security and appearance of the site, and prevent unauthorised access and dumping.

The developer can contact this Service for any advice on security improvements for the whole site, including improvements to lighting and security of the refurbished bin stores.

Cllr Casey

Has referred the application to Planning Committee due to concerns about car parking.

Local Residents/Interested Parties

Initial consultations: 22

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

There have been 8 letters of representation received from 3 local residents raising the following concerns;

- The car park is at capacity, used by the school, teachers, shops and residents;
- People are parking vehicles on the road and on the footpath leading to the Eldern;
- The site is in a poor state of repair, and works sought under to the earlier application has not been completed; and
- Issues of anti-social behaviour, including littering, graffiti and the first floor flat being used as a cannabis factory.
- Rubbish thrown outside and no bins provided.

5 Assessment of the planning issues

The Principle of Development

The site is located within a designated Local Centre, as defined by the Site Allocations DPD. Whilst the site is still referred to as the Eldern, the PH use has since ceased on site further to the implementation of the 2014 planning permission which granted the conversion of the ground floor into 4 x 1-bedroom flats.

The site is located within the urban area of Peterborough, and is well related to surrounding services and facilities. Therefore the principle of residential use on this site is considered to be acceptable subject to satisfactory addressing the following detailed issues.

Design, Layout and Crime

To facilitate the proposed residential accommodation in the first floor, the building is to be extended by way of a large dormer extension, which would utilise a shallow roof slope and brown weather boarding materials. The dormer would be situated on the eastern, south-eastern and southern roof slopes of the building facing towards the bus route.

Whilst large dormer extensions such as the one proposed are not generally typical design features of the surrounding area. The proposed dormer has been designed to appear subservient to the building's roof, by being set back from the ground floor and down set down in height from the main ridgeline. The dormer is also proposed to be constructed in materials which are visually sympathetic to the character and appearance of the original building. Therefore whilst the proposed dormer would be visually prominent in the surrounding public realm, including Leighton Primary School opposite and adjacent bus route, it is not considered to be visually harmful to the character or appearance of the site or surrounding area.

In addition an existing high level window on the northern elevation is proposed to be changed into a full sized window to serve a kitchen, and a new window is proposed to be inserted into the southern elevation. Subject to these proposed windows being designed to match those in the existing building they are considered to be acceptable.

Crime - The Police Architectural Liaison Officer are aware of anti-social behaviour issues, however they have raised no objections to the proposed development. They comment that the existing residential conversion on site has improved the look of the building. This further residential conversion proposed would also further improve the visual appearance of the site. They are aware that the existing bin store is not adequately secure and this provides the opportunity for people to hang around who should not be there. The improved security of the bin storage area should be secured through this planning permission by condition. Further to the completion of these works it is anticipated that issues of untidy land and anti-social behaviour would reduce.

The letters of representation received raised concerns that the refuse collection area on site approved under the 2014 planning permission had not been implemented. The planning enforcement team have investigated this complaint and are satisfied that the bin storage area on site has been completed in accordance with the 2014 planning permission. It is recommended that a planning condition be appended if planning permission is granted, to ensure that the refuse collection area on site is retained and that adequate security measures are proposed to reduce the potential for crime and anti-social behaviour.

Subject to the development being implemented in accordance with the approved details, it is not considered that there would be any unacceptable harm to the character or appearance of the site or surrounding area, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

Amenity of existing and future occupier amenity

The windows of the proposed dormer extension would overlook the adjacent bus route and the public realm to the east and south of the site. Therefore they would not give rise to any unacceptable levels of overlooking, loss of privacy or outlook to any of the surrounding residential properties.

An existing first floor window is proposed to be enlarged, to become a full sized window, on the northern elevation to serve Flat 3. This window would overlook a communal terrace area serving the three flats above the shops to the immediate north of the site. As this is a communal area, and not a dedicated private amenity space, the introduction of this window serving a kitchen would not result in any unacceptable harm to the privacy of these neighbouring sites.

The amended plans received also include a new full sized window to Flat 1. It was not possible to introduce a window on the north elevation due to the proximity of a raised garden serving a residential property to the north. Therefore a first floor side facing window has been proposed instead. Whilst the outlook from this room would not be ideal, it does at least provide some natural light into the main kitchen and living area for this flat, to give improved amenity for residents.

Each flat would be provided a dedicated kitchen and living space, and the bedroom windows would be situated within the proposed dormer extension, thereby achieving a satisfactory outlook from these windows for future residents.

The proposal would not provide any dedicated private amenity space, however there are a number of public open spaces within a 5 minute walk of the site. Therefore future residents would have access to nearby outdoor amenity space. A dedicated refuse collection space is also provided to the rear of the building for residents.

Consistent with other schemes of this nature a condition is recommended in respect of the proposed security measures, specifically audio and visual access control, to help prevent unauthorised access to the communal areas.

As such it is considered that the proposal would not result in any unacceptable harm to the amenity of neighbouring residents, and would provide a satisfactory level of amenity for future occupiers. The proposal is therefore in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 and PP4 of the Peterborough Policies DPD (2012).

Access and Parking

The parking requirement for the existing 3 bedroom flat is 2 car parking spaces. The car parking requirements for the 3 flats proposed would be 5 spaces. Therefore discounting the spaces for the existing flat, the net additional car parking requirement would be 3 car parking spaces.

The submitted red line plan confirms that future occupiers would be able to park within the private car park located to the north of the site. This is the same as the previous car parking arrangements which formed part of the 2014 planning permission. The data and video footage collected as part result of the submitted Parking Survey has demonstrated that this car park has sufficient capacity available to accommodate the parking requirements of the 2 additional flats (3 car parking spaces) now proposed, and on this basis the Local Highway Authority raises no objection.

The site is located within a designated local centre, which is considered highly sustainable due to being well served by a regular public transport service, and having a range of facilities such as convenience food shops, hot food takeaways etc.

Officers are aware that car parking appears to be an issue within the immediate locality, particularly as the nearby car park is private and so people may be put-off from parking there. There are concerns by residents that 2x additional flats on the first floor of the building, as there is one already existing, would exacerbate existing on-street parking. The Case Officer has sought written confirmation that future occupiers of this site would be entitled to park within the nearby car park, and Officers at the time of writing this report are awaiting this written confirmation. Further information will be reported in the update report, however it should be noted that the site is located within a sustainable local centre, and the shortfall in the car parking requirement for this development is only 3 spaces.

A condition is recommended to require the car parking spaces be provided and retained for this residential use prior to the first occupation of the flats. Subject to this condition the proposal would accord with Policies PP12 and PP13 of the Peterborough Policies DPD (2012).

6 Conclusions

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

- The proposed flats would be located within the urban area of the city, and the proposed works would not unacceptably harm the character or appearance of the host building or surrounding streetscene. As such the proposal would accord with Policies CS1, CS2 and CS16 of the Peterborough Core Strategy DPD (2011), and PP1 and PP2 of the Peterborough Policies DPD (2012);
- The flats would not result in any unacceptable harm to the amenity of adjoining neighbours, and a satisfactory level of residential amenity would be provided for future residents, in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2012) and PP3 and PP4 of the Peterborough Policies DPD (2012); and
- The proposed development would not constitute a highway safety danger and sufficient car parking would be available in the nearby car park, in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).

7 Recommendation

The case officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

- C 2 Prior to the occupation of the first flat, or on completion of the development, whichever is sooner, three parking spaces shall be made available within the car park situated to the north, as shown on Drawing 479-17-150C (Site Location Plan) to serve this proposed development. These parking spaces shall remain available for these flats for the purposes of parking vehicles only in perpetuity.

Reason: In the interest of providing off-street car parking, in accordance with Policy PP12 and PP13 of the Peterborough Policies DPD (2012).

- C 3 The materials to be used in the construction of the external surfaces of the dormer window and openings hereby permitted shall match those indicated on the submitted plans and application form.

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).

- C 4 Prior to the occupation of the first flat, details of the communal refuse collection area at ground floor, and measures to make it secure, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse collection area shall be made available prior to the occupation of the first flat, and thereafter retained and maintained as such in perpetuity.

Reason: In the interest of providing satisfactory amenity for future occupiers in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2, PP3 and PP4 of the Peterborough Policies DPD (2012).

- C 5 Prior to the occupation of the first flat, details of a video and audio access control system to the communal pedestrian door, as well as a lighting scheme for the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access control and lighting system shall be implemented prior to the occupation of the first flat, in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of preventing vulnerability to and fear of crime, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C 6 Prior to the occupation of the first flat, details of secure cycle parking to serve all the flats hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall be implemented on site, so that each flat is provided with secure cycle parking, prior to first occupation and shall be retained and maintained as such in perpetuity.

Reason: In the interest of providing alternative and sustainable means of transport, in accordance with Policies CS14 of the Peterborough Core Strategy (2011) and PP13 of the Peterborough Policies DPD (2012).

C7 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the conversion/construction period. These facilities shall be retained for the duration of the conversion/construction period.

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

C 8 The proposal shall be implemented wholly in accordance with the following details:

- 479-17-100B - Existing plans and elevations
- 479-17-160A - Existing ground and proposed first floor plans
- 479-17-150C - Proposed floor plans, elevations, block plan and location plan

Reason: For the avoidance of doubt

Copies to Councillors:

Graham Casey
Gavin Elsey
Irene Walsh

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