



PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 16 OCTOBER 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 4 September 2018 5 - 20
5. Development Control and Enforcement Matters
 - 5.1 18/01212/HHFUL - 22 Old North Road Wansford Peterborough PE8 6LB 21 - 28
 - 5.2 18/01259/DISCHG & 18/01368/FUL - Land Off Storeys Bar Road Storeys Bar Road Fengate Peterborough 29 - 56

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Committee Members:

Councillors: Iqbal, G Casey (Vice Chairman), L Serluca, C Harper (Chairman), P Hiller, J Stokes, S Martin, Bond, R Brown, Nawaz, and 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, Julie Robshaw, Glen More, 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, 4 SEPTEMBER 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors, Brown, Amjad Iqbal, Shaz Nawaz, Hiller, Hogg, Rush, Stokes and Serluca

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor
Julie Smith, PCC Highways

Others Present:

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bond and Martin. Councillor Hogg attended as substitute.

15. DECLARATIONS OF INTEREST

Councillor Hiller declared a disclosable pecuniary interest in item 5.4 by virtue of being a director of Medesham Homes and would leave the room before the item was discussed.

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

Councillor Casey declared an interest to make item 5.6 as Ward Councillor.

17. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 3 JULY 2018

The minutes of the meeting held on 3 July 2018 were agreed as a true and accurate record save for the addition of Councillor Rush who was in attendance.

18.1 18/00527/FUL - Madina Madrassa And Spiritual Centre 116 Midland Road West Town Peterborough

The Planning and Environmental Protection Committee received a report in relation to a Planning application seeking continued use of the site, but on a permanent basis, as an Education and Spiritual Centre.

The latest proposal also involved 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.

The Development Management Manager introduced the report and update report. It was noted that Highways had concerns over the adequacy of the number of parking spaces and the width of the access ways. In addition there were concerns around visibility when entering and leaving the site.

The Head of Planning commented that there was a risk to residential amenity around the site due to the intensive use of the site, which was due to increase if the application was approved. The application was also seeking to retain the existing temporary buildings which had a limited life use and were not of good visual standing. Environmental Officers had also raised concerns over an area of hardstanding concrete as there was the possibility that the area underneath was contaminated.

Gordon Smith the agent and Mohammed Younas on behalf of the applicants addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was acknowledged that the request to keep the temporary buildings was unusual, however it was planned, with fundraising activities to replace the buildings with permanent structures.
- The applicants were seeking to include a condition within the application to limit the life of the temporary buildings to five years, while money was raised to create the permanent structure.
- The Local Authority wanted to secure comprehensive development of the area and this application sought to do this.
- It was disappointing that the application was recommended for refusal, when an application for a number of homes by Medesham Homes had been granted to the South of the application site.
- There was a definite need for a more permanent mosque structure in the area. Most families needed to travel into the centre of the City at the current time. The current buildings were well used by the local community. It was thought around 7000 Muslims were within close vicinity to the site.
- There had been no recorded complaints from the local community with regards to the centre.
- Although the temporary application had a condition to include the painting of parking lines it was thought that this was merely an advisory and that there had been no issues with parking or accessing the site since it had been in operation.
- The youngest children using the site were aged between five or six, it was anticipated that they would not spend more than an hour and a half on site and never up to the closing time of 10pm.
- The facility provided a number of Muslim families a centre that they would be able to walk too instead of driving too, helping to alleviate congestion around the City centre.
- The capacity of the centre currently was around 200 to 250 people.
- Because the application was keeping the existing temporary structures for the current time it was not necessary to investigate any potential hazard under the hardstanding area. However, once permanent structures were to be build a survey of that area would be completed.

- Temporary buildings had a varied life span, these were currently thought to last around 48 - 65 years.

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

- The Committee were entitled to consider approving the application with the additional condition that a permanent structure be erected within five years. However, it was impossible to know what the parameters of this would be and the Planning authority would lose control over what would happen going forward.
- In 2014 permission was granted for the modular building to be removed two years ago and this should have already happened. The operation of use was deemed as currently being unlawful as the application was only granted for two years.
- There was a question mark over the promise of a permanent structure as the temporary structure was originally planned for two years and this had already been breached by a further two years.
- If the Committee were minded to reuse permission the applicants could appeal to the Secretary of State. However if no appeal was lodged and the applicants continued to use the site the authority could consider using enforcement action.
- It was considered that this application was an over intensive use of the land and it was inappropriate to continue using a temporary structure.
- The facility was well used by the local community and it would be shame to lose this.
- If the application was refused the applicants could submit another temporary application for the site to carry on its use.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (7 for, 2 abstain) to **REFUSE** the planning permission subject to relevant conditions delegated to officers.

REASONS FOR THE DECISION:

- 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).

18.2 18/00410/R3FUL - Ken Stimpson Community School Staniland Way Werrington Peterborough

The Planning and Environmental Protection Committee received a report in relation to expanding 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 would 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 would increase from 95 to 115 (an increase of 20). The school would 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 was 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 were proposed to other existing teaching areas to create the necessary teaching facilities.

Also proposed was 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 was 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 would be required, notably the removal of trees on one side of Staniland Way.

The Head of Planning updated the Committee on the proposal. Although there would be some loss to the school playing fields there would be no reduction in the overall number of pitches. Sport England had raised an objection to the application due to the loss of playing fields, however if the application was granted the Secretary of State could call in the application.

In response to question raised by Councillor Fower the Head of Planning confirmed that trees were to be re-planted to replace those removed, however they would be a different species due to their location closer to residential properties.

The Highways Officer commented that in terms of enforcement if the problem was around the locality of the school enforcement action could be taken, which could be in the form of PCSO's attending. The crossing for cycles were re-designed to make it safer. There would be no detrimental impact with the additional lane going onto the A15. It was confirmed that this had been through a road safety audit.

Vince Moon, Chairman of the Werrington Neighbourhood Council addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Council represented the views of residents of Werrington. There was general support for the expansion of the school, however some concerns had been raised.
- School traffic already created congestion around the school and the nearby roundabouts. with the increase in pupil numbers this was only going to lead to more traffic congestion.
- The residents of Crowhurst had expressed their concerns around the increase in traffic. A specific review should be proceeded with and a commitment to do so and any enforcement restrictions required should be adhered to.
- Issues around car parking problems needed to be addressed. The local centre car park was not a long term solution. Parking issues in the centre would lead to increased parking in the local streets.
- Residents were concerned over the loss of the trees especially those lining the avenue. Removal of these would create a negative visual impact on the local scene as well as creating increase noise pollution to residents.
- The association represented the views of local residents, although they had completed their own consultation they had collated the views from those who had come forward.

Brian Howard, on behalf of the applicant and Bryan Erwin, Head Teacher Ken Stimpson School, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The School had been rated as a good school. This had created an increased demand on school places at the school. It was important that the school and local authority worked at creating more spaces wherever possible.
- The school was inclusive of all children irrespective of any form of special need or disability. All pupils would be welcomed at the school.

- The school had run a number of projections and it was thought that an additional 20 staff would be effective to cover the intake of extra pupils over time.
- Although there would be encroachment onto the school playing fields the same number of pitches would be kept. Most of the spaces lost were being used solely for social needs.
- A number of public consultations had been held. Ward Councillors had generally been supportive of the scheme.
- The school would liaise with parents and the local neighbourhood council to increase awareness of parking issues. There was demand for travel alternatives that were different to cars.
- It was important that the school was a part of the local community and wanted good relationships with them.

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

- The school was well run and had integrated with the local community around.
- School places were in desperate need in the local area and across the City as a whole.
- Loss of the school land was minimal. The improvements to the highway scheme were amenable, traffic would be negated with the extra lanes being provided.
- Sympathise with the views of local residents, but there was a need for more school places. This application would provide further opportunities for school children.

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.

REASONS FOR THE DECISION:

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.

18.3 18/00894/FUL - Bridge Street Police Station Bridge Street Peterborough PE1 1EQ

The Planning and Environmental Protection Committee received a report in relation to seeking 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 were proposed.

The Head of Planning updated the Committee on the proposal and comments received as part of the update report. It was commented that the site was important to get right and not be detrimental to the assets of the City. The proposal sought to ensure the structure had as low a profile as possible so that it did not obstruct the view of the City or the Cathedral. No objections had been raised from Heritage England and the Conservation Officer had also not submitted any objections. There were conditions in place to ensure that the build was of good quality.

Mr Mehmed, Peterborough Civic Society, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was an opportunity to create a great environment and a change in the Rivergate road system.
- The Peterborough Civic Societies proposal would be of great benefit to the site and remove congestion of traffic from one side of the hotel. In addition guests of the hotel would have better views out over the river.

- The proposal would allow people to be more easily able to cross the roads.
- Traffic could be more easily controlled and would be safer for people on foot. The current proposals made no mention of any light controls for the crossing into the main entrance of the hotel.
- The Civic Society were not asking for the application to be refused, but for a deferment to assess the proposed road layouts.
- The sketches showing the proposed layout had been sent to the planning department and also to the agent.
- Funding of the road would come from local authority. it would need to be considered on its merits, and see what the benefits would be once completed.
- Benefits to the City would over time become apparent.

John Dadge on behalf of the applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It was important that the application in front of Committee was the application being decided upon.
- Quality materials would be used throughout the build process and would be finished to a high standard.
- Timing was an issue, the programme of work if granted was to start before the end of the year. It was then anticipated that the project would be completed by the end of 2019 or early 2020.
- There was no light loss to neighbouring flats. This had already been thought through by the applicant.
- The City Centre location was perfect for the applicants, it was deemed an attractive site and would be of benefit to the city gateway.
- Premier Inn had given a clear mandate that they wished to deliver the hotel within tight timescales and will be delivered upon unless there were any unforeseen circumstances.

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

- There were no additional burdens for taxi drop offs. The positioning of the entrance could be looked at in terms of getting the boundary treatment wall extended.
- The Amount of movements of vehicles around the existing route were few and far between and would not necessitate the addition of further lighted trafficking.
- The design of the hotel was not visually suitable as the gateway into Peterborough. This was not the right site of the application.
- The proposal was good for the site in question. There would be few developers who would want to build on the site.
- The proposed realignment put forward by the Civic Society of the road network would help with traffic flow around the City centre.
- The application would create a number of jobs during construction and once the site was fully operational.
- The City Council had no policy or scheme for the rejigging of the highway.

- It was possible to include a condition extending the boundary treatment to prevent people cutting across the road and walking across the main entrance.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (8 For, 2 Against) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASONS FOR THE DECISION:

Subject to the imposition of the attached conditions and revised conditions as per update report PLUS condition 16 to be reworded as follows:, C16 No development other than demolition shall take place until a scheme for the hard of soft landscaping of the site (to include measures to discourage pedestrians from crossing Bridge Street to the hotel entrance at points other than at the formal crossing point) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of

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

The approved hard landscaping scheme (including measures to discourage pedestrians from crossing Bridge Street to the hotel entrance at points other than at the formal crossing point) 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 and in the interest of road / pedestrian safety in accordance with Policy CS16 of the Peterborough Core Strategy 2011 and PP12 of Peterborough Planning Policies DPD 2012.

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.

At this point Cllr Hiller left the room for the following item.

18.4 18/00491/R3FUL - Bretton Court Rightwell East Bretton Peterborough.

The Planning and Environmental Protection Committee received a report in relation to seeking 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 owned 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 were 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 it was envisaged that this may initially be used for temporary accommodation for homeless people.

The Head of Planning updated the Committee on the proposal. The Committee were informed that there was no on site parking attached to the application. However, there were strong links to public transport and local centres that could be used as parking.

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

- The Parish Council objected to the application as there were too many discrepancies within the application. It was unclear whether the scheme was for temporary accommodation or for the open market.
- There was no supporting documentation outlining who was going to be managing the building.
- The application made no mention of parking arrangements and the Parish Council agreed with the objection put forward by Highways.
- The escape route on the plans made provision through the refuse area, however this was too tight and if the bins were moved it would make it impossible for residents to be able to leave the building in case of emergency.
- The modest size of some of the units would indicate that families would be housed in some of the units. In addition if there was to be a family they would almost certainly have a vehicle, for which no parking was provided.

- There were no objections to the appearance of the scheme, this was far improved from what was currently on site. It was important that a secure maintenance and management plan was put in place.
- The biggest concern was over the use of the units, it was unclear as to the length of time this might have been used by homeless people.

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

- Planning Officers were aware of the refuse arrangements and the fire escape passage. A condition could be added for a management proposal to keep on top of the refuse area and ensure the safety of residents.
- There was no distinction between temporary accommodation and normal open market accommodation in terms of planning policy. There was no reason to suspect that temporary units would need more supervision compared to housing association tenants.
- The application did not meet parking policy provisions. Highways had no alternative but to raise an objection to the scheme on this issue. It was stressed that although this was the case Planning officers weighed up the objections and on balance recommended approval of the scheme.
- If the application was refused and the building returned to be used as offices there would still be no parking for any potential office staff as the car park adjacent to the development was owned separately.
- In order to meet parking policy there would need to be 64 parking spaces, with visitors bays. However it was stressed that occupiers of the flats could use the time restricted parking in Sainsburys.
- It was possible that the initial use of the units would be temporary accommodation, however over time it could be returned to the open market.
- As there were family units there would normally be more car parking spaces available. In most cases applications that made no provision for car park spaces would be refused.
- In most cases homeless families only had their possessions with their vehicles, if there were no spaces they would potentially have to give up their vehicle.
- There was a serious lack of homeless provisions within the City and this application sought to alleviate some of these issues.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (6 For, 3 Against) to **REFUSE** the planning permission.

REASONS FOR THE DECISION:

To accord with the Peterborough Planning Policies DPD Policy PP13 for a C3 dwelling, 56 allocated off highway parking spaces are required as well as 10 unallocated visitor parking spaces. The proposal makes no provision for any parking spaces. Whilst the site benefits from a District Center location with good public transport, walking and cycle links and restricted short term private parking nearby, this is insufficient to mitigate the lack of any dedicated car parking. The proposal is

therefore contrary to the provisions of Policy PP13 of the Peterborough Planning Policies DPD 2012

At this point Cllr Hiller returned to the room for the remainder of the meeting.

18.5 18/00667/FUL - Land Adjacent To Werrington Police Station 6A Skaters Way Werrington.

The Planning and Environmental Protection Committee received a report in relation to 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).

The Head of Planning updated the Committee on the proposal. It was possible to alter the opening hours to reduce noise to local residents should the Committee be minded to do so.

Councillors Judy and John Fox, Ward Councillors addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The centre was once thriving and enjoyed a wide retail offer, however over the years the centre had fallen into neglect. The proposed new units were not appealing and there were no assurances that these would be let from day one.
- There were a lack of CCTV facilities on the site, increasing the likelihood of further Anti-Social Behaviour (ASB) issues will increase ASB issues.
- There were fears that should the application receive permission it would set a precedent for future applications on the site.
- A number of empty shops was concerning, two more units might lay dormant.
- Shop owners were complaining of vandalism in the area and with the lack of CCTV it would make catching those committing offences harder.
- Potential development would not improve the look of the centre or get more footfall through. There were more consumers when the shops were occupied by independent shop owners.
- It was important that regeneration of the area was given precedent over installing more retail units.

Sally Weald, Werrington Neighbourhood Council and Andy Simmons addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Neighbourhood Council had held a number of open public meetings and produced newsletters outlining the objections to the scheme. The Council was representative of the views of local residents.
- The scheme was not in keeping with the rest of the centre. The proposed units would over look local residents.
- The centre was in urgent need of regeneration and this was more important than the installation of new shop units..

- Werrington had changed over the years. The Neighbourhood Council had worked closely with local services to try and combat some of the anti-social behaviour.
- The new units would create an alleyway leading to potential further crime in the area, especially if the CCTV was still inadequate.
- Parking at the centre was an issue. The lighting of the centre was also in need of repair.

Leon Delegate on behalf of the agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The proposal was of significant benefit to the centre. The layout complimented the centre and would provide an updated feel to the site.
- The proposal was the start to updating and upgrading the units across the site. They would be of high quality and maintained by the owners.
- The existing landscape was unimaginative and would be upgraded on the advice of qualified landscapers.
- Local Highways Authority had deemed the service area acceptable and noise levels would be addressed.
- There was no detrimental impact to local residents and no loss of light to the surrounding areas.
- There was further demand for more shops and the agents were in negotiations with other tenants to get empty shops filled.
- It was not possible to confirm the potential tenants at this stage, however negotiations were in place with a number of retailers.
- Ongoing discussions were underway to get someone in the existing units. It was important to stress that some retailers needed to have bespoke and modern designs.
- CCTV designs would be appended to the application as a condition, making sure it covered the area.

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

- The passion of the local Ward Councillors showed how the local community was against the application.
- There were concerns over the design of the proposed application.
- It was possible that the proposed units would be empty once completed and there would therefore be a number of empty units on site.
- There was no inclination over the proposed tenants of the new units, which could make a difference over whether to support the application.
- The loss of soft and hard landscape areas would lead the site to feeling more enclosed and a feeling of insecurity.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **REFUSE** the application. The Committee **RESOLVED** (Unanimously) to **REFUSE** the planning permission.

REASONS FOR THE DECISION:

Key design characteristics of the centre include the hard and soft landscaped areas and spacious and open feel. The development proposed would result in the loss of two significant areas of soft and hard landscaped area and a significant reduction in the openness of the area and give the area a significantly more of an enclosed feel compared to the present environment. The resultant design will have the effect of creating a series of narrow corridors with an overly enclosed feel. The scheme is contrary to Policy CS16 of the Peterborough Core Strategy (2011), Policy PP2 and PP16 of the Peterborough Planning Policies DPD (2012) and Policy LP 16 and LP 17 of the Peterborough Local Plan 2016-2036 (Submission draft) as it does not make a positive contribution to the quality of the built environment and would have a detrimental effect on the character of the surrounding area as well as result in the loss of a landscaped area which is an important design feature of the center.

18.6 17/02205/FUL - The Eldern Eldern Orton Malborne Peterborough

The Planning and Environmental Protection Committee received a report in relation to seeking 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.

The Head of Planning updated the Committee on the proposal. A condition had been added to have parking made available on an adjacent piece of land.

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

- The building had been derelict for a number of years and had been subjected to large amounts of fly-tipping.
- There needed to be more car parking spaces provided for the units, there was currently an issue with parking in the area. Adjacent to the shops there were parking spaces however these had been designated for employee's of the shop or customers for 30 minute periods.
- With the increase in the number of residents from the development further issues with parking would be created.
- Car parking spaces needed to be locked in before the application can be approved and started with.
- People parking everywhere, create another problem with parking.

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

- It was not believed that the owner of the car parking was the owner of the site. There had been a provisional agreement for the use of the car park for residents.
- It was a condition of the application that car parking spaces needed to be secured.
- It was important to note that residents could still park in different locations and this could not be enforced.

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.

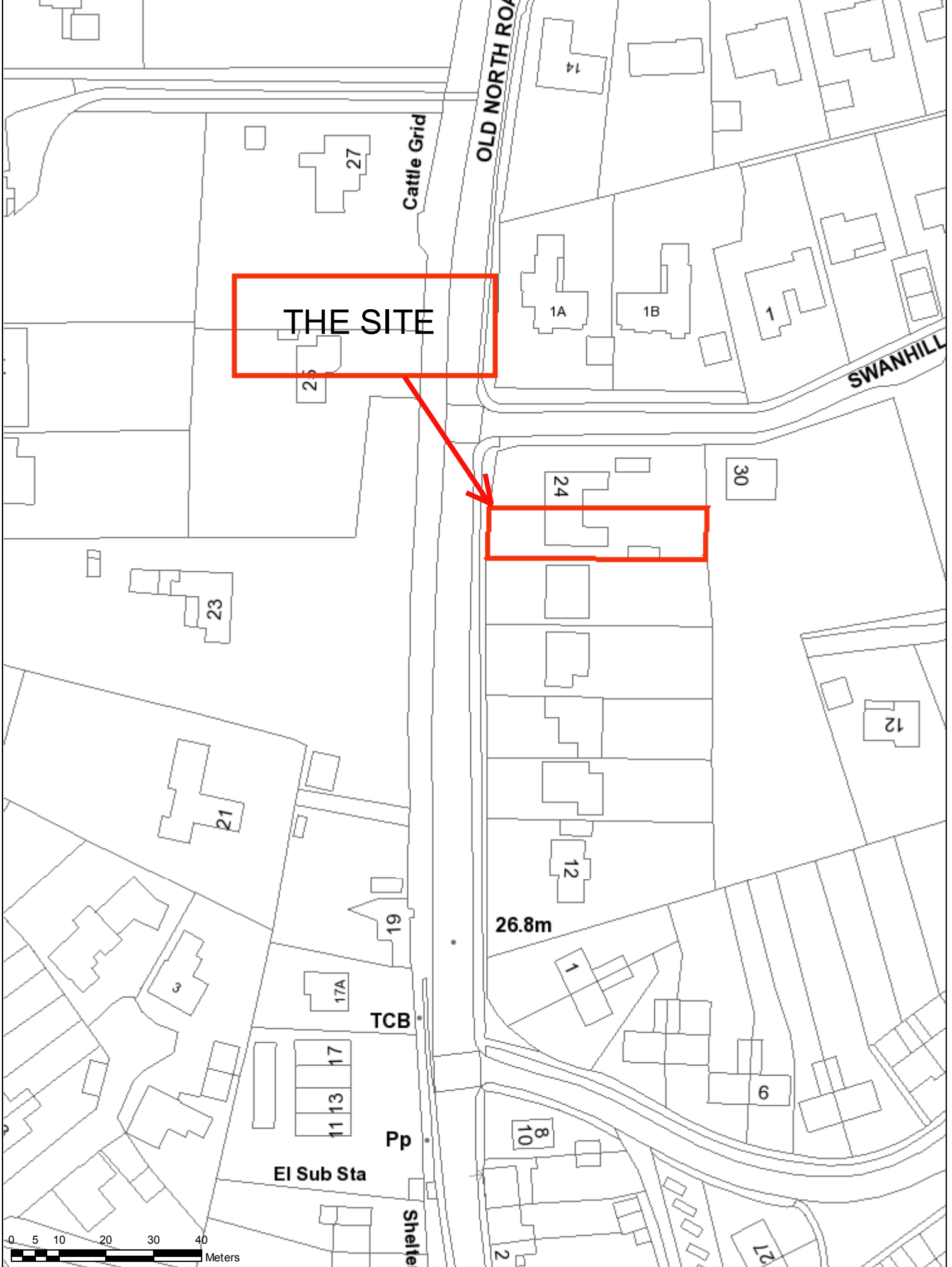
REASONS FOR THE DECISION:

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 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).

Chairman
1.30pm – 6.25pm

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Location plan - 18/01212/HHFUL 22 Old North Road

Scale 1:1,000
 Print Date: 03/10/2018

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Application Ref: 18/01212/HHFUL

Proposal: Single storey rear extension, first floor extension to rear and front dormer extension

Site: 22 Old North Road, Wansford, Peterborough, PE8 6LB

Applicant: Mr K Hamlyn

Agent: Mr A M Knight

Site visit: 21.08.2018

Referred by: Wansford Parish Council
Reason for referral: Parish council objection

Case officer: Miss Sundas Shaban
Telephone No. 01733 453504
E-Mail: sundas.shaban@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 a semi-detached chalet bungalow located within the Wansford Village Envelope. The property benefits from a single detached garage at the rear as well as a large driveway to the front and side with off-street parking provision for several vehicles.

Proposal

The application seeks planning permission for the following:

- Single storey rear extension measuring 2.3 metres (width) x 5 metres (length)
- First floor extension to rear measuring 7.1 metres (length) x between 4.3 metres and 5.1 metres (width) including a new side facing dormer
- Front dormer extension

The external materials are proposed to match the existing dwelling.

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.

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.

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.

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 (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.

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 proposals 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

Wansford Parish Council

Concerns over effect on the neighbouring property with regards to loss of sunlight and privacy.

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Two letters of objection have been received. One was from Wansford Parish Council as detailed above.

The second letter of objection was from the attached neighbour to the north (no.24 Old North Road) objecting on the following grounds:

- The first floor extension will result in an unacceptable loss of light in the dining room, lounge and patio area.
- The loss of light from the lounge window opposite the proposed rear extension is well above the 25 degrees BRE (Building Research Establishment) "rule of thumb" limit in the winter months. The loss of light from the dining room patio window perpendicular to the proposed rear extension is also well above the 45 degrees BRE "rule of thumb" limit in the winter months.
- The first floor extension and Juliet balcony would result in an unacceptable loss of privacy adversely affecting the rear garden of no.24.
- The first floor element is not in keeping with the surrounding single storey bungalows.
- Raising the roof height results in an overbearing impact.

5 Assessment of the planning issues

Design and impact on the character of the area

Only the front dormer extension would be visible from the public realm. The dormer sits well within the roof and is aligned with the existing dormer. This aspect of the proposal is considered to be minor and would not result in any unacceptable impact on the host property or the character of the area.

The proposed rear extensions including the new dormer would be blocked by the existing dwelling and the roof of the new extension would not be any higher than the highest part of the existing roof. There may be very limited views of the extension and dormer along the driveway or from Swanhill the road to the north. There are also a mix of house types and designs in the immediate area. As such, given the limited views of the rear extensions it is not considered that any unacceptable

adverse impact upon the street scene would result. The external materials of the proposed works would match the existing dwelling and would not therefore be at odds with the existing bungalow.

Given the above the proposal would not result in an unacceptable impact to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the emerging Peterborough Local Plan (2018).

Neighbour amenity

The front dormer extension would not result in any unacceptable impact on the amenity of the neighbours given its size, location and relationship with the adjoining neighbours. As such this aspect of the proposal can be accepted.

With regards to the detached neighbour to the south (no.20) the ground floor extension would not result in any impact as it would be blocked by the presence of the existing projecting element. The raised roof height and the first floor element would be located approximately 2.5 metres from the shared boundary with the neighbour and 4 metres from its side elevation. This separation distance is considered to be sufficient as to not result in any significant overbearing impact, especially given no.20 does not have any windows in the side elevation facing the application site. In addition given this neighbour is due south no overshadowing would result. A new dormer is proposed in the side elevation facing this neighbour which would have a window. This window would serve a bathroom and would therefore be obscure glazed. A condition will be appended to ensure this window is obscure glazed and retained as such.

With regards to the attached neighbour to the north (No 24) it is acknowledged that some impact would result.

The ground floor rear extension would be a small infill projecting approximately 4.8 metres from the rear elevation of the application site and bring this part of the house approximately 2.2 metres closer to the attached neighbour to the north. It would not project beyond the rear elevation of the existing rear projecting element. Given the limited eaves height of only 2.6 metres which is only 0.6 metres higher than the boundary fence which can be erected without planning permission and the fact it would still be located approximately 2.1 metres from the shared boundary with this neighbour it is not considered that this element of the proposal extension would be overbearing. In addition, the applicant could erect a 3 metre long extension sitting on the boundary with an overall height of 4 metres under the permitted development allowances without the need to apply to the Local Planning Authority for planning permission which would result in greater impact than this element of the current proposal.

The application also proposes a first floor extension. The height of the roof of the existing projecting element would be increased by approximately 1.5 metres in order to create additional living space within the roof space. This would also extend above the widened ground floor extension.

The attached neighbour to the north (no.24) has objected to the raised roof height and first floor extension on the grounds of overbearing impact, loss of privacy and loss of light into their dining room, lounge and patio area.

With regard to the concerns raised about overbearing impact whilst it is acknowledged that the proposal would result in a change from the present relationship, creating a larger built form, given the off-set from the boundary (of 1.5 metres) and the fact that the roof slopes away from the neighbouring property it is not considered that any unacceptable overbearing impact would result.

The neighbour has commented that the proposal would result in a loss of daylight from their lounge window opposite the proposed rear extension which would be well above the 25 degree BRE (British Research establishment) 'rule of thumb' limit in the winter months. The neighbour has also commented that the proposal would result in the loss of daylight to their rear facing dining

room window in excess of the 45 degree rule also set by BRE.

The British Research Establishment (BRE) sets out guidance around loss of daylight and sunlight with a view to trying to ensure that new development does not have unacceptable impacts on these aspects of amenity. It is guidance and the Council has not adopted the BRE standards as its policy for assessing the impact of development albeit it is acknowledged by Officers that it is a useful tool for judging the acceptability of development.

Under the BRE guidance the 25 degree rule is applied where development faces directly onto existing properties. It would normally be used where for instance a new house is proposed at the end of a garden to ensure daylight is not unacceptably compromised to the rear windows of the existing house. The objector has in this case referred to the impact of the extension on their side facing lounge window. Whilst it is acknowledged that the proposed extension would impact upon this window using this 'test', the window is a secondary window and there is another rear facing window which serves the room. As such it is not considered that the loss of light to this room would be significant enough to warrant the refusal of the application.

The 45 degree rule to which the objector refers is used where development is adjacent to windows. Effectively a 45 degree angle is drawn in both the horizontal and vertical planes. If the angle extends beyond the centre line of the adjacent window then there is likely to be an impact upon daylight to that room. In this instance the proposed development would 'fail' the 45 degree test in the horizontal but not the vertical given the set back of the extension from the boundary and the angle of the roof. As such whilst it is acknowledged that the proposal would result in some loss of daylight to the neighbours rear facing dining room window it is not considered that the impact would be so severe as to warrant the refusal of the application.

The neighbour has also raised concerns about overshadowing and loss of privacy. It is accepted that some overshadowing would result given the orientation of the properties. However, the neighbour benefits from a large rear garden, the majority of which would be unaffected by the proposed development. As such the impact in the patio area is considered to be within acceptable tolerances.

With regards to the Juliet balcony this would not directly look into the neighbours and would not result in any greater impact than a window which could be installed in the rear elevation without planning permission. As such it is not considered that this aspect of the scheme could be resisted.

In summary whilst it is acknowledged that this proposal would have an impact on the attached neighbour it is on balance considered to be acceptable in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (2018).

Parking

The proposal will result in the creation two more bedrooms, however the parking requirement on the site would not increase and sufficient off-street parking would be retained. The property benefits from a large driveway to the front with off-street parking provision for several vehicles. As such the proposal would not result in any unacceptable impact on the nearby public highway, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (2018).

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 not result in an unacceptable impact to the character, appearance or visual

amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the emerging Peterborough Local Plan (2018).

- Whilst it is acknowledged that there would be an impact on the attached neighbour the proposal is on balance considered to be acceptable in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (2018).

- The proposal will result in the creation two more bedrooms, however the parking requirement on the site would not increase and sufficient off-street parking would be retained, therefore it would not result in any unacceptable impact on the nearby public highway, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (2018).

7 Recommendation

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

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

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

C 2 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

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).

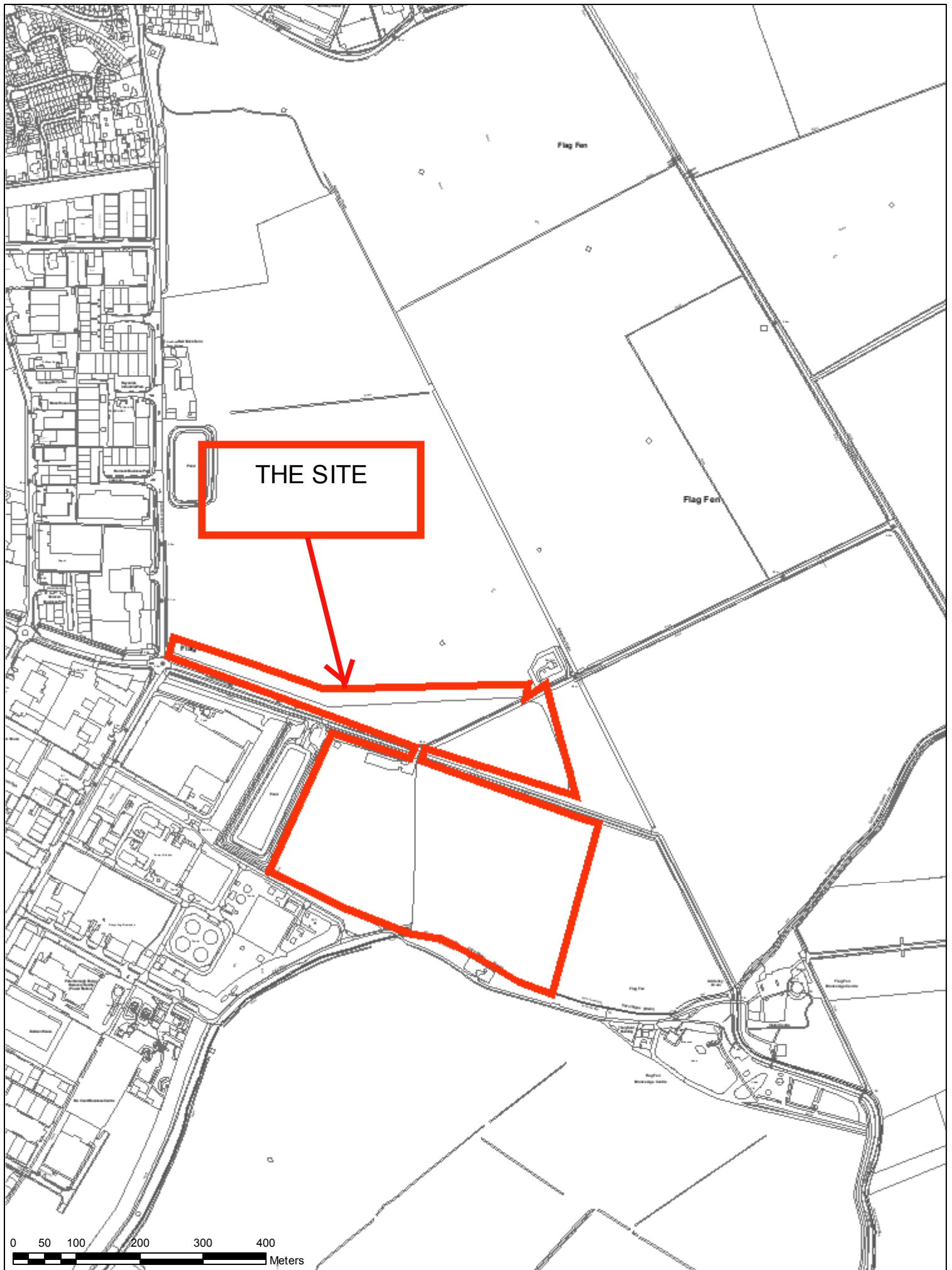
C 3 Prior to first use of the room which it serves, the first floor window on the side elevation serving the bathroom shall be fitted with obscure glazing (to a minimum of industrial standard level 3) and either non-opening or 1.7 metres in height from the floor level in that room. It shall subsequently be retained as such.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the emerging Peterborough Local Plan (2018).

C 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location plan
- Existing ground floor plan
- Existing first floor plan
- Existing elevations
- Proposed floor plans, elevations and block plan

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



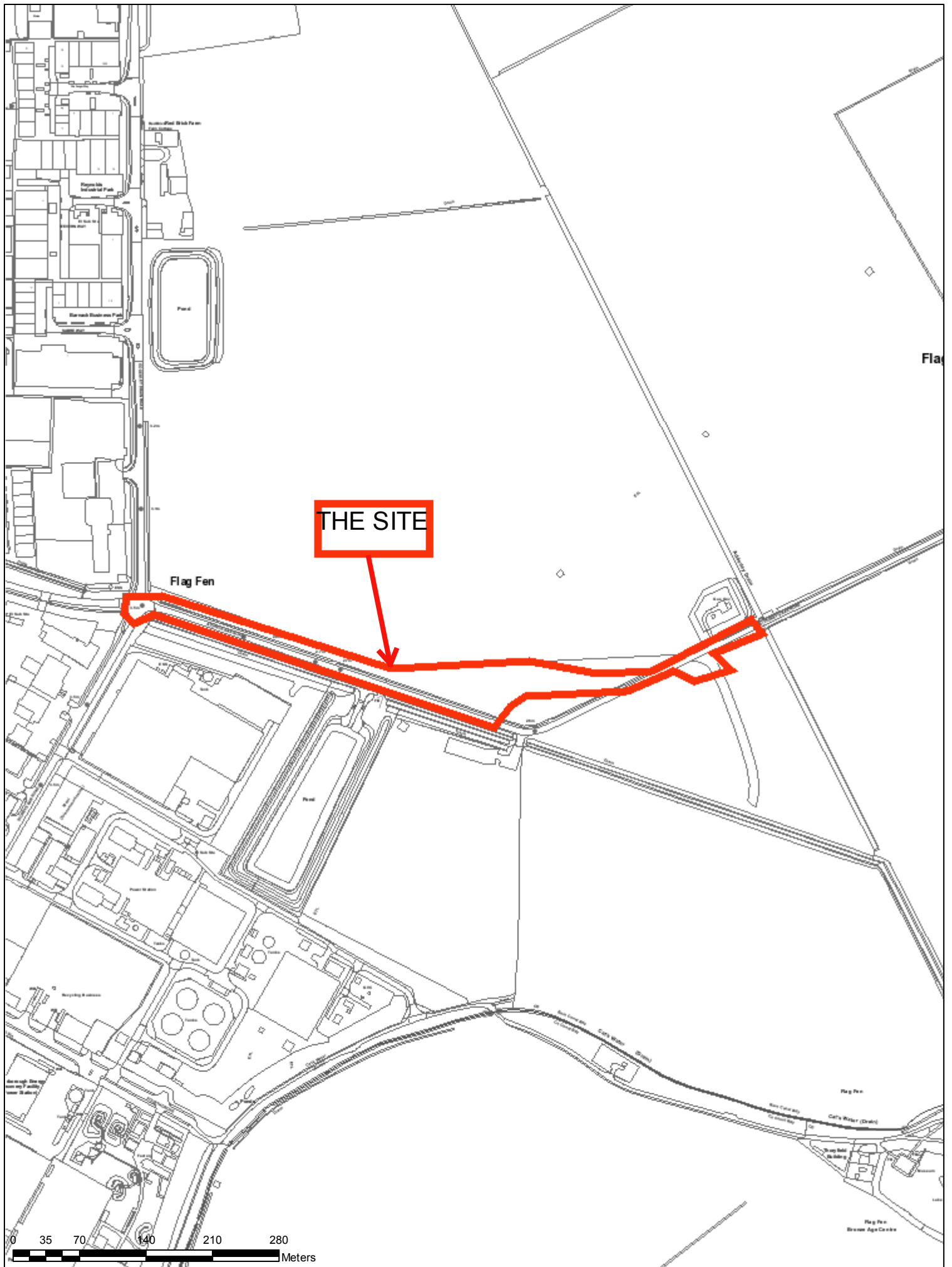
Location plan - 18/01259/DISCHG - Land Off Storeys Bar Road

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Print Date: 03/10/2018

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Location plan - 18/01368/FUL - Land Off Storeys Bar Road

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 Print Date: 03/10/2018

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Application Ref: 18/01259/DISCHG & 18/01368/FUL

Proposal 1: 18/01259/DISCHG - Discharge of Conditions 8 (to amend layout and design pursuant to condition 5), 23 (monitoring and control of noise), 37 (archaeology) and 46 (landscaping) of permission 08/01081/ELE (energypark)

Proposal 2: 18/01368/FUL - Highways and access works (roundabout and realignment of Storeys Bar Rd) pursuant to 08/01081/ELE

Site: Land Off Storeys Bar Road, Storeys Bar Road, Fengate, Peterborough

Applicant: Peterborough Green Energy Ltd

Agent: Mr Andy James
BHP Design

Site visit: 16.08.2018

Case officer: Mr A O Jones

Telephone No. 01733 4501733 454440

E-Mail: alan.jones@peterborough.gov.uk

Recommendation: Committee resolve to delegate authority to determine the applications in accordance with policy.

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

Background

The development, often referred to historically as PREL, benefits from an extant permission granted by the Secretary of State for Energy and Climate Change in 2009 (ref. 08/01081/ELE). The consent was granted pursuant to Section 36 of the Electricity Act 1989 setting out the broad parameters of the development of an energy from waste and biomass fuelled generating station at Storey's Bar Road with a generating capacity of up to 80MW.

Alongside the S36 consent, deemed planning permission is granted under Section 90 of the Town and Country Planning Act 1990. This permission sets out the particulars of the development and the elements subject to planning control, the 'pre-commencement' elements of which have been discharged, including the detailed design and layout under Condition 5. The site essentially incorporates two main process buildings, covering the majority of the site south of the Padholme drain, and an office / research and development building, re-alignment and access provision at Storey's Bar Road to the north of the drain.

Conditions have previously been discharged under three separate discharge of condition applications, and the permission has been subject to a number of non-material amendments whereby minor changes have been previously approved. The consent has been acknowledged as having been implemented (through a material start of development) and the development can therefore be built out and operated as previously approved.

Importantly in the context of this application, the Secretary of State included a Condition (no. 8), which allows for the variation of the layout and design scheme as originally approved (under Condition 5).

Site and Surroundings

The site, approximately 13.76 ha in size, is located on previously agricultural land off Storey's Bar Road on the eastern edge of the Eastern General Employment Area GEA3 (Peterborough Site Allocations DPD policy SA11), within allocated Waste Management Site W1Z (Cambridgeshire and

Peterborough Minerals and Waste Site Specific Policies DPD). The majority of the site lies to the south of Storey's Bar road, with a smaller area lying to the north. Overhead power lines run within the western edge of the site, which is also bisected by gas pipelines running along a north / south transect roughly through the middle of the site.

Open agricultural fields currently lie to the north of the site, within an area allocated for employment use known as Red Brick Farm. Padholme Drain runs alongside Storey's Bar Road, splitting the site into the smaller northern section and the larger southern section. The drain includes a flood storage area immediately adjacent to the west of the site, beyond which lies further industrial development within Fengate. To the southwest, and abutting the southern boundary of the site, lies the Peterborough Power Station, beyond this to the south the industrial area of Fengate also includes the City Council's Energy from Waste facility. Open countryside encompassing the Flag Fen Scheduled Monument, lies to the south where the Flag Fen Waste Water Treatment Works are encountered before the River Nene and associated SSSI, SPA SAC and Ramsar designated ecology areas can be found. The Flag Fen visitor Centre lies to the south east of the site, beyond which can be seen the chimneys associated with the Whittlesey brickpits and adjacent wind turbines. The open Fens extend away to the east.

Proposal 1 (Overview) – 18/01259/DISCHG

The proposal is to discharge Condition 8, to amend the layout and design approved under Condition 5, of the planning permission granted by the Secretary of State (08/01081/ELE).

The amendments subject to the Condition 8 variation are subject to Environmental Impact Assessment, and the application is therefore accompanied by an Environmental Statement.

Condition 8 states:

The Development shall proceed only in accordance with the scheme referred to in Condition (5) subject to any variation as may be approved in writing by the Council.

Condition 5 states;

Except for the Permitted Preliminary Works, the commencement of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a scheme which shall include provisions for the:

- (i) details of the siting, design, external appearance, and dimensions of all new or modified buildings and structures which are to be retained following the commissioning of the Development;
- (ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
- (iii) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the Site;
- (iv) details of all new or modified permanent fencing and gates required on the Site;
- (v) details of artificial lighting required during the operation of the Development; and
- (vi) phasing of works included in the scheme.

The application form and Covering Letter state that included within the submission is information to discharge the following conditions;

- Condition 9 in relation to cycle parking.
- Condition 23 in relation to operational noise
- Condition 37 in relation to archaeology, and
- Condition 46 in relation to landscaping and creative conservation

Proposal 1 (Description) – 18/01259/DISCHG

Permission is being sought for the discharge of Condition 8 to allow a variation to the design and layout of the scheme approved under Condition 5. The amended design will result in a single process building, 'Ethel', being located on the western half of the site, with the previously approved 'George' building, being omitted from the eastern half of the site. A separate, two storey, building,

including Administration Offices, Research and Development and Visitors Centre (hereafter referred to as 'the admin building'), still forms part of the overall plan for the site, and is located in a similar position to that previously approved, albeit to a different design. The admin building is serviced by cycle and car parking, and is linked to the process building by a footpath. The layout is predicated on the suitability of the access proposals as described below (i.e. Proposal 2).

The main process building (of which there is now only one, rather than two), with vehicular access from the proposed roundabout on the re-aligned Storey's Bar Road, will house a combined 4 flue stack of up to 80m above ground level, located at the northern end of the building. The footprint of the building will be slightly smaller than that previously approved, measuring approximately 200m by 125m, although the building at its highest point will be increased by around 15m to a maximum of approximately 35m. The combined flue stack of 80m in height will replace the 9 individual 53.8m stacks. A vehicle ramp will be located on the eastern flank of the building to a height of approximately 7m, allowing for loading and unloading of HGVs.

A guard house and visitor parking will be located to the south of Padholme Drain in front of the main building. Weighbridges and an ash bank will be located on the eastern side of the building, with a water pump house and oil tanks and pump house to the south. Car and cycle parking will be provided alongside the western elevation.

A foot / cycle way will be provided through the site, alongside Storey's Bar Road, and continuing south towards Flag Fen Visitors Centre. Landscaping and ecological mitigation will be provided across the site, including a new woodland corridor along the eastern flank of the site, planting alongside the Padholme and Cat's Water Drains and wetland habitat and ponds around the re-aligned Storey's Bar Road and new roundabout.

The proposed development, incorporating technology approved under the Section 36 consent, will generate 42.7MW electricity with an expected feedstock of 595,000 tonnes per annum. The original approved scheme had a maximum output of 80MW and feedstock of 650,000 tonnes per annum.

In addition to the above, the applicant has also requested to discharge conditions 9, 23, 37 and 46 as described.

Proposal 2 – 18/01368/FUL

The original consented scheme included a re-alignment of Storey's Bar Road and the provision of access to the site by a roundabout, with a secondary point of access further east being permitted for temporary use for the duration of the construction phase. Over time, amendments to the scheme were approved such that the essence of the re-alignment of Storey's Bar Road was retained, but with two separate T junction points of access (one in place of the roundabout, and one in place of the temporary construction access). The scheme proposed under 18/01259/DISCHG seeks to utilise elements of both previously approved schemes, i.e. the retention of the roundabout as the main point of access to the process building, and the retention of a T junction access to serve the Visitors Centre / Office building further east on the alignment of the original temporary construction access. It is noted that the roundabout will also be capable of serving the proposed Red Brick Farm employment area adjacent to the north.

Overview

The suitability of the procedural approach has been established, and this report is being presented to the Planning and Environmental Protection Committee to ensure the fundamental aspects of the proposal are subject to appropriate public scrutiny.

2 Planning History

Reference	Proposal	Decision	Date
18/01368/FUL	Highways and access works pursuant to 08/01081/ELE	Pending Consideration	
18/01369/NONMAT	Non-Material Amendment regarding access under condition 10 of 08/01081/ELE	Pending Consideration	
14/02058/NONMAT	Non-material amendment to planning permission 08/01081/ELE Construction and operation of an energy from waste and biomass fuelled generating station - Create dual access. Widen bridge over padholme drain. Replace roundabout with priority junction. Realignment of storey bar road between the two dual access points. Road layout with site adjustments to coordinate with amended access arrangements, location of gatehouse and entrance to car park area of research and development centre	Determined	23/12/2015
14/00077/DISCHG	Discharge of conditions attached to Permission 08/01081/ELE (Energy Park) as follows; C31 and C32 (site drainage)	Determined	04/04/2014
13/01913/DISCHG	Discharge of conditions attached to Permission 08/01081/ELE (Energy Park) as follows; C5 (Layout and design), C19 (Traffic management plan and access route), C37, C38 & C39 (Archaeology) and C46, C47 & C48 (Landscape and creative conservation)	Determined	17/02/2014
11/00067/NONMAT	Variation of condition C10 of planning permission 08/01081/ELE - Energy Park comprising two fully enclosed materials recycling, conversion and manufacturing buildings (comprising materials receipt and recycling hall, recycled material store and biomass storage, food waste bio-reactor/digester, biomass energy conversion area with 9 stacks; dry cooling system; plasma enhanced vitrification area and remanufacturing processes), research and development centre with visitor space, WEEE re-use building, administration building, vehicle store/workshop, weighbridge, landscaping and habitat creation (including lakes, reed beds , brown and green roofs , tree belt and meadow border) and the realignment of Storeys Bar Road between the junction with Edgerley Drain Road and Vicarage Farm Road and the site access, pelican crossing, shared	Comments	02/02/2011

footpath /cycleway on Storeys Bar Road and extension to the Green Wheel cycle network.

SUBMISSION OF APPENDIX D
RESPONSE

10/00360/DISCHG	Discharge of conditions 4, 5, 10, 11, 13, 19, 30 and 40 of planning application 08/01081/ELE - Energy Park comprising two fully enclosed materials recycling, conversion and manufacturing buildings (comprising materials receipt and recycling hall, recycled material store and biomass storage, food waste bio-reactor/digester, biomass energy conversion area with 9 stacks; dry cooling system; plasma enhanced vitrification area and remanufacturing processes), research and development centre with visitor space, WEEE re-use building, administration building, vehicle store/workshop, weighbridge, landscaping and habitat creation (including lakes, reed beds , brown and green roofs , tree belt and meadow border) and the realignment of Storeys Bar Road between the junction with Edgerley Drain Road and Vicarage Farm Road and the site access, pelican crossing, shared footpath /cycleway on Storeys Bar Road and extension to the Green Wheel cycle network.	Determined	02/02/2011
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92/00003/OUT	Industrial development for B1(c), B2 and B8 use classes	Refused	19/01/2004
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08/01081/ELE	Energy Park comprising two fully enclosed materials recycling, conversion and manufacturing buildings (comprising materials receipt and recycling hall, recycled material store and biomass storage, food waste bio-reactor/digester, biomass energy conversion area with 9 stacks; dry cooling system; plasma enhanced vitrification area and remanufacturing processes), research and development centre with visitor space, WEEE re-use building, administration building, vehicle store/workshop, weighbridge, landscaping and habitat creation (including lakes, reed beds , brown and green roofs , tree belt and meadow border) and the realignment of Storeys Bar Road between the junction with Edgerley Drain Road and Vicarage Farm Road and the site access, pelican crossing, shared footpath /cycleway on Storeys Bar Road and extension to the Green Wheel cycle network.	Called in by SoS	04/11/2009
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SUBMISSION OF APPENDIX D

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 2a - The purpose of the planning system

The purpose of the planning system is to contribute to the achievement of sustainable development through three overarching and interdependent objectives namely supporting economic development, social development and cohesion and protection/enhancement of the environment.

Section 2b - There is a presumption in favour of sustainable development

There is a presumption in favour of sustainable development. For decision takers this means approving development proposals that accord with an up to date development plan without delay, and where there are no relevant policies or a policies are out of date granting permission unless there are other policies within the framework which provide a clear rear not to or any adverse impacts of doing so would significant and demonstrably outweigh the benefits when assessed against the Framework as a whole.

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.

Section 12 - 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 then 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.

Paragraph 163 - Flood Risk - Site Specific FRA

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.

Paragraph 175 - Habitats and Biodiversity

Permission should be refused if significant harm to biodiversity would result which cannot be avoided, adequately mitigated or as a last resort compensated for. Development on land within or outside of a Site of Special Scientific Interest and which is likely to have an adverse effect on it should not normally be permitted. The only exception is if the benefits clearly outweigh both its likely impact on the features for which it is designated and any broader impacts on the national network of Sites of Special Scientific Interest. Development resulting in the loss of or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional circumstances and suitable compensation strategy exists.

Paragraph 175 - Biodiversity Enhancement

Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to incorporate biodiversity in and around developments should be encouraged.

Paragraph 177 - Exception to Presumption in Favour of Sustainable Development

The presumption does not apply where development requiring appropriate assessment because of its potential impact on a habitat site is being planned or determined.

Paragraph 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.

Paragraph 181 - Air Quality

Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

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.

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

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

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

minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW15 - The Location of Future Waste Management Facilities

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

MW22 - Climate Change

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

MW24 - Design of Sustainable Minerals and Waste Management Facilities

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

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

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

MW30 - Waste Consultation Areas

Waste Consultation Areas will be identified through the Core Strategy and Site Specific Proposals Plan and development will only be permitted in these areas where it is demonstrated it will not prejudice future or existing planned waste management operations.

MW32 - Traffic and Highways

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

MW33 - Protection of Landscape Character

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

MW34 - Protecting Surrounding Uses

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

MW35 - Biodiversity and Geodiversity

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

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a

designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW37 - Public Rights of Way

Minerals and waste development will only be permitted where permanent or temporary diversions of public rights of way are adversely affected if appropriate alternatives are provided. Proposals should, where practicable, provide for the enhancement of public rights of way.

MW39 - Water Resources and Water Pollution Prevention

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

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

Adequate water pollution control measures will need to be incorporated.

Cambridgeshire & Peterborough Mineral and Waste Site Specific Policies DPD (2012)

SSPW1 – Waste Recycling and Recovery Facilities

Site W1Z – Storey's Bar Road, Fengate, Peterborough

SSPW8 – Waste Consultation Areas

WCA W8AZ – Storey's Bar Road, Fengate, Peterborough

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.

4 Consultations/Representations

PCC Conservation Officer (20.08.18)

Object.

The impact on the significant west elevation of Peterborough Cathedral has been inadequately explored. More appropriate viewpoints than that adjacent to the rowing lake should have been taken, although it is noted that the views from the '3 cuts' to the north of the lake oscillate depending on the time of year and maintenance. Additional views should be provided from Crescent Bridge on Thorpe Road.

The Conservation Officer is also concerned that the viewpoints used to demonstrate the impacts on Flag Fen and its setting are inadequate to make a robust analysis.

Landscape Architect (Amey) (07.09.18)

The changes to the consented scheme are recognised as a reduction in the overall footprint of the development by virtue of the omission of the 'George' building, but the increase in the height of 'Ethel's roof profile and significant alteration to the flue stack height will represent wide scale change regarding visual aesthetics and impacts on receptors in the unique Fen land setting. The degree of harm on the landscape and visual receptors is recognised, which adds weight to the need for successful design and delivery of mitigation proposals to ensure the proposal is assimilated as effectively as possible into the distinctive Landscape Character Area (sub-area 4A Bedford North Level).

An array of clarifications have been sought to ensure the validity of the conclusions within the Landscape and Visual Assessment, including the impact of the ramp on the eastern elevation and the impacts of the lighting strategy. However, a number of suggestions to improve the mitigation measures have also been put forward including amendments to the cladding (colour and alignment) and planting.

With regards to the Landscaping and Creative Conservation scheme required under Condition 46, it is noted that the Master Plan provided does not fulfil all the requirements of Conditions 47 and 48 and recommendations are provided accordingly.

The Landscape Architects recommendations are summarised as follows;

- Clarification of the Visual Assessment methodology
- Assess the intra-cumulative effects for users of the new section of the Green Wheel south of proposed highway
- Further visual impact assessment of the use of the ramp on the eastern elevation of 'Ethel'
- Further visual impact assessment of 'Ethel's proposed roof profile
- Additional information regarding the form and width of the proposed flue stack
- Clad the towers of the Multi-Functional Water Pump House vertically
- Reconsider the aesthetics and strategy for the cladding proposed for 'Ethel'
- Provide a photo-reveal or equivalent to demonstrate the proposed cladding for each elevation of 'Ethel'
- Proposed the flue stack to be stainless steel
- Provide further information regarding the design of SuDS systems for all hard surfacing
- Provide further information on the alignment of the fencing south of the Water Pump House with regards to how it cuts through existing trees / vegetation
- Confirm details of the heights of wall mounted flood lights to 'Ethel's elevations and column mounted yard luminaires.
- Provide further information on the proposed bollard lighting aligning the connecting path between the Visitors centre and 'Ethel', and consider introducing low level planting to contain lighting glare
- Undertake a Visual Impact Assessment on the proposed lighting strategy

- Clarify the phasing of proposed planting and creation of ecological habitats

With regards to the Landscaping and Creative Conservation scheme required under Condition 46, the Landscape Architects advises that consideration should be given to;

- The retention of the planting associated with the 3m bund, but the removal of the bund itself
- The placing of an additional tree buffer north of the 5m wide field margin adjacent to Cat's Water Drain
- The spacing and species of planting groups throughout and across the site
- The provision of a detailed Landscape Management Plan and maintenance schedule, which include the removal and replacement of failed planting
- The supply of method statements for the protection and management throughout construction and operational phases of development for any existing trees, hedgerows and landscape features
- The inclusion of all details required under the provisions of Conditions 37 and 48.

PCC Wildlife Officer (21.08.18)

Object.

The full ecological impact of the proposal has not been adequately assessed as a result of the partial completion of ecological surveys. The results of such surveys need to be carried through to appropriate avoidance, mitigation or enhancement measures.

Surveys that have been completed demonstrate that great crested newts and bat roosts are unlikely to be affected.

A detailed Ecological Management Plan, setting out all measures to ensure impacts to protected species are adequately avoided and mitigated should be provided, along with details of how the habitats on site will be managed to benefit biodiversity. Such a plan will inform both Condition 11 (in terms of the construction phase of development) and Condition 46 (in terms of the operational phase of development).

PCC Pollution Team (03.09.18)

The Air Quality assessment has adequately demonstrated that the discharge from the proposed stack is acceptable in relation to human health. The detailed dispersion modelling has been undertaken in accordance with the appropriate methodology.

Although full details of the equipment and activities are not currently available, the extant permission requires the development to adhere to specified noise levels. The noise assessment indicates that mitigation measures may be required to ensure that the development does not exceed the noise limits.

The modelled odour concentrations for the operational phase of development are acceptable. The details of the dust and odour management plans are acceptable, and it is noted that these are stand-alone documents which can be readily reviewed and updated.

The Proposed Lighting Strategy states that "A full detailed lighting layout will be required to follow". Although the extant permission requires compliance with light limitations (Condition 7), the strategy should be reviewed to ensure that light levels will be demonstrated in the event of reasonable concern expressed by the Local Authority.

With regards to Condition 23, no specific programme for the monitoring and control of noise has been submitted, but is required prior to commissioning (i.e. operation).

Lead Local Drainage Authority (20.08.18)

The drainage proposals within the Flood Risk Assessment use out of date information. SuDS must be utilised wherever possible and any scheme must discharge its surface water at the greenfield rate. The surface water scheme should be revised to meet current standards.

PCC Peterborough Highways Services (12.09.18)

With regards to Proposal 1, dimensioned plans or swept path analysis for the site are required in relation to Condition 5 part (iii).

It is also noted that the extent of the site does not incorporate sufficient area for the full extent of highway works.

With regards to Proposal 2, in addition to clarification of the precise alignment of the proposed works, further information, including a Stage 1 Safety Audit, tracking plans, foot / cycle way amendments are all required. Advice is also provided with regards amendments to the speed limit for Storey's Bar Road and the need for stopping up parts of that road affected. Additional information has been requested with regards to the provision of cross sectional drawings to demonstrate the suitability of the proposals alongside the drain, and the need to ensure appropriate visibility splays are provided.

The Local Highways Authority also advise that the highway works are completed prior to the commencement of development (of Proposal 1) and seek clarifications regarding the requirements for the provision of temporary access, construction activities and how this affects the extant Condition 10.

Archaeological Officer (18.08.18)

Although the staged evaluation required by Condition 37-39 has been fulfilled, confirmation is required as to whether the archiving has been completed, and full discharge of the condition is not recommended until such confirmation is received.

On the basis of the reviewed results from the evaluation, monitoring of all groundworks should be considered in order to further reduce the residual effects of the scheme on potential buried remains and to enhance the current understanding of the site.

PCC Travel Choice (15.08.18)

Sufficient cycle parking is provided across the site, although the Site Masterplan needs to be clear that these are covered spaces. Provision of staff lockers and changing facilities should be noted in the Travel Plan, and it is disappointing that the Plan does not make provision for the charging of electric vehicles or designated parking bays for car sharing.

Additional advisory points are raised about the review and update process for the Travel Plan, and the potential for instilling a culture of sustainable travel at the initial point of occupation.

Historic England (31.08.18)

In terms of Proposal 1, the amendments would not be such as would materially alter the impacts which would have arisen from implementation of the consented scheme.

In relation to Proposal 2, although the setting of the Flag Fen Scheduled Monument will not be affected, no information has been presented to assess whether the ditch systems and water features will impeded measures to sustain and improve buried waterlogged deposits within the Monument. Further information on this matter is required.

Natural England - Consultation Service (07.09.18)

Object.

Further information is required to determine the impact on the Nene Washes and Holme Fen designated ecological sites. Such assessment should include air quality impacts, the identification of appropriate measures to mitigate any adverse impacts through changes to air quality and an assessment of the impacts through other effects including hydrology and contamination, impact on functional land (i.e. land that supports the designated sites) and details of measures to mitigate any adverse impacts.

An in combination assessment should also consider other plans or projects, and any recent developments that have been given permission that may or may not be operational.

Environment Agency (25.09.18)

Object

The Flood Risk Assessment (FRA) fails to demonstrate that the proposed finished floor levels are adequate to resist the potential depths of flooding over the lifetime of the development. As the development is essential infrastructure, all critical equipment should be located above the potential flood depths for the 0.1% (1 in 1000) scenario including climate change (flood depths of 0.5-1.0m).

It is acknowledged that the Sequential and Exception Tests are not applicable due to the extant consent.

The Agency have no objections to the unattenuated discharge of surface water from the site into Padholme Drain because this is only likely to occur when the plant is not in operation.

The Agency also advise that the overall pollution load into the atmosphere from the stack has reduced, and note the air quality impact assessments conclusion that the new design will offer a substantial improvement on the previous design in terms of air quality. The existing design already benefits from an Environmental Permit, and any changes to air quality will be assessed through the permit variation process.

Health & Safety Executive (20.09.18)

The HSE does not advise, on safety grounds, against the granting of planning permission.

Cadent Gas (10.08.18)

The consultation has been referred to the Asset Protection Team due to the proximity to National Grid Transmission assets.

National Grid (05.09.18)

Object.

The proposals cross, and are in proximity to, a High Pressure Gas Pipeline.

Vivacity (23.08.18)

The extant approval 08/01081/ELE is noted, and accordingly, comments are provide only in respect of the application for highways and access works (18/01368/FUL).

Vivacity are seeking to ensure that access is maintained to Flag Fen throughout the construction period, and highlight concerns over the impact of construction noise, particularly if this should coincide with expected construction works on other nearby projects, including the recycling centre.

The absence of a landscaping plan is a concern, and should be provide prior to consent being granted, with appropriate native species being used.

North Level District Internal Drainage Board (10.08.18)

No objections. The North Level IDB advise that their byelaws apply to the Adderley Drain.

Cambridgeshire Count Council (03.09.18)

No comments.

Fenland District Council (20.08.18)

No objections.

Eye Parish Council (24.08.18)

Eye PC confirmed they had no comments in relation to Proposal 2.

Local Residents/Interested Parties

Initial consultations: 5
Total number of responses: 1
Total number of objections: 0
Total number in support: 0

One comment was received seeking clarification with regards the consultation process and availability of statutory consultee comments.

5 Assessment of the planning issues

The main considerations are;

- 1 - The principle of development
- 2 – Air quality and emissions
- 3 – Noise and vibration
- 4 – Traffic and transport
- 5 – Ecology and nature conservation
- 6 – Landscape and visual impact
- 7 – Archaeology and cultural heritage
- 8 – Hydrology, hydrogeology and floodrisk
- 9 – Other issues

1 - The Principle of Development

The development benefits from an extant permission granted by the Secretary of State for Energy and Climate Change in 2009 (ref. 08/01081/ELE). All pre-commencement conditions have been discharged and it is acknowledged that the permission has been implemented by virtue of the construction of a car park. The site benefits from an allocation for waste management facilities in the Cambridgeshire and Peterborough Minerals and Waste (CPMW) Site Specific Proposals DPD, Policy W1 (allocated site W1Z), and is surrounded by a Waste Consultation Zone (W8Z) as prescribed by the CPMW Core Strategy, Policy CS30, which seeks to protect suitable sites from inappropriate development that may prejudice the existing or allocated waste management use. The site also falls within the Eastern General Employment Area (GEA3) in the Peterborough Site Allocations DPD, Policy SA11.

The submitted Environmental Statement also highlights a range of European and National policies of relevance, including the EU Renewable Energy Directive (2009/28/EC), the UK Renewable Energy Strategy 2009, the Waste Management Plan for England 2013 and the UK Clean Growth Strategy 2018. These policies are considered to be relevant to the principle of the development that has already been established by virtue of the original consent granted pursuant to Section 36 of the Electricity Act 1989. The proposal is considered to fall within the parameters of paragraph 2 of the Section 36 consent in terms of the proposed power output and main constituent parts of the development.

The remainder of this report will set out how the proposal complies with other relevant legislation, including the Habitats Directive (92/43/EEC), the National Planning Policy Framework, and relevant development plan, including, primarily the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and Location and Design of Waste Management Facilities SPD.

As described above, application 18/01368/FUL has been submitted to ensure that the access arrangement as set out in the layout plans submitted with 18/01259/DISCHG can be subject to

appropriate planning control. The access proposals are considered fundamental to the progression of the discharge of condition application 18/01259/DISCHG, whereby the layout of the entirety of the site is determined by the availability of appropriate access, and as such the two proposals are considered side by side for the benefit of a holistic understanding of the proposals.

2 – Air quality and emissions

The proposed reduction to a single 'process' building, with a corresponding decrease in feedstock input (from 650,000 to 595,000 per annum) and power output (from up to 80MW to 47MW), has been subject to an Air Quality Assessment which accompanies the Environmental Statement. The Environment and Pollution Control Officer has confirmed that the detailed dispersion modelling has been undertaken in accordance with the Environment Agency's methodology for screening impacts, and concludes that the assessment adequately demonstrates that's the discharge from the proposed stack height can be screened as insignificant in relation to human health, and insignificant or very small at local sensitive ecological sites (i.e. the impacts do not require further assessment as they are considered to be acceptable).

Natural England, however, have identified the need for additional information to be satisfied that the impacts of Proposal 1 on designated sites, including the Nene Washes and Holme Fen are adequately understood. Whilst it may appear self evident that the reduced waste inputs and power outputs would result in a cleaner operation than that already consented and benefiting from an Environmental Permit, Natural England are required to take an evidence based approach, taking into consideration new guidance and knowledge of risk that has become available since the original planning application was determined.

Additional ecological information has been submitted, which the applicant contends satisfies the requirements of the Habitats Directive and demonstrates that there will not be a significant impact on designated sites including the Nene Washes SSSI, SPA, SAC and RAMSAR. The views of the Wildlife Officer and Natural England are currently being sought, and an update to Committee will be provided.

The Environment Agency advised that the consented scheme already benefits from an Environmental Permit, and that the reduced input would lead to a reduction of the overall pollution load into the atmosphere. They also note that the air quality impact assessment conclusion that the new design will offer a substantial improvement on the previous design in terms of air quality. Any changes to air quality will be assessed through the permit variation process.

CPMWCS policy CS34 requires waste management development to only be permitted where it can be demonstrated that there would be no significant harm to the environment, human health and safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities. With regards to air quality, when there are no objections from the Environment Agency, the Environment and Pollution Control Officer, Natural England or the Wildlife officer, the proposals can be considered to not significantly impact on human health or the natural environment and will be in accordance with CPMWCS policy CS34 and the Habitats Directive (92/43/EEC).

3 – Noise and vibration

The noise and vibration assessment accompanying the Environmental Statement concludes that mitigation may be required for the operational phase of the development. The Environment and Pollution Control Officer notes that although full details of the equipment and activities associated with the operation of the development are not currently available, existing condition 24 requires the noise from the operation of the development to not exceed 44dB(A) and 40dB(A) during the daytime and night-time respectively. It is the responsibility of the operator / applicant to ensure compliance with these levels, and the principle of noise associated with the development is therefore not an issue.

The potential requirement for noise mitigation during the commercial operation of the development

is acknowledged, and the extant consent controls the maximum noise permissible noise levels. As such, the proposal is considered to accord with CPMWCS policy CS34 with regards to protecting surrounding uses.

The applicant initially sought to discharge to Condition 23, which requires a programme for the monitoring and control of noise generated by the commercial operation of the development to be submitted and approved prior to commissioning (i.e. before the first commercial operation of the development). However no such programme has been submitted and the condition cannot be discharged at this time.

The noise and vibration assessment also considered the construction phase of the development, and acknowledges the potential to generate short term increase in noise levels, a concern also raised by Vivacity in relation to the required construction works for the highway amendments. However the extant consent requires submission of a Construction Environment Management Plan (Condition 11), incorporating how noise from the construction will be controlled and mitigated, prior to the commencement of development. Although one has previously been approved, it relates to the previously consented scheme and a new plan is therefore required prior to the commencement of development of this scheme. The applicant is aware of this requirement and must therefore provide such a scheme for approval.

4 – Traffic and transport

The Traffic section of the Environmental Statement concludes that the proposals would not have an adverse impact on safety and a negligible impact in highway capacity terms. The omission of the 'George' building and corresponding decrease in the overall generating capacity and feedstock inputs will result in a maximum number of two-way HGV movements per day will be 150 (75 deliveries per day), which was considered to be the likely maximum number in the application for the consented scheme. It is noted that any future development on the 'George' part of the site would be subject to a separate full application.

The proposal has also been considered in light of the proposed Red Brick Farm development, and it is not considered that the access arrangements for this allocated employment site will be prejudiced.

The Local Highways Authority have noted that the requirements of Condition 5 part (iii) have not been fulfilled, and have requested additional information with regards dimensioned plans or swept path analysis to demonstrate that the details of vehicular circulation roads, turning facilities and loading and unloading facilities, including tracking points at the entrance to the site are acceptable. Further information has been provided to demonstrate the suitability of the site to accommodate the largest predicted vehicle movements, and further comment is awaited from the Local highways Authority.

The LHA have also identified that the red line for proposal 1 does not cover the entirety of the area required for the access amendments. However as these are subject to the application under proposal 2 it is considered that the full extent of highway works required for the purposes of the overall operation of the development are subject to appropriate planning control.

With regards to proposal 2, notwithstanding that the roundabout access and the 'T junction' access towards the northeast of the site have both been subject to independent approval, this is the first time the two access options have been presented in tandem. As such, the Local Highways Authority have requested a range of additional information to ensure that the overall access scheme is safe and suitable for the development, including a Stage 1 Safety Audit and tracking plans for the roundabout.

The extant permission requires a Construction Traffic Management Plan (Condition 19) to be submitted and approved prior to the commencement of development. This plan will be required to take account of the comments of Vivacity in relation to the maintenance of the access to the Flag

Fen Visitors centre throughout the construction period.

Proposal 1 includes an application to discharge Condition 9 in relation to cycle parking. However this is a compliance condition (requiring 60 cycle parking spaces to be provided adjacent to the reception / administration building), and cannot be discharged. The cycle parking as demonstrated on the Site Materials and Hardstandings plan shows the cycle parking to be covered, and the applicant has been requested to reflect this (i.e. the fact that the cycle parking is covered) on the Site Masterplan for the purposes of clarity.

Subject to the provision of the additional information being to the satisfaction of the Local Highways Authority, the proposal will be considered to be in accordance with CPMWCS policy CS32.

5 – Ecology and nature conservation

The Ecology and Wildlife section of the Environmental Statement, including the further information provided with the ecological addendum has identified the potential impacts on protected species and designated ecological sites, including the Adderley and Storey's Bar Road County Wildlife Site, which runs through the site, and the Nene Washes SSSI, SPA, SAC and Ramsar, and identified a range of potential mitigation measures. Such measures are required to be drawn through to a detailed ecological management plan to inform both the Construction Environmental Management Plan for the construction phase of development (requires under Condition 11), and the landscaping and creative conservation scheme (required under Condition 46) for the operational phase of the development.

The assessment has established that the proposal will not result in the loss of habitats that are considered to be important ecological features, and that appropriate mitigation measures can be implemented. Such measures will be secured through the Construction and Environmental Management Plan required under condition 11. However, Natural England have advised that the ecological chapter of the Environmental Statement should also consider the potential impacts on notable and qualifying species through construction and operational lighting.

Natural England have also identified that further information is required to determine the impacts on the Nene Washes and Holme Fen designated ecological sites, including air quality and hydrology / contamination impacts, impacts on functional land associated with the designated sites (i.e. land falling outside of the designated sites that nevertheless supports the sites) – and have not yet provided finalised comments in relation to the addendum information. They have also advised that an in combination assessment should include consideration of any other proposed plans or projects, and any recent developments that have been given permission that may or may not be operational. Natural England advise that the assessment does not meet the requirements of the Habitats Regulations.

The Wildlife Officer advises that in terms of the surveys that have been completed (prior to the submission of the ecological addendum), it has been demonstrated that great crested newts and bat roosts are unlikely to be affected. However, the full ecological impact, including both construction and operational phases, has not been adequately assessed as a result of the partial completion of the updated phase 2 surveys. This information is required to be carried through to appropriate avoidance, mitigation or enhancement measures for Conditions 11 and 46.

An Ecological Impact Assessment Addendum, including a Habitats Regulations Assessment has been submitted (17/09/2018) to address the issues described above. Natural England and the Wildlife Officer have been consulted and comments are expected in due course, and Committee will be provided with an update.

6 – Landscape and visual impact

The site's location within the Landscape Character Area sub area 4b Bedford North Level needs to be considered in light of the extant consent, allocation and location within the Peterborough Urban

Area, and the Red Brick Farm allocation to the north. Notwithstanding this, the landscape strategy for the Bedford North Level Character Area is to conserve and restore, and the proposal sites location immediately adjacent to the Flag Fen Scheduled Monument requires careful consideration.

The Landscape and Visual Impact Assessment has been scrutinised by the Landscape Architect, who has noted that certain viewpoints within the LVIA are noted as 'substantial adverse', from Storey's Bar Road, and 'very substantial adverse' from Flag Fen. The recognition of the degree of visual harm adds weight to the requirement for successful design and delivery of mitigation proposals to assimilate the proposals effectively.

The LVIA concludes that, overall, the effects of the proposed development would at most, be equal to that of the consented scheme. Whilst it is important to consider the 'baseline' for the assessment, i.e. against the consented scheme, the Landscape Architect has requested additional information to be satisfied with the robustness of this conclusion, including clarification on the methodology of the photography of viewpoints, further visual impact assessment of 'Ethel's roof profile, clarification as to the visual impact of the use of the ramp on the eastern elevation, additional 'photo-reveals' or equivalent to demonstrate the cladding of 'Ethel' and a Visual Impact Assessment of the lighting strategy.

Although the Landscape Architect has requested a raft of additional information to assess the appropriateness of the conclusions reached within the LVIA, they have also offered numerous suggestions which, in our view, will offer mitigation enabling the proposal to be assimilated within the landscape more effectively, off-setting the degree of visual harm which is acknowledged as being pertinent to both the proposed and consented schemes. Such mitigation includes effective screening around the ramp to minimise off-site glare from vehicle headlights, alterations to the cladding proposals, and amendments to the landscaping presented on the Landscape Masterplan.

The applicant has agreed to take on board all of the mitigation measures requested by the Landscape Architect and agreed by Officers as being appropriate, and has provided revised drawings (28/09/2018) to demonstrate the alternative cladding scheme recommended. Although the full suite of revised proposals has not yet been provided these will be fully assessed and, if necessary, further amendments can be negotiated. Committee will be provided with an update.

Some elements of the Landscape Architects recommendations have not been requested, including additional assessment from the new section of the Green Wheel. This has not been deemed necessary as there is no existing path here and the provision of this new section is a benefit that will be provided only as a result of the proposal. Further details of the phasing of planting and creation of ecological habitats are not considered to be a requirement of the amendment of the phasing element of Condition 5, rather, they are details that will be pertinent in relation to the scheme required under Condition 46.

The Landscape Architect has also recommended that the cladding of the flue stack should be replaced with stainless steel. Although the applicant has been advised to consider this recommendation it is acknowledged that the stack will be a significant structure and the suitability of mitigation may vary depending on seasonality and individual preference. The applicant has been asked to present a designers response to this recommendation if it is not carried through. Committee will be provided with an update.

The applicant has also acknowledged that a detailed lighting design is required and will be presenting one in due course. It is acknowledged that the Secretary of State deemed it appropriate to leave this to a condition, and accordingly, the lack of such a lighting strategy, or Visual Impact Assessment of such a strategy, is not considered to go to the heart of the matter in this instance.

Although the Landscape Masterplan is not sufficiently detailed to discharge Condition 46, the revised proposals taking into account the recommended changes, including the removal of a 3m bund which would be an alien feature in the landscape at the eastern edge of the site, and the inclusion of additional tree planting towards the south, southeastern boundary with Flag Fen, will

be considered sufficient to make the Masterplan acceptable in principle in terms of the overall mitigation provided by Landscaping. The Masterplan is considered to have sufficient flexibility to incorporate appropriate mitigation measures still to be determined as a result of the ongoing ecological survey work, and the condition allows for the scheme to be approved prior to commencement of the main development.

Vivacity have noted the lack of landscaping plan accompanying Proposal 2 (the access application, ref. 18/01369/FUL), however as this falls within the area of Proposal 1, it is considered that this can be provided under the extant Condition 46, and the request for the use of appropriate native species is duly noted.

Subject to the provision of the detailed amendments as recommended, the proposals can be considered to be assimilated into its surroundings and local landscape character area to a similar degree to the consented scheme, and equally will be no more significant harm to existing or proposed neighbouring land uses, visual intrusion or loss of amenity, nor adversely affect a designated heritage asset to a greater degree than the consented scheme, and would therefore be considered to be in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy Policies CS33, 34 and 36.

7 – Archaeology and cultural heritage

Historic England have advised that, as identified in the Environmental Statement, there will be some residual direct impacts on preservation conditions at Flag Fen, and indirect impacts on its landscape setting. Although these impacts would vary in detail over the impacts of the consented scheme, taken together, the harm which would be caused to the significance of the designated heritage asset (i.e. Flag Fen SM) would not be materially different from that which would arise from the implementation of the consented scheme. The same is also true of the impacts on the settings of listed buildings and the slight harm which would be caused to their significance from implementation of either the consented, or proposed scheme.

With regards to Proposal 1, Historic England recommend that the harm caused to the significance of the heritage assets is weighed against the public benefits of the amended scheme. As such, the public benefits of the scheme are already considered to have been established by virtue of the consented scheme, and the balance needs to be weighed by comparing the impacts of the consented and proposed schemes.

The Conservation Officer is concerned that the impact of Proposal 1 on the significant west elevation of the Cathedral has been inadequately explored. The viewpoint taken from the western edge of the rowing lake is cited as being unsuitable, and it is noted that the views from the 'three cuts' to the north of the rowing lake oscillate depending on the time of the year and maintenance. Additional views were requested from Crescent Bridge on Thorpe Road to understand the significance of the impact of the proposal on the western elevation of the Cathedral, and have subsequently been provided. Although formal comment from the Conservation Officer is still to be received, the viewpoints appear to clearly demonstrate that the proposals will not be visible from either Crescent Bridge, or Cathedral Square.

The Conservation Officers concerns regarding the suitability of viewpoints to establish the impact on Flag Fen are also noted, but must be weighed alongside the comments of Historic England, who are responsible for the Scheduled Monument, and Vivacity, who operate the Flag Fen Visitors Centre, both of whom acknowledge the existing consent and do not raise objections with regards adverse impact on the setting of Flag Fen.

The Landscape Architect has also raised a number of issues which could be addressed to the benefit of the setting of the Scheduled Monument, and the visitor experience at Flag Fen, including the use of additional tree planting along the south – southeastern ditches, consideration of how the ramp along the eastern elevation of Ethel will be used and the lighting strategy.

With regards to Proposal 2, Historic England have requested further information to ascertain whether the proposed ditches and water features will impede measures to sustain and improve the buried waterlogged deposits within the Flag Fen Scheduled Monument.

The City Council's Archaeologist has confirmed that the Environmental Statement has reviewed the available information and concludes that the proposed amendments (for Proposal 1) result in no additional ground disturbance to that which was previously consented. No further mitigation to reduce direct impacts to archaeological remains within the boundary of the site are proposed and the staged evaluations required by Condition 37-39 has been fulfilled, albeit confirmation of the archiving of reports is required to discharge the remainder of Condition 37. The Archaeologist also advises that monitoring of all groundwork should be considered in order to further enhance the residual effects of the scheme on buried remains and to enhance the current understanding of the site.

The significance of the impacts of Proposal 1 on both designated and non-designated heritage assets are being considered and balanced against the public benefits of the proposal, which have previously been considered by the Secretary of State when granting the original consent.

Subject to the applicant demonstrating that the ditches and ponds associated with Proposal 2 will not impede measure to sustain and improve the buried waterlogged deposits within Flag Fen, the impacts upon designated assets can be considered to be less than substantial and can be suitably mitigated, the planning balance would favour the public benefits that the proposal will bring and it would be considered to be in compliance with Core Strategy policy CS36, and the NPPF paragraphs 128- 135.

Although no additional conditions can be imposed in relation Proposal 1, the applicant is advised to monitor all groundworks, and in relation to Proposal 2, as this extends beyond the site of proposal 1, this can be controlled by condition. The proposals are therefore considered to be in accordance with CPMWCS policy CS36.

Condition 37 cannot be fully discharged until the applicant confirms completion of archiving.

8 – Hydrology, hydrogeology and floodrisk

Although the proposal site falls within Flood Zone 3, the Environment Agency have confirmed that due to the extant consent, the Sequential and Exception Tests are not applicable.

The Drainage Officer has noted that the Flood Risk Assessment (FRA) is based on out of date information, and advises that SuDS must be used wherever possible and any scheme must discharge water at the greenfield rate. The submitted drainage scheme should be revised to meet current standards. The Environment Agency, who are responsible for the Padholme Drain, do not object to the un attenuated discharge of surface water from the site into the Drain because it is only likely to occur when the plant is not in operation. It is therefore considered that a drainage scheme for the site is achievable, and the requirement for such a scheme under Condition 31 can be met because the principle of such a scheme is not unachievable.

There will be no significant adverse impact or risk to the quantity or quality of surface or ground water resources or the flow of groundwater at or in the vicinity of the site upon receipt of satisfactory schemes to discharge conditions 19 and 31 of the extant consent, and the proposed amendments are therefore considered, in principle, to be in accordance with CPMWCS policy CS39.

Notwithstanding that the sequential and exception tests are not applicable, and that issues relating to water resources and water pollution prevention can be overcome. The development must also accord with the requirements of the NPPF in respect of floodrisk (para163), which requires development to be appropriately flood resistant and resilient. As such, the Environment Agency have requested further information because the FRA does not demonstrate that the proposed

finished floor levels are adequate to resist the potential of flooding over the lifetime of the development, and that all critical equipment should be located above the potential flood depths.

Although the additional information requested by the EA is required before any approval can be granted for Proposal 1, it is noted that the existing consent suggests that incorporating such flood resistant and resilient measures is achievable. Therefore upon receipt of information satisfactory to the Environment Agency this can be considered to be in accordance with paragraph 163 of the NPPF.

The hydrological impacts on buried remains at Flag Fen have been considered in relation to both Proposals 1 and 2 as set in the Archaeology and Cultural Heritage Section above.

9 – Other issues

The gas pipelines that bisect the site are not considered to be affected in a materially different way than under the consented scheme. The Health and Safety Executive have confirmed they do not object on safety grounds. Cadent Gas and National Grid, with responsibility for the pipelines, have been invited to review their comments in light of both the extant consent and the comments of the Health and Safety Executive. Although neither have provided further commentary, the footprint of the proposals has been compared against that of the consented scheme, and does not appear to encroach any further onto the pipelines and associated buffers. It is also noted that the applicant is required to comply with all relevant guidelines when undertaking any works within or adjacent to the pipeline.

Outstanding requirements (08/01081/ELE)

There are elements of the extant permission requiring additional information as a result of the amended scheme, as set out below. Such issues do not go to the heart of the matter and are included for the purposes of clarity regarding how the amended scheme impacts on any outstanding requirements in relation to updating / amending any previously approved scheme, and / or matters that are required to be resolved prior to the scheme being commissioned (i.e. becoming commercially operational).

Although the application has been accompanied by an Environmental Statement there are a number of issues that are outstanding, but which do not go to the heart of the matter. This has previously been acknowledged by virtue of the fact that they are issues subject of control by condition, and it is unreasonable therefore to require such information to be provided at this stage, albeit despite the fact that commencement of the development has taken place already, commencement of the amended development as proposed should not be undertaken until these outstanding issues are resolved.

Condition 4 in relation to street naming and numbering still requires formal agreement prior to commissioning (as previously described in the decision notice for 10/00360/DISCHG).

Condition 10 requires the site access road to be completed to “the satisfaction of the Council” prior to the commencement of development. The details for the access have been previously approved (11/00067/NONMAT) and this remains pertinent insofar as it relates to the access road being completed in advance of further construction works. However the second element of the condition requires access to only be provided via a single point of access. This element is subject to a non-material amendment, delegated for Officer consideration, which would allow for the two points of access subject of application 18/01368/FUL to be used, rather than a single point of access.

Conditions 11 (Construction Environmental Management Plan) and 19 (Construction Management Plan) have been previously approved (10/00360/DISCHG) in relation to the previously approved overall scheme under Condition 5. As such, the applicant is advised to update these two Plans to reflect the amended overall scheme prior to any further construction work being undertaken.

Condition 31, requiring a scheme showing the method and working of drainage facilities has been previously approved (14/00077/DISCHG). The applicant is advised to update this Plan to reflect the amended overall scheme prior to any further construction work being undertaken (see also detailed commentary re. hydrology / floodrisk / drainage – and note cross reference to the ‘access’ application requiring a drainage scheme).

6 Conclusions

Proposal 1

To discharge Condition 8, the five constituent parts of Condition 5 need to be satisfied, they are:

- (i) details of the siting, design, external appearance, and dimensions of all new or modified buildings and structures which are to be retained following the commissioning of the Development;
- (ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
- (iii) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the Site;
- (iv) details of all new or modified permanent fencing and gates required on the Site;
- (v) details of artificial lighting required during the operation of the Development; and
- (vi) phasing of works included in the scheme.

The applicant is continuing to work with Officers to overcome consultee objections and ensure the proposals address all material considerations and are policy compliant. The outstanding matters can be summarised as follows;

- Confirmation of Conservation Officer satisfaction with regards the additional wireframes demonstrating visual impact on the Cathedral.
- Clarification of methodology for viewpoints in the LVIA.
- Confirmation of Landscape Architect contentment with the screening proposed to be used on the ramp on the eastern elevation of Ethel to minimise off site headlight glare, amended cladding to the Multi Function Water Pump House and to ‘Ethel’.
- Provision of ‘designers’ response with regards to flue stack cladding proposals.
- Clarification of the impact of fencing to south of the Water Pump House to additional tree / vegetation screening.
- Clarification of the lighting strategy, including confirmation of review procedure, height of ‘Ethel’ and yard lights, bollard lighting on the pathway, and use and timing of lighting systems, and provision of a ‘night time image’ of the proposals.
- Provision of a satisfactory Landscape Masterplan demonstrating removal of 3m bund and including additional planting to Cat’s Water Drain (the full details for Condition 46 discharge are not required at this stage).
- Confirmation of Natural England and Wildlife Officer comments with regards to information provided in the ecological addendum.
- Completion of all outstanding ecological surveys.
- Confirmation of finished floor levels and provision of critical equipment in accordance with floodrisk requirements.
- Confirmation of Local Highways Authority satisfaction with tracking provision across the site, alignment of access amendments and mapping base layer, and corrections to foot / cycle way requirements.

Condition 9 – in relation to provision of cycle parking

The cover letter also refers to information being provided to discharge Condition 9 in relation to cycle parking. However this is a compliance condition (requiring 60 cycle parking spaces to be provided adjacent to the reception / administration building), and cannot be discharged.

Condition 23 – in relation to commercial operation noise

Condition 23 requires a programme for the monitoring and control of noise generated by the commercial operation of the development. The submitted information does not include such information and cannot therefore be discharged at this point. However this is not a pre-commencement condition and the applicant has been advised that they are required to provide such a programme prior to the commissioning (i.e. the first supply of electricity on a commercial basis) of the development (see also detailed commentary re. noise).

Condition 37 – archaeology

This condition has been previously discharged (14/00077/DISCHG) subject to “all records being compiled in a structured archive in accordance with part 5 of the (approved) report”. The applicant has confirmed that the archiving process is being undertaken. Upon confirmation of completion of archiving this condition can be fully discharged.

Condition 46 – landscaping and creative conservation

A Landscape Masterplan has been provided with the application, demonstrating the broad principles of the landscaping and creative conservation mitigation proposals. This plan does not contain the level of detail provided under the previously approved scheme (13/01913/DISCHG), and required by condition 47 and in addition to the amendments to the Masterplan as discussed above, the applicant is advised to update the Plan with appropriate detail prior to any further construction work being undertaken.

Proposal 2

The NPPF states that there is a presumption in favour of sustainable development – in terms of decision taking this means approving development proposals that accord with the development plan without delay.

Subject to the satisfactory resolution of the outstanding details, as described above, the proposal will be acceptable having been assessed in light of all material considerations including weighing against relevant policies of the development plan.

The material considerations for Proposal 2 centre on the issues of; ensuring the access and highway network serving the site can be made suitable and able to accommodate any increase in traffic, and the nature of traffic associated with the development, and that any associated increase in traffic and highway improvements do not cause unacceptable harm to the environment and road safety; and the avoidance of significant adverse impacts on surrounding uses, including Flag Fen visitors centre, and the archaeological environment;

Subject to the resolution of outstanding matters and appropriate conditions to ensure an acceptable mitigation measures, the proposal will be in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS32, CS34, CS36 and CS39.

It is also noted that application 18/01369/NONMAT will enable the operational use of two points of access to the site, rather than the single point of access as defined under the Condition 10 of the extant consent. This non material amendment will only be progressed subject to the satisfactory resolution of Proposal 2.

7 Recommendation

Proposal 1

The case officer recommends that Discharge of Conditions is delegated to the Head of Planning for determination upon satisfactory resolution of the outstanding issues as described within this report, namely;

- Confirmation of Conservation Officer satisfaction with regards the additional wireframes demonstrating visual impact on the Cathedral.
- Clarification of methodology for viewpoints in the LVIA.
- Confirmation of Landscape Architect contentment with the screening proposed to be used on the ramp on the eastern elevation of Ethel to minimise off site headlight glare, amended cladding to the Multi Function Water Pump House and to 'Ethel'.
- Provision of 'designers' response with regards to flue stack cladding proposals.
- Clarification of the impact of fencing to south of the Water Pump House to additional tree / vegetation screening.
- Clarification of the lighting strategy, including confirmation of review procedure, height of 'Ethel' and yard lights, bollard lighting on the pathway, and use and timing of lighting systems, and provision of a 'night time image' of the proposals.
- Provision of a satisfactory Landscape Masterplan demonstrating removal of 3m bund and including additional planting to Cat's Water Drain (the full details for Condition 46 discharge are not required at this stage).
- Confirmation of Natural England and Wildlife Officer comments with regards to information provided in the ecological addendum.
- Completion of all outstanding ecological surveys.
- Confirmation of finished floor levels and provision of critical equipment in accordance with floodrisk requirements.
- Confirmation of Local Highways Authority satisfaction with tracking provision across the site, alignment of access amendments and mapping base layer, and corrections to foot / cycle way requirements.

Proposal 2

The case officer recommends that authority is delegated to the Head of Planning to grant planning permission with appropriate conditions subject to the satisfactory resolution of the outstanding issues as described within this report, namely;

- Confirmation of Local Highways Authority satisfaction with tracking provision across the site, alignment of access amendments and mapping base layer, and corrections to foot / cycle way proposals.
- Provision of satisfactory tracking information for the roundabout.
- Confirmation of the ditches and ponds not having a significant impact on groundwater and buried remains at Flag Fen.
- Completion of a Stage 1 Safety Audit and designers response.