



PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 27 NOVEMBER 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. **Development Control and Enforcement Matters**

4.1	18/01374/OUT - North Westgate Development Area Westgate Peterborough	5 - 46
4.2	18/01436/HHFUL - 7 Latham Avenue Orton Longueville Peterborough PE2 7AD	47 - 54
4.3	18/01675/FUL - 339 Eastfield Road Eastfield Peterborough PE1 4RA	55 - 64
4.4	18/01758/FUL - Eye Post Office 30 High Street Eye Peterborough	65 - 74



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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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Application Ref: 18/01374/OUT

Proposal: Outline application (with all matters other than access reserved) for a mixed use development to include residential (Class C3), office (Class B1a), restaurants and cafes (Class A3), retail units (Classes A1, A2), a food hall (Classes A1, A3, A4, A5), a hotel (Class C1), leisure and assembly (Class D2) and Class D1 (non-residential institution) uses, together with associated car parking, vehicular access, servicing arrangements, public realm works and landscaping. The demolition of all buildings, excluding SDA Church (formerly Westgate Church), the Brewery Tap, 16-18 Lincoln Road (in part), 30-36 Lincoln Road and Lincoln Court

Site: North Westgate Development Area, Westgate, Peterborough,

Applicant: Mr Breach
Hawksworth Securities plc

Agent: Ms Chloe Clark
Savills (UK) Ltd

Referred by: Corporate Director of Growth and Regeneration

Reason: Wider Public Interest

Site visit: 11.08.2018

Case officer: Miss A McSherry

Telephone No. 01733 4501733 454416

E-Mail: amanda.mcsherry@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings

The site covers an area of approximately 4.6 hectares, and is located within the City Centre, adjacent to but not within the City Centre Conservation Area. It is positioned between the Queensgate shopping centre/associated multi storey car parks and the bus station to the south, and the residential area of Millfield to the north. The site is bounded to the west by the A15 (Bourges Boulevard) beyond which is the new Waitrose store and railway station. Bright Street bounds the site to the north, Lincoln Road to the east, and Westgate to the south. The application site excludes two parcels of land, within the allocated North Westgate Opportunity area, in the north west and north east corners of the site (0.45ha and 0.37 ha respectively) they are within the landownership of Invesco, the owners of the Queensgate shopping centre.

The application site is a relatively flat site. It contains 4 surface level car parks that are within the applicant's ownership. It has a row of terraced residential properties on Cromwell Road, between Bright Street and Westgate, which is severed in the middle by a car park, following the demolition of former buildings. There is the former 3 storey office building Frobisher House on the corner of Cromwell Road and Westgate which has been converted into residential use. The site also contains former Westgate Church and its two associated outbuildings. The Westgate Church building is now occupied by the Universal Church of the Kingdom of God (UCKG Helpcentre). The outbuildings are used by the Westgate New Church (formerly Westgate Church), Christian Education Trust (CROPS) and Christian book shop. Adjacent to the church there is a private hire taxi business and café at ground floor with residential accommodation above. There is a Locally Listed Building of importance 16-18 Lincoln Road. The site also contains the Brewery Tap public house.

There are no Listed Buildings within the site, the closest is the Wortley Almshouses, located on the opposite side of Westgate to the south east corner of the site.

Proposal

Outline planning permission is sought for a mixed use scheme of up to 57,000sqm to include:-

- Restaurants and cafes (class A3)
- Retail units (Classes A1 and A2)
- A Foodhall (Classes A1, A3, A4 and A5)
- Office space (Class B1a)
- A hotel (Class C1)
- Residential (Class C3)
- Non-residential institutions (Class D1)
- Leisure (Class D2)
- Car parking, new access arrangements for vehicles, pedestrians and cyclists, public realm improvements and landscaping.

Under this outline planning application all matters, with the exception of access, are reserved for future applications and consideration. Therefore Members are being asked to consider the principle of the proposed development, the acceptability of the masterplan principles and the key parameters within the Parameter Plans e.g. maximum floorspace, building heights, block locations etc. An illustrative masterplan has also been submitted to help illustrate one possible way the site could be redeveloped. It also shows a potential layout of how the two excluded parcels of land might also be redeveloped in future. This is to demonstrate that redevelopment of the current application could be achieved without prejudicing the comprehensive redevelopment of the wider Opportunity area. The Council's aspiration would be for the 2 excluded parcels of land to also be redeveloped in future, to give cohesive regeneration to this part of the city centre. The access and highway works have been submitted for approval under this outline application and are not reserved for consideration in future.

The proposed development will involve the demolition of all buildings on the application site, except former Westgate Church building, the Brewery Tap, 16-18 Lincoln Rd (in part), 30-36 Lincoln Rd and Lincoln Court. It will also include the stopping up and diversion of some highways within the site, along with the creation of new streets and highway works. The highway works include the stopping up of Deacon Street and Cromwell Road, and restricting the movement of cars on Westgate between Lincoln Road and Bourges Boulevard.

The applicant will seek to acquire the sites not currently within their ownership, within the submitted Phase 1 red line application site boundary, to deliver the development, but Compulsory Purchase may need to be considered should agreement not be reached with existing landowners.

2 Planning History

Reference	Proposal	Decision	Date
18/00003/SCREEN	EIA screening opinion for proposed mixed-use redevelopment	Comments	11/07/2018
15/01041/OUT	Outline application (with all matters other than access reserved) for a mixed use scheme, to include, a cinema (Class D2), restaurants and cafes (Class A3), retail units (Classes A1, A2) a food hall (Classes A1, A3, A4, A5), office space (Class B1a), a hotel (Class C1), community and health care facilities (Class D1), residential (Class C3), together with associated car parking, vehicular access, servicing arrangements, public realm works and landscaping. The demolition of all buildings, excluding Westgate Church, the Brewery Tap, 16-18 (in part), 30-36 Lincoln Road and Lincoln Court	Permitted	02/10/2015
15/00004/SCREEN 07/01463/OUT	EIA screening opinion Comprehensive redevelopment for a mixed use scheme to include the demolition of existing buildings and structures, the construction of new buildings and structures, the stopping up, diversion and alteration of public highways and the internal and external alteration and change of use of buildings and structures to be retained on site to provide: (i) retail uses (Classes A1, A2, A3, A4 and A5), offices (Class B1), residential (Class C3), community uses (Class D1) and leisure uses including a cinema (Class D2) to the east of Bourges Boulevard;(ii) hotel (Class C1), offices (Class B1) or residential (Class C3) to the west of Bourges Boulevard; together with ancillary and associated development, pedestrian circulation and car parking (including two new multi-storey car parks), vehicular access, servicing facilities, highway works, plant and machinery, landscaping, a new bus lay over and bus station incorporating 19 stands, bus station facilities and all necessary enabling works	Comments Pending Consideration	29/06/2015
03/00141/OUT	Redevelopment to provide mixed uses including retail, residential, leisure, healthcare, parking and ancillary facilities	Withdrawn by Applicant	10/07/2015

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

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

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

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

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2018)

Paragraph 80 - Building a strong, competitive economy

Significant weight should be placed on the need to support economic growth and productivity.

Paragraph 108 - Transport Impacts

Any significant impacts from development on the transport network (capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

Paragraph 117 - Making Effective Use of Land

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 122 - Making Effective Use of Land

Decisions should support development that makes efficient use of land taking into account the identified need for different types of housing and other forms of development and the availability of suitable land, local market conditions and viability, the availability and capacity of infrastructure and services, the desirability of maintaining an area's prevailing character and setting (including residential gardens), of promoting regeneration and change and the importance of securing well-designed, attractive and healthy places.

Paragraph 131 - Innovative Design

Great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings.

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 - 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 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.

Paragraph 182 - Impact on Existing Businesses

New development should integrate effectively with existing business and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they are established.

Paragraph 192 – Heritage assets

When determining planning applications the desirability of sustaining and enhancing the significance of heritage assets should be considered.

Paragraph 193 – Impact on Designated Heritage assets

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Para 197 - Impact on Non Designated Heritage Assets

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

Peterborough Core Strategy DPD (2011)

CS02 - Spatial Strategy for the Location of Residential Development

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

CS03 - Spatial Strategy for the Location of Employment Development

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

CS04 - The City Centre

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

CS08 - Meeting Housing Needs

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

CS10 - Environment Capital

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

CS14 - Transport

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

CS15 - Retail

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS18 - Culture, Leisure and Tourism

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

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)**PP01 - Presumption in Favour of Sustainable Development**

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP09 - Development for Retail and Leisure Uses

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made

in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

PP20 - Development on Land affected by Contamination

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

Peterborough City Centre DPD (2014)

PCC01 - Presumption in Favour of Sustainable Development

Development should contribute to the City's Environment Capital ambition and take steps to address key principles of sustainable development.

PCC02 - Retail

Proposals for retail development will be determined in accordance with Policies CS4 and CS15 of the Peterborough Core Strategy DPD. Within Primary Retail Frontages, development within use classes A1 and A3 will, in principle, be acceptable.

PCC03A - City Core Policy Area (a) General principles

The Council will seek development of the highest quality which strengthens the area as the retail, leisure, tourism and civic focus for Peterborough and its sub-region. New development must: improve the quality of the public realm; protect important views of the Cathedral; preserve or enhance the heritage assets of the area; and protect and enhance existing retail areas. The Council will also support development which results in a net increase in dwellings, improved connectivity, employment, conservation of historic shop fronts and development which encourages trips into the City Centre.

PCC11 - Transport

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

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

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

Peterborough Local Plan 2016 to 2036 (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.

LP03 - Spatial Strategy for the Location of Residential Development

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

LP04 - Strategic Strategy for the Location of Employment, Skills and University Development

LP4 a) Promotes the development of the Peterborough economy. Employment development will be focused in the city centre, elsewhere in the urban area and in urban extensions. Provision will be made for 76 hectares of employment land from April 2015 to March 2036. Mixed use developments will be encouraged particularly in the city, district and local centres.

LP4b) Employment Proposals not within General Employment Areas or Business Parks will be supported provided that there are no suitable sites within allocated sites/ built up area, it is of an appropriate scale, would impact on the viability of an existing allocated site and not result in any unacceptable impact.

LP4c) The expansion of existing businesses located outside of allocated sites will be supported provided existing buildings are re-used where possible, there would be no unacceptable amenity, highway or character impacts.

LP4d) Conversions and redevelopment of non allocated employment sites to non allocated employment uses will be considered on their merits taking into consideration the impact on the area, the viability of the development including marketing evidence and the impact of continued use of the site.

LP4e) Proposals which directly assist in the creation of a university campus will be supported.

LP06 - The City Centre - Overarching Strategy

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

LP08 - Meeting Housing Needs

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

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

LP12 - Retail and Other Town Centre Uses

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

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

LP13 - Transport

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

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

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

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

LP14 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development. Developers will be expected to contribute toward the delivery of relevant infrastructure.

LP16 - Urban Design and the Public Realm

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

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

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

LP19 - The Historic Environment

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

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

harm will be weighed against the public benefit.

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

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

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

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

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

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

Part 2: Habitats and Geodiversity in Development

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

Part 3: Mitigation of Potential Adverse Impacts of Development

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

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered.

Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP30 - Culture, Leisure, Tourism and Community Facilities

LP30a) Development of new cultural, leisure and tourism facilities will be supported in the city centre. Facilities elsewhere may be supported in accordance with a sequential approach to site selection.

LP30b) Development proposals should recognise that community facilities are an integral component in achieving and maintaining sustainable development. Proposals for new community facilities will be supported in principle.

LP30c) The loss via redevelopment of an existing community, cultural, leisure or tourism facility will only be permitted if it is demonstrated that the facility is no longer fit for purpose, the service provided can be met by another facility or the proposal includes a new facility of a similar nature.

LP32 - Flood and Water Management

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

LP33 - Development on Land Affected by Contamination

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

Planning practice guidance (PPG) – Department for Communities and Local Government

- Conserving and enhancing the historic environment (2018)
- Design (2014)
- Ensuring the vitality of town centres (2014)
- Travel plans, transport assessments and statements (2014)
- Viability (2018)

4 Consultations/Representations

PCC Peterborough Highways Services

No Objection – Subject to the imposition of conditions. The traffic forecasting/impacts have changed due to the proposed change in uses on site i.e. more residential and office uses, and the removal of the proposed cinema use. The main change has resulted in an increased impact on the AM Peak of traffic travelling southbound on the A15 at the Bright Street/Bourges Boulevard roundabout. Therefore the Local Highway Authority would require mitigation measures to reduce this impact on the roundabout and traffic flows. Tracking has shown that the indicative layout plan could allow refuse collection vehicles to manoeuvre around the site, and enter and leave the site in a forward gear. The principle of the closure of Deacon Street and Cromwell Road and restrictions to Westgate are acceptable. The design of the new highway adjacent to the Queensgate car parks exits needs further consideration however this can be dealt with by condition.

PCC Conservation Officer

No Objection – The development of the site has the potential to impact on the wider setting of nearby Listed buildings and locally Listed Buildings. The site is located adjacent to the City Centre Conservation Area, close to listed and locally listed buildings and development will impact on the setting of a number of important heritage assets. The redevelopment of this site is welcomed and has been a City Council objective for a number of years. The proposals provide an opportunity to create high quality townscape and public realm, incorporating the retention of the locally listed buildings (former Westgate Church and part of No.16-18 Lincoln Road. It is unfortunate that there are two parcels of land that are not included within this proposal, however indicative masterplan principles have shown how the whole North Westgate site could be comprehensively development. The proposal parameters are broadly similar to the previous 2015 scheme, however with a greater amount of office and residential use, and no cinema. The relationship of the proposed blocks with the Westgate Church appear acceptable, and the setting and focus of the church in the public realm will improve from that existing. The materials of Block B must be carefully considered to ensure it does not dominate views of the church from Westgate. The appearance of Block A has improved from its change from a cinema to office use, and with the increase in active frontages. Block D wraps around the locally listed building 16-18 Lincoln Road. The extent of demolition of this locally listed building will need careful consideration at the Reserved Matters stage. The indicative proposal show the retention of the principle rooms which is expected. Whilst the proposed 3 storey height of the corner of Block D to the north of the Locally Listed building No-18 is acceptable there are reservations about the indicative style of the building shown. However this is not an issue for consideration at this Outline Stage, it will be consideration under subsequent Reserved Matters applications. It is not considered Block D will diminish the setting of the adjacent Listed Wortley Arms House, given the Queensgate building in the backdrop. The indicative ideas for the public realm are imaginative and are encouraged. The quality of the public realm will be imperative to a cohesive design. The intention to add more soft landscaping is welcomed. The specific design and material details provided are indicative only and therefore subject to change, however they follow the need for varied and quality materials and elevational articulation. The Peterborough Shop Front Design Guide will be a key document to consult when it comes to the

Reserved Matters stage, however the indicative shop front designs proposed appear well executed. It is considered that the proposal would have no adverse impact on Cathedral views from the immediate area and only a marginal impact on long distance views. This is in respect of viewpoints 14 and 15, where there are long distance views from north of the city centre near Spittle Bridge. However it is considered that the impact would be slight for this long distance view. In conclusion it is considered that the development would not have an adverse impact on the character, appearance and setting of listed or locally listed buildings, and would preserve the character and appearance of the Conservation Area.

PCC Wildlife Officer

No Objection - The application is supported by an Ecological Impact Assessment. It is accepted that no evidence of bat roosts within the buildings proposed for demolition. There was low level of bat foraging activity across the site. Therefore conditions in respect of the provision of bat roosting features and ensuring any external lighting is baffled downwards away from any retained habitats and bat box locations are required. The previous bird survey found evidence of several Species of Principle Importance nesting within the site, including Starling, Swift and House Sparrow. There the standard bird nesting informative should be imposed to any consent together with a condition securing integral bird nesting features for these important species of bird. In respect of invasive plants, Japanese Knotweed and Cotoneaster have both been found on the site. They are invasive non-native species, listed on Schedule 9 of the Wildlife & Countryside Act, and it is an offence to cause them to spread. Therefore care would need to be taken during any works involving the removal, management or disturbance of these plants to ensure no offence is committed. Relevant information can be sought from the Environment Agency regarding statutory obligations on their disposal. Proposals set out in the Masterplan & DAS for the inclusion of living/ green roofs, water features and trees as part of the development are to be welcomed. Opportunities for the roofs to incorporate "brownfield" features should also be explored particularly given the potential presence of Black Redstarts in the area.

With regard to the soft landscaping the use of a range of native plant species is recommended, and full details can be secured by condition.

PCC Tree Officer

No Objections – The application is supported by an Arboricultural Supporting Statement, and whilst at this stage the exact trees to be retained/removed is not known, the overall impact is known and accepted. There will tree loss, however the majority of the trees that would be removed are low quality or have little long term retention value. The general tree protection measures detailed and new planting shown in the illustrative masterplan are acceptable for this outline stage, however further details would be required at reserved matters stage. At reserved matters stage a finalised tree protection plan, and updated method statement would be required to identify any root protection infringements and associated mitigation measures to minimise harmful impacts. Full and detailed landscaping details would be required along with implementation and maintenance plans.

PCC Pollution Team

No Objection – In terms of noise, dealing with the glazing specification and ventilation scheme at the detailed design stage to achieve acceptable internal noise levels is acceptable. In terms of external balconies, at this stage as the exact mitigation details have not yet been designed, we cannot comment on their effectiveness at achieving acceptable noise levels on these external areas. In terms of Brewery Tap noise, it is proposed to specify the glazing and ventilation scheme to mitigate for this noise at the detailed design stage. Whilst this seems reasonable, it should be noted that the noise report relies on noise monitoring data from 2015. A condition in respect of fixed plant noise is recommended. Commercial activities will require consideration of potential odour and noise impacts upon residential amenity. Kitchen extracts may require high levels of noise and odour abatement considering the building heights and juxtaposed residential premises. Delivery/waste collection times will require consideration as such activities have potential for significant disturbance to residential premises, both existing and proposed, where conducted during unsociable hours in proximity to bedrooms. The air quality assessment is considered

acceptable. However the impact on Taverners Road through displaced traffic has not been considered. In respect of contamination conditions in respect of further contamination investigation, remediation, verification and reporting of unsuspected contamination are required.

Lead Local Drainage Authority

No Objection – A condition is recommended to secure a sustainable urban drainage scheme, and that the development be carried out in accordance with the Flood Risk Assessment.

PCC Archaeological Officer

No Objection - The results of the archaeological evaluation carried out in advance of the current application suggest that there is limited potential for the presence of significant archaeological remains within this area pre-dating the late 19th century. These results are consistent with those from former investigations in the area, which have identified 18th and 19th century ground surfaces and the foundations of 19th century buildings. On the basis of the available evidence, the site has low potential due to the high degree of disturbance associated with late post-medieval urban expansion. Therefore, there is no need to secure further preliminary archaeological work. Monitoring of groundwork would however reduce any residual impact on currently unidentified potential buried remains which may survive in undisturbed pockets of land.

PCC S106 Planning Obligations Officer

No Objection – I have reviewed the viability appraisal information submitted. In accordance with the Council's affordable housing policy, 30% of the total residential units proposed should be affordable i.e. around 92 if 307 units are proposed, but there are viability issues. I have reviewed the costs and values information and am satisfied that this proposed scheme has demonstrated that there are viability issues, which prevents the delivery of any affordable housing.

PCC Minerals And Waste Officer (Policy)

No Objection - The proposals do not affect any allocated mineral and wastes sites or designated areas. However, the large scale nature of this proposal in this location may be considered a strategic development, and should be encouraged to maximise the re-use, recycling and recovery of inert waste streams from construction and demolition operations. This could be achieved through the developers implementing a waste management and minimisation plan for example, and could helpfully be attached as an informative should planning permission be granted.

Historic England

No comments - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Environment Agency

No Objection – Subject to the imposition of conditions in respect of contamination investigation (a Phase 2 intrusive investigation), a verification report of the remediation, an unsuspected contamination condition, and a condition in respect of infiltration of surface water drainage to ensure it is only in areas where there is no risk to controlled waters. The proposal involves a basement car park, which may result in the need to dispose of a significant volume of soil. Contaminated soil to be disposed of is classified as waste. As such the handling, transport, treatment and disposal is subject to waste management legislation.

Anglian Water Services Ltd

No Objection – Anglian Water has assets close to or crossing the site, any layout will need to take account of these assets, or be diverted at the developer's expense. To ensure that the development will not lead to an unacceptable risk of flooding downstream, a foul and surface water drainage condition should be imposed to ensure the site can be acceptably drained.

Natural England - Consultation Service

No Objection – Natural England considers that the proposed development will not have significant adverse impacts on statutory protected sites or landscapes, including the Nene Washes (SAC, SPA,

Ramsar, SSSI site). To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

The Wildlife Trusts (Cambridgeshire)

No comments received

Network Rail - Eastern

No Objection – Thank you for the opportunity to comment, we have no observations to make.

Cambridgeshire Fire & Rescue Service

No Objection – Adequate provision for fire hydrants should be secured by condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5, Section 16. If there are any buildings on the development that are over 11m in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required.

Police Architectural Liaison Officer (PALO)

No Objection - I have viewed the documents in relation to community safety, crime, disorder and the fear of crime and consulted our Counter Terrorism Security Advisers (CTSA 's). While this is at an early stage I note that there is a section in the Design and Access statement which mentions that the applicant wishes to consult with both ourselves and the CTSA 's. This looks like a very appropriate development and the documents show that there has been consideration to crime prevention and mitigation. I agree that a joint consultation at the earliest stage of the design process will be necessary to ensure that the correct security measures are considered and implemented, including CT and public realm. With the above consultation it would appear that Secured by Design accreditation could be achieved throughout the development and we will be happy to discuss any Security Needs Assessment for Breeam.

Sustrans

No comments received

Peterborough Cycling Forum

Objection – We support the regeneration and mixed use development of this city centre site. We consider cycling is the primary alternative for journeys that would be undertaken by car. Cyclists currently pass through the site via Cromwell Road and Deacon Street. If approved this application will close these routes, and apart from being able to continue along Westgate, cyclists will not be permitted to cycle through any part of the development. These plans will have an adverse impact on those who currently travel through the area. Instead of delivering many potential benefits, this will have a negative impact on those who live and work in the area and on businesses which will be located there. Therefore we object to this proposal. Prohibition on cycling through the city is contrary to planning policy and the vision for the city centre. Policy CC10 states development will be supported in principle where it would improve connectivity for cyclists to the City core and in particular to North Westgate. The Design and access statement notes the harm the Queensgate building has cause to connectivity, this development will do the same if there is not cycling permitted through it. The Council's Active Lifestyle and Sport Strategy April 2018 aims to increase active travel, and notes cycling is a simple way of people getting more physical activity into their daily lives. The Transport Plan states new development should improve cycle connections and make journey by cycle more attractive than the car. Cromwell Road is almost traffic free through the site and so makes it a more attractive route for cyclists than Lincoln Road. For new North Westgate residents the ability to cycling door to door is a major factor for many in deciding where to live. Employees of the site might be discouraged from cycling if they can't cycle door to door. Full access by cycle is a benefit to many businesses. Having door to door cycle access would give business an advantage over other business in the city centre, including Queensgate and Bridge Street who cannot provide this. Deliveries by cycle have increased including Deliveroo and Uber Eats. Leicester in 2016 reversed the cycle ban in privately owned streets within the Highcross Shopping centre, following pressure from restaurant owners, as 15% of their trade is delivered by cycle. They have street signage to make cyclists aware pedestrians have priority and to cycle

considerately, and no problems have been reported. The presence of cyclist can have a positive impact on public spaces and streetscenes. There is disagreement in the terminology and language used in the Design and Access Statement. The Design and Access (D&A) Statement states cyclist will have to dismount and push their bike through the site. The Forum disagrees with this language they consider that a person pushing a bike through the site is a pedestrian and not a cyclist as they are not being permitted to cycle. They consider it safer in areas of high footfall for people to cycle rather than for pedestrians to push bikes. This is due to the increased width taken up by people pushing bikes, and with pushed bikes being less visible and so could cause injury from protruding handlebars or pedals. It may not be practical or possible for cyclist to push their cycles for more than short distances, due to the age or physical ability of the user. It is assumed mobility scooters will be allowed through the site, many of these can travel at 8-10mph. To justify the case against allowing shared pedestrian cycle space, the D&A Statement refers to TRL583. This is only one piece of research and does not provide a full picture of that case. One of the case studies in that research Whiefriargate in Hull now allows cycling in the city centre, and it is believed it is operating successfully, and the vast majority of cyclist ride responsibly. A much broader base of evidence should be used, than a single research paper. Urban Movement carried out a study for Bristol City Council. It concluded cyclists can be trusted to adapt their behaviour in the presence of pedestrians, incidences of cyclist causing physical harm to pedestrians is low, subjective concerns of pedestrians are important but should be considered in the context of objective evidence. Other evidence suggest the use of signage is important to manage the relationship between cyclists and pedestrians in shared areas. In Peterborough we have shared spaces with pedestrians and cyclists in Long Causeway and Cathedral Square. Leicester and Hull are cities that have removed their city centre cycling ban, and it is now successfully shared by pedestrians and cyclists. In Cambridge shared use operates successfully, and in Norwich last year they removed restrictions and now have shared use on city centre streets. If it works in these cities it can work on this site. Well believe all streets within the site should be designed for shared use. We recognise the concerns for pedestrian safety but evidence show the risks are largely perception rather than reality, and there is evidence to show pedestrians and cyclist can mix safely. The Forum would be happy to work with the developer to achieve a successful design for shared use spaces.

Peterborough Local Access Forum

No comments received

Peterborough Civic Society

Objection – We welcome the application as an attempt to bring forward the comprehensive development of a long neglected part of the city centre. It is supported by the Local Plan policies and in terms of content, scale and form is acceptable and in many respects well designed in creating meaningful urban spaces of distinct character. There is an extant outline permission for a very similar scheme granted in 2015. However there are a number of practical issues regarding access, circulation and servicing and implementation which are unsatisfactory. The exclusion of cycling from in the site is unacceptable. There is considerable weight if evidence that shared use areas can work safely for pedestrians and cyclists if appropriately designed from the outset. The servicing arrangements, particularly for rubbish are impractical. Details of how this will work in practice on site needs to be demonstrated at this outline stage. The proposals seems to rely on a site management system of short term storage and sorting of waste on the walkways, with twice daily collections at 6am and 11am, this is not acceptable. Deliveries to the Food Hall and retail units fronting Westgate from Lincoln Road does not seem adequate. The proposed walkway between new East Street and Lincoln Road roughly lining-up with North Street is an important part of the general circulation pattern and should be provided within the application site. There must be some agreement reached regarding practical ways of making the journey on foot from the public realm walkways around Westgate Church to and through the Bus Station to Queensgate's upper shopping level a pleasant experience. The major concern is over the credibility of the proposal where the applicant does not own all of the land required to implement the whole scheme. The developer must demonstrate that agreement can be reached with the City Council for a scheme which can justify the use of compulsory purchase powers to enable the development to be carried out. Without some form of partnering this application seems pointless.

Local Residents/Interested Parties

Initial consultations: 619

Total number of responses: 8

Total number of objections: 6

Total number in support: 2

6 letters of objection have been received raising the following issues:-

- The loss of Ackland Street parking area for buses will adversely affect bus operations as there is no spare room in the bus station for out of service buses to park.
- There are currently insufficient parking facilities for residents who live within the surrounding area. Therefore many residents use the residential parking facilities within the application site. These will be eliminated if the development takes place. What alternative parking facilities will be provided.
- The existing hotels in Peterborough are currently struggling to fill their rooms, due to the current business climate and uncertainty of Brexit. The proposed hotel will exacerbate this, and whilst it would bring jobs it could result in current hotels closing.
- Objection is raised to the demolition of the Westgate New Church building and replacement with public realm space. Following the transfer from the Victorian Church, the New Church building has been upgraded and adapted at considerable expense to make it an invaluable accessible city centre community facility. In addition to religious worship the building is also used by 12 different community groups, including the soup kitchen and food bank. It is vital that the Westgate New Church building and adequate on-site parking is retained in any redevelopment proposals, to ensure the needs of vulnerable members of the community can be served.
- The buildings around the church and the area of car park should be retained in addition to the Church. This area includes the New Westgate Church, Peterborough Association for the Blind, Peterborough Christian Bookshop, CROPS charity and associated parking facilities. The existing site provides multicultural and diversity of use and helps promote social cohesion of different groups in the city. There are many different faith groups that use the site, and CROPS charity group that provide religious services to schools. There is a foodbank and Muslim food distribution service that operate from the site, that need the on site car parking. This proposal does not cater for their needs. The Christian bookshop was established 30 years ago, and due to similar facilities closing, draws customers from surrounding counties and further a field. This helps to increase footfall and maintain high street shopping. It is a highly accessible site from the bus and train station and provides on site parking for customers. Other city centre churches St John's, Park Road Baptist, and All Souls have struggled to provide easy access and parking, which makes it difficult for the elderly and disabled. Retaining this part of the application site ensures parking for worshippers near to the Churches. The proposed development does not cater for the existing religious and community groups that currently use the site. It is considered with a sensible adjustment to the plans, it would not be a major problem for the developer to exclude this area of the site.
- The layout will cause more traffic problems. Excluding the extra cars that will come with the residential development, the change in access and egress to the existing roads from Westgate to Bourges Boulevard for buses and cars will deter residents from coming into the city centre to do their weekly shop etc. We do welcome the provision of a health centre.

2 letters of support have been received:-

- I think the North Westgate development is a very good idea. It will create extra jobs, and regenerate part of the town that has looked derelict for a number of years. I fully support the proposal and hope works start soon.

- Urban renewal has been supported in the Gladstone area for over 20 years. Community groups provide pre-school, NHS services and meeting spaces for community groups. In this area we have suffered planning blight for 30 years. Buildings have been demolished and replaced by temporary car parks, properties have become run down due to their future uncertainty, and the public realm is tired and neglected. Local people deserve better. We are therefore pleased to see a planning application to transform the North Westgate area. This is long overdue and we hope that work can be undertaken as soon as possible. We do have some reservations about the cycling ban through the site, surely cycles can be accommodated as well as pedestrians. Peterborough is trying to encourage residents to cycle rather than take the car. We believe every effort should be made to include the 2 excluded pieces of Invesco land. We feel the scheme should get the support of the Local Authority, who have done much to improve other areas of the city centre.

5 Assessment of the planning issues

The main issues are:-

- Planning History

An outline planning application, reference 03/00141/OUT, was submitted by Hawksworth in 2003 for the redevelopment of the site to provide mixed uses including retail, residential, leisure, healthcare, parking and ancillary facilities. This application was not progressed and was withdrawn, on submission of application 15/01041/OUT.

A further outline planning application, reference 07/01463/OUT, was submitted in 2007 by the then owners of the Queensgate shopping centre, for the comprehensive redevelopment of the site for a mixed use scheme to include the demolition of existing buildings and structures, the construction of new buildings and structures, the stopping up, diversion and alteration of public highways and the internal and external alteration and change of use of buildings and structures to be retained on site to provide: (i) retail uses (Classes A1, A2, A3, A4 and A5), offices (Class B1), residential (Class C3), community uses (Class D1) and leisure uses including a cinema (Class D2) to the east of Bourges Boulevard; (ii) hotel (Class C1), offices (Class B1) or residential (Class C3) to the west of Bourges Boulevard; together with ancillary and associated development, pedestrian circulation and car parking (including two new multi-storey car parks), vehicular access, servicing facilities, highway works, plant and machinery, landscaping, a new bus lay over and bus station incorporating 19 stands, bus station facilities and all necessary enabling works. There has been no activity on this planning application for quite a number of years, and it remains undetermined at the agent's request.

Outline planning permission (with all matters other than access reserved), was granted to Hawksworth in 2015, under planning reference 15/01041/OUT, for a mixed use scheme, to include, a cinema (Class D2), restaurants and cafes (Class A3), retail units (Classes A1, A2) a food hall (Classes A1, A3, A4, A5), office space (Class B1a), a hotel (Class C1), community and health care facilities (Class D1), residential (Class C3), together with associated car parking, vehicular access, servicing arrangements, public realm works and landscaping. It also included the demolition of all buildings, excluding Westgate Church, the Brewery Tap, 16-18 (in part), 30-36 Lincoln Road and Lincoln Court.

- Proposed uses

Residential

The scheme proposes up to a maximum of 25,000sqm of C3 residential floorspace which, dependent on the final mix of units proposed could be in the region of about 300 to 350 residential units. This is an additional 10,000sqm from the previously approved planning application 15/01041/OUT. Policies CS2 and CS4 of the Core Strategy, and Policy LP6 of the emerging Local Plan promotes the city centre as a location for substantial new residential development of a range of different

densities depending on their location. Policy CC3 of the City Centre Plan seeks also to broaden the range of uses within the city core, and to include more city centre living. The North Westgate CC3.5 allocation under this Policy, identifies indicatively that around 200 dwellings could be accommodated on the site. Policy LP46 of the Emerging Local Plan identifies indicatively that around 300 dwellings could be accommodated on the North Westgate area. Therefore what is proposed as part of this planning application would be considered acceptable and in accordance with the development plan policies CS2 and CS4 of the Core Strategy, CC3 of the City Centre Plan, and LP46 and LP6 of the emerging Local Plan. There would also be scope for further residential accommodation to be provided on the excluded Invesco land as part of a future phases of redevelopment, should the Landowners wish to pursue this as an option in the future.

In accordance with Policy CS8 of the Core Strategy 30% of the residential units proposed should be affordable, with the tenure split 70% social rented and 30% Intermediate housing. The applicant has submitted a viability appraisal for consideration as they have calculated that the scheme could not be delivered if this level of affordable housing was required as it would not be financially viable. The financial information has been assessed the Senior Planning Obligations Officer and Head of Planning Services. They are content that due to the financial viability of the scheme, no affordable housing could be secured in this instance. This is no different to the previously approved scheme.

Offices

Up to a maximum of 16,500sqm of B1 Office floorspace is proposed. This is an additional 11,500sqm from the previously approved planning application 15/01041/OUT. The Core Strategy Policies CS3 and CS4 and emerging Local Plan Policy LP4 and LP6 seek to encourage mixed use development (horizontally or vertically) which incorporates employment development, with an emphasis on B1 or service sector development, together with residential, leisure and/or retail, on sites, and in particular on sites within the city centre. Policy CC3 of the City Centre Plan also encourages mixed use developments, which integrate well within the existing retail area. The office development proposed is therefore considered to be acceptable and in accordance with the development plan policies CS3, and CS4 of the Core Strategy, CC3 of the City Centre Plan, and LP4 and LP6 of the emerging Local Plan.

Hotel

A C1 Hotel, of up to a maximum of 4,500sqm is proposed. This is 3,500sqm less than the previously approved planning application 15/01041/OUT, which was permitted up to 8,000sqm. The actual number of bedrooms proposed would depend on the operator and final floorspace proposed under any reserved matters application, however this could be in the region of 150 bedrooms. It is considered that a hotel would be an acceptable use as part of this mixed use city centre site, and would accord with Policy CC3 of the City Centre Plan. Business competition between this proposal and existing city centre hotels is not a material planning consideration that could be taken into consideration in the determination of this planning application.

Retail/Restaurants/Cafés and Foodhall

The development proposes:-

1. Retail (Class A1/A2) up to a maximum of 3,500sqm, and
2. Restaurants and cafes (Class A3) up to a maximum of 2,500sqm, and
3. Foodhall (Mixture of Classes A1, A3, A4 and A5) up to a maximum of 2,500sqm

In comparison to the approved application reference 15/01041/OUT, the current proposal has 3,500sqm less Retail (Class A1/A2) use, 2,500sqm less Restaurants and cafes (Class A3), and a 500sqm increase in the size of the Foodhall (Mixed Class A1, A3, A4 and A5). This is because the development no longer includes a cinema which was an anchor for the higher level of retail and food and beverage floorspace.

The site is located within the city centre where the principle of retail, restaurants and cafes uses is acceptable. Many of the restaurants and cafes will provide facilities for both the wider city and local residents. Policy CS4 of the Core Strategy looks to expand the provision of retail floorspace within the city centre, with priority given to the expansion within North Westgate site. Smaller format retail units are likely to be proposed to complement the existing retail offer within the city centre. The new Foodhall concept is considered to be appropriately sited within this mixed use city centre site. These proposed uses are therefore all considered to accord with the requirements of policy CC3 of the City Centre Plan, CS4 of the Core Strategy and LP12, and LP46 of the emerging Local Plan.

Non Residential Institutions (D1) Use

It is proposed to provide up to a maximum of 2,000sqm of Class D1 floorspace. The indicative masterplan, shows that this could perhaps include a proposed medical centre use. A D1 use could also include premises for education, creches/nurseries, public or exhibition halls, premises for in connection with public worship or religious instruction. D1 uses are considered to be acceptable for the site, in accordance with policies CC3 of the City Centre Plan, CS4 of the Core Strategy and LP6 of the emerging Local Plan.

Leisure (D2) Use

The scheme proposes up to a maximum of 500sqm of D2 leisure floorspace. The indicative masterplan, shows that this could perhaps be a gym use. A D2 leisure use is considered to be an appropriate city centre use, in accordance with Policies CC3 of the City Centre Plan and LP6 and LP46 of the emerging Local Plan.

- Masterplan

The applicant's vision for the redevelopment of the site is to create a new city quarter that expands the existing active boundary of city centre and brings a new mixed use development of retail, employment and residential to the site, which is currently under used and in need of regeneration.

The main focus of the masterplan is the creation of a new civic square around the Westgate Church. This is to give both space and prominence to the valuable Locally Listed Church building, and to create a new public space to act as a focal point to the site. Radiating out from the square would be new pedestrianised streets to give east-west and north-south linkages through the site. The mixture of uses throughout the site is intended to add to the vibrancy of the newly created public realm. The scheme will provide increased housing and employment to this city centre site. The development would provide improved urban connections between the railway station and city centre, and between the residential community to the north and the city centre. An integrated sustainability strategy is proposed, to incorporate greenery, planting and water into the public realm.

The masterplan submitted with the planning application is illustrative only and represents one way in which the site could be developed. As with any outline proposal the exact details of the scheme will be submitted as part of future reserved matters applications, at which point the scheme may have evolved and changed. Therefore eight general masterplan principles have been identified, to form the basis of all future reserved matters applications for this outline proposal. These are:-

1. Urban Regeneration and Mixed use development
2. Delivering sustainable development
3. Design and Landmark buildings
4. Connectivity and accessibility
5. Civic spaces and public realm
6. City centre living
7. Key views and landmarks
8. A managed development process.

Not only does the illustrative masterplan show one possible way in which the application site could

be redeveloped, it also shows one possible way in which the two excluded parcels of Invesco land could be redeveloped and incorporated into a comprehensive masterplan for the whole North Westgate Opportunity Area designation. This is considered to be key because Policies CC3 of the City Centre Plan and LP46 of the emerging Local Plan state '*Individual proposals which would prejudice the comprehensive redevelopment of the Opportunity Area will not be permitted.*' Therefore whilst the illustrative masterplan demonstrates only one possible way in which the application site and the 2 excluded parcels of land could be redeveloped comprehensively, it does give Officers sufficient comfort that recommending approval of this application would not prejudice the comprehensive redevelopment of the whole of the Opportunity area. The proposal in this respect, would therefore be in accordance with the requirements of Policy CC3 of the City Centre Plan and LP46 of the emerging Local Plan.

- Parameter Plans

The application seeks approval of a range of Parameter plans on which subsequent reserved matters applications will be based. The parameter plans set out an overarching framework to inform the future detailed design of the scheme. They cover issues such as maximum building heights, the general locations of the buildings footprints, the minimum widths of proposed streets etc. The Parameter Plans give developers an agreed set of parameters from which to work to, when designing the final detailed scheme.

Parameter Plan 02 - Demolition Plan

This plan identifies the buildings within the application site that will be retained and those that are proposed for demolition. None of the buildings to be demolished are listed. The Local Listed Building, 16-18 Lincoln Road is to be retained in part. The exact details of the amount of building to be retained and demolished will be secured by way of a Planning condition to ensure the parts of the building worthy of retention are suitably retained. The Conservation Officer raises no objection on this basis.

03 – Lower ground level

It is proposed that car parking will be excavated down to a maximum of 7m Above Ordnance Datum (AOD), which is approximately 3.3 -3.6m below existing ground level. The principle of basement car parking in the location shown on the Parameter Plan is considered to be acceptable in principle, and will reduce the overall height of the building on Bright Street. The technical reports in respect of contamination and water table level might dictate the actual depth of excavation and the technical solutions needed to ensure the basement is water tight.

04 – Active frontages

This parameter plan sets out the location of active frontages, semi-active frontages and non-active frontages within the application site. On the whole, active frontages are proposed on most public elevations on the new blocks of accommodation throughout the scheme. All the proposed frontages around the church and new public square are to be active, together with the new east-west pedestrianised street through the site known as 'The Causeway'. From the previously approved scheme 15/01041/OUT the amount of active frontage on the proposed eastern elevation of Block A has been significantly increased. This results in a more pleasant and active route on the north to south street between blocks A and C. Concern was raised by Historic England and the Civic Society in the previous application about the limited active frontages on this route, so the increased activity along this frontage is welcomed. This has been managed to be achieved as a result of the changes in the proposed uses within this block.

05 – Ground level Plan

This plan has been submitted for approval to agree the general positions and footprints of the proposed blocks of accommodation on site. Horizontal limits of deviation for the proposed blocks

positions are shown in order to give flexibility at the reserved matters stage. This plan also therefore seeks to agree the minimum width of the new streets and areas of public realm within the development.

The minimum distances between the proposed blocks of accommodation and the locally listed Church are as previously approved. This ensures that there will be sufficient separation distance between the new built form and the church, to respect and give prominence to the Church's setting. It is also to ensure there is sufficient space on site for the creation of a new public square and area of public realm. Officers consider that this plan demonstrates an acceptable relationship between the new blocks of accommodation and the locally listed Church building.

The minimum distances between the new blocks of accommodation for the two new pedestrianised streets through the development, both north to south and east to west remain as previously approved. The north- south route will be a minimum width at Bright Street of 15m narrowing to a minimum of 9.5m at its most southerly point within the site. The positioning of this new street was also important in respect of trying as far as possible to align it with the existing Cromwell Road alignment to the north of the site. It has not been possible to provide the new route in exact alignment with Cromwell Road to the north. However the plan sets the parameters of its maximum east and west alignment to show what Officers consider to be the limits of an acceptable off set position to integrate the scheme into its surrounding urban context.

Officers consider the proposed 16m minimum width of the east-west route the site, 'The Causeway' to be acceptable, and sufficient to provide outdoor café seating areas, the landscaped rain garden features, and pedestrian circulation space.

This plan also shows the proposed 3m wide pedestrian/cycle link along the Westgate edge of the development.

The Building blocks positioning with the Locally Listed 16-18 Lincoln Road are considered to be acceptable and the exact extent of the retained part of the locally listed building will be secured by condition.

06 – Vertical limits of deviation

This plan has been submitted to agree the vertical limits of deviation on the proposed building block and to agree the maximum heights of buildings in different areas of the site, on which any future reserved matters applications should be based.

It is important to ensure the heights of the new blocks would be acceptable in relation to the two Locally Listed Buildings on site, the Church and No.16-18 Lincoln Road. The heights of the proposed blocks are mainly as per those previously approved under application reference 15/01041/OUT. The main difference is an increase of 1m for part of Block D. It is considered that this increased height is sufficiently distant from 16-18 Lincoln Road and the Church building so as not to have an adverse visual impact on their setting. It will be important to ensure an acceptable relationship and transition between the retained part of 16-18 Lincoln Road and the proposed blocks adjacent. The detailed design of the proposed building, as part of any future reserved matters application, will be key to ensure a successful transition and visual relationship between these two buildings. Again the detailed design of Block B, at reserved matters stage, will be key to safeguarding the setting of the church.

There are variable heights proposed on some blocks of accommodation within the scheme, however the maximum heights of each block proposed is Block A (adjacent to Deacon Street)– 21.5m, Block C (to north of the Church)– 23m, Block D (to east of church) – 21m, Block B (to west of church) – 21m, and Block E (adjacent to Acland Street) – 26.5m.

The maximum heights proposed in all parts of the scheme, and in particular on existing road frontages, and in relation to the existing surrounding built form is considered to be acceptable. Whilst

the buildings proposed on site, would be higher than some of those of the surrounding streetscape, in particular on Bright Street and Lincoln Road, it is considered that the separation distances and relationships between them would be acceptable in this city centre urban setting.

07 – Pedestrian Access Plan

The pedestrian access plan is as previously approved under application 15/01041/OUT. It shows the proposed pedestrian routes through the site and how these would connect to the existing pedestrian routes beyond the site. It shows good pedestrian links through the site and how these would logically connect to the existing pedestrian crossing and streets beyond the site. It also shows one possible way in which potential additional pedestrian linkages could be created in future redevelopment phases, if the two currently excluded parcels of land were also to come forward.

It is considered that the pedestrian links proposed are acceptable and will allow both ease of movement through the site and connection to the existing network of streets and pedestrian crossing points.

08 – Vehicle access/routes plan

The vehicle access plan is as previously approved under application 15/01041/OUT. It shows how vehicles will manoeuvre around and access the site. It also shows how service vehicles can manoeuvre around the site. The Local Highway Authority considers this plan to be acceptable in highway safety terms and demonstrates how traffic routes can be acceptably achieved both around and within the site.

- Highway Implications

Access is being committed and considered under this current outline planning application, and will therefore not be a future separate Reserved Matters application. A Transport Assessment, and Workplace and Residential Travel Plans have been submitted in support of the application.

The site is located in a highly accessible city centre location, with the Peterborough bus station positioned immediately to the south of the application site, within the Queensgate shopping centre. The Railway Station is also approximately 250m to the west, linked to the site by the at grade pedestrian/cycling crossing facilities across Bourges Boulevard. There is also a taxi rank opposite the site on Westgate, adjacent to the bus station.

The proposal involves the stopping up of Deacon Street and Cromwell Road. If planning permission is approved, this will be secured through a separate legal process. As per the previous application the stopping up of Westgate between the bus station and the Multi storey car parks is no longer proposed. Through the imposition of highway signage however, it is proposed to alter the existing traffic flows along the section of Westgate between Lincoln Road and Bourges Boulevard. All traffic exiting the multi storey car parks on Westgate will have to turn left and leave via Bourges Boulevard, they will not be permitted to turn right and travel along Westgate. They will also have to enter the multi storey car parks from the north via Bourges Boulevard and Westgate, and will not be permitted to turn right at the bottom of Lincoln Road onto Westgate and travel westwards. Therefore the only traffic that will be able to travel westwards along Westgate having turned right at the bottom of Lincoln Road will be buses, taxis, cycles, and service delivery vehicles. Customers visiting the John Lewis Click and Collect service will be able to exit the facility onto Westgate, but will have to enter the facility from the Crescent Bridge roundabout to the south, rather than Westgate. At present such vehicles do have the option to enter for either Crescent Bridge roundabout or Westgate. The proposed highway works are considered to be acceptable in highway safety terms. There may be issues with the 3 lanes of traffic exiting the Queensgate car parks on Westgate and all turning left into one lane carriageway. It may therefore be preferable to narrow the 3 lanes down to a maximum of 2 to allow better integration and flow of traffic from the cars parks on to the highway. It is considered the exact details of this can be considered by way of a planning condition.

The proposed development due to its city centre location will be serviced as a 'street access' scheme, with service access to the site being managed as an 'out of hours' operation by a management and security team, usually during the hours of 6am and 10am. Tracking and plans have been submitted to demonstrate that suitable access and manoeuvring space could be provided on site to serve the proposed development. The exact service details arrangements will be agreed at the detailed stage.

The existing taxi rank adjacent to the bus station will be retained, and taxis will be permitted to travel in both directions along the full length of Westgate. There is no requirement in planning policy terms for the retention of a mini-cab taxi business within the Opportunity Area or the wider City Centre. Therefore whilst the loss of this business is regrettable, its retention or re-provision with the scheme is not required in planning policy terms. The occupier is freely able to discuss securing a new premises on the site just as any other occupier that is displaced from their current location. The regeneration of this key city centre site and the significant public benefits it would bring should not be resisted on the basis of retention/re-provision of this or any other business within the site.

The trip generation and distribution as a result of the proposed development has been modelled. The traffic impacts of this proposed development and the previously consented scheme 15/01041/OUT are broadly similar. The main change in the traffic impacts due to the change to the proposed uses however, the AM peak on the south bound approach on the A15 at the Bright Street roundabout will result in increased queuing and delay. Mitigation measures are recommended to be sought by way of a planning condition and this could involve the be the widening of the A15 carriageway on approach to this roundabout to provide a third lane, which would be used as a left turn lane into Bright Street only. The resultant impact on the highway network is not considered to be so harmful as to warrant refusal of planning permission on this key city centre regeneration site. Officers consider the regeneration benefits of the proposed redevelopment of this site would outweigh the harm to the city centre traffic flows.

Future with Development Scenario VISSIM results (Do Something)

Junction / Link		Morning Peak Hour				Evening Peak Hour			
		Average queue length (m)	Modelled flow (veh)	Delay (s)	95% of queues under (m)	Average queue length (m)	Modelled flow (veh)	Delay (s)	95% of queues under (m)
Bourges Boulevard (A15) / Bright Street / Mayor's Walk roundabout	A15 SB approach	128	1,239	57.4	269	49	1,012	27.8	218
	Bright Street	1	505	13.9	2	9	1,062	36.8	33
	A15 NB approach	0	1,505	36.8	0	2	1,714	107.7	6
	Mayor's Walk	15	279	9.3	24	10	187	4.2	23
Bright Street / Lincoln Street / Geneva Street junction	Lincoln Rd SB approach	12	498	6.5	16	23	545	12.2	27
	Lincoln Rd NB approach	2	66	2.2	3	58	537	28.8	85
	Bright Street	10	878	45.5	15	17	728	87.1	25
Bourges Boulevard (A15) / Thorpe Road (A1179) / Cowgate roundabout	A15 SB approach	8	1,393	58.5	11	14	1,851	44.3	47
	Queensgate	-	-	-	-	-	-	-	-
	Cowgate	4	113	2.4	11	143	184	291.5	183
	A15 NB approach	17	1,451	33.9	27	330	1,365	157.8	394
Thorpe Road	58	1,053	14.1	122	37	759	10.6	98	
Lincoln Road / Westgate junction	Westgate WB approach	0	87	8.2	0	13	560	9.4	45
	Westgate EB approach	0	30	53.9	0	0	29	112.8	0
	Lincoln Road	0	178	53.1	0	2	100	91.9	8
Average delay (s)		75.2				120.4			
Peak hour latent demand		1				89			

Future with Consented Development Scenario VISSIM results (Consented)

Junction / Link		Morning Peak Hour				Evening Peak Hour			
		Average queue length (m)	Modelled flow (veh)	Delay (s)	95% of queues under (m)	Average queue length (m)	Modelled flow (veh)	Delay (s)	95% of queues under (m)
Bourges Boulevard (A15) / Bright Street / Mayor's Walk roundabout	A15 SB approach	63	1,245	24.9	139	79	1,003	44.0	355
	Bright Street	1	466	14.2	1	16	1,020	46.2	73
	A15 NB approach	0	1,477	33.7	0	3	1,732	106.4	6
	Mayor's Walk	4	278	2.0	7	7	187	1.4	19
Bright Street / Lincoln Street / Geneva Street junction	Lincoln Rd SB approach	10	471	5.5	13	29	541	18.4	77
	Lincoln Rd NB approach	2	66	2.0	3	61	532	33.8	87
	Bright Street	9	869	33.7	13	16	710	92.1	24
Bourges Boulevard (A15) / Thorpe Road (A1179) / Cowgate roundabout	A15 SB approach	7	1,395	34.2	12	28	1,806	59.1	103
	Queensgate	-	-	-	-	-	-	-	-
	Cowgate	4	113	2.2	8	134	174	271.2	182
	A15 NB approach	15	1,438	32.3	26	327	1,393	153.2	382
Thorpe Road	41	1,044	10.2	80	39	759	12.1	53	
Lincoln Road / Westgate junction	Westgate WB approach	0	87	8.5	0	16	555	11.3	47
	Westgate EB approach	0	30	51.1	0	0	29	112.2	2
	Lincoln Road	0	178	42.7	0	2	99	89.7	8
Average delay (s)		67.2				127.3			
Peak hour latent demand		0				102			

Buses

As a result of Westgate no longer being proposed to be stopped up, there is now no longer a need to re-route any of the arrival bus services to the bus station. As a result of the closure of Deacon Street however the departure routes of the some bus services will have to be re-routed. The options available for the re-routing of these bus services are considered to be acceptable and no objections or comments have been received from any of the bus operators. The bus lay over area in Ackland Street could be lost as a result of the wider North Westgate site, however this land is within the excluded Invesco land, and so does not form part of this planning application site.

Parking

The existing 4 surface level car parks within the application site will be redeveloped as part of this proposed planning application, resulting in the loss of 220 car parking spaces. With the addition of the existing private car parking spaces on site, the total number of car parking spaces to be lost as a result of this development is 309. This outline planning application seeks permission for up to a maximum of 300 car parking spaces. This has reduced by 200 spaces from the previous approval 15/01041/OUT mainly due to the loss of the proposed cinema use. Therefore a net decrease of 9 spaces, should all 300 spaces be proposed. The illustrative masterplan submitted proposes around 281 car parking spaces, contained within the basement of the new Office use in Block A, which is accessed from Bright Street. This is the same location as parking in the previous planning application 15/01041/OUT which had the car parking in this block under the proposed cinema use. It envisaged that some dedicated car parking spaces would be required for the new residential development on site. A car parking condition is recommended to agree the exact details of the proposed car parking, and in particular those dedicated for the residential and office units.

Cycling

The proposed development does not affect any designated cycle routes. Cyclists will still be able to use Bright Street, Lincoln Road and the newly improved Bourges Boulevard as cycle routes as they do presently.

A new 3m wide shared cycle/pedestrian footpath is proposed as part of this development on the northern side of Westgate to provide an improved east/west cycle route adjacent to the application site. This will provide an enhanced cycle route between the railway station and city centre, along Westgate.

As a result of the stopping up of Deacon Street and Cromwell Road within the site there will be no north to south vehicle routes through the site, and all routes within the site will be pedestrianised. The existing north to south routes along Lincoln Road and Bourges Boulevard around the site will be still be available for cyclists. The applicant does not propose to allow cycling within the pedestrianized zones of the application site due to the potential conflicts and safety issues that arise between cyclists and pedestrians in busy city centre environments. The applicant welcomes cyclists to dismount and push their cycles through the pedestrianized zones when visiting or passing through the site, and proposes to provide secure cycle parking with CCTV coverage at key points within the site. Secure cycle storage areas will also be proposed for the new residential development and for the staff of the new businesses within the site.

It is always difficult to balance the needs of cyclists and pedestrians within pedestrian zones of city centre sites, however the safety of pedestrians should be given priority. The Government advice in Manual for Streets and TAL 9/93 does support the inclusion of cyclists in pedestrianised areas, however this advice is based on consideration of the context of the surrounding area and whether cycle routes are required through the development site. In view of the existing cycle routes around the application site and the proposed enhancement to the cycle route along Westgate, it is not considered essential that a cycle route be required through the site. Due to the pedestrianised nature of the routes through the site, the likelihood of outdoor seating areas, landscaping, public art etc, the space available for the movement of pedestrians and cyclists will be limited. Therefore in reality, particularly at busy times, cycling around the site rather than through it would be likely to be a quicker and easier option for cyclists. Therefore whilst the comments of objectors in respect of allowing

cycling through the site have been considered, in this instance due to the potential conflicts between pedestrians and cyclists, and the provision of improved cycle routes around the site, it is not considered that cycling through the site is required, or could be insisted upon.

- Public Realm

The applicant's public realm strategy for the site is based on the Stone Route and the Green Route proposed by Gordon Cullen in the 1970's. The Stone route runs between the Cathedral and St John's Church, and the Green route runs along Bridge Street and Long Causeway. It proposes to introduce a third route from Bourges Boulevard through the site called the Water Route. The pedestrian route through the site would incorporate the principles of Water Sensitive Urban Design to create a unique identity for the area, reduce flood risk, use water more sustainably, as well as promoting urban cooling. Rainwater could be used imaginatively within the streetscene to create attractive public spaces. As this is an outline proposal the exact details of the proposed public realm is not as yet known, therefore a public realm strategy to include the proposed street furniture, lighting, signage, CCTV, landscaping, water features, public art etc will need to be secured by condition.

- Impact on the Historic Environment

There are no statutory designated buildings within the application site. However lying to the south of Westgate, opposite the site, there is the Grade II Wortley's Almshouses. Officers have considered the impact of the proposed development on the Listed Buildings within the vicinity of the site and concluded that the proposed development would not have an adverse impact on the character or appearance of any Listed Buildings.

The site is not located within a Conservation Area, however it is located adjacent to the City Centre Conservation Area, the boundary of which is Lincoln Road to the east of the site. Officers consider the proposed development would preserve the character and appearance of the adjacent part of the City Centre Conservation area.

The former Westgate Church is located in the site, accessed from Westgate. It is a building of local importance, due to it forming an important part of the streetscene. Its scale, appearance and function serves as a local landmark.

16-18 Lincoln Road is the other building of local importance within the site, as it is well proportioned and retains most of its original features. It also has distinctive detailing and its size makes a significant contribution to the area, appearing as a local landmark.

The impact of the proposed development on the two locally listed buildings to be retained as part of this development is considered to be acceptable.

The impact of the proposed development on views of the Peterborough Cathedral and Conservation area has also been assessed. The assessment concludes that the proposed development will have no adverse impact on views of Peterborough Cathedral from the immediate area and only a marginal impact on longer distance views. Officers are in agreement with the findings of this assessment and are satisfied that no unacceptable adverse impact would result on the existing Cathedral views, or Conservation area. As per paragraph 196 of the NPPF, the development will result in less than substantial harm to the significance of designated heritage, and this harm needs weighed against the public benefits of the proposal, and this scheme will bring significant regeneration benefits to the city centre.

Therefore it is considered that the proposed development does not have an adverse impact on the character and appearance of listed buildings and would accord with section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990, and preserve the character and appearance of this part of the City Centre Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and would be in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD

(2012) and the National Planning Policy Framework (2018) (Heritage considerations).

- Contamination

A Phase 1 Environmental Assessment has been submitted in support of the application. The purpose of this report is to determine the potential land contamination liabilities or constraints associated with the development of the site.

The report recommends further intrusive investigation across the entire site, to give a clearer idea of contaminants within the soil and groundwater, and as a part of this further ground gas monitoring. Officers are satisfied that this ground investigation can be secured by way of a planning condition.

The site is underlain by a Secondary A Aquifer, which is classified as a controlled water by the Environment Agency and therefore requires protection from contamination. The proposed basement car parking area is proposed to be approximately 7m above ordnance datum (AOD), which is approximately 3.5m below current ground level. From a report of previous groundwater levels, the finished floor level of the car park could be beneath the groundwater level. The recommended further intrusive investigation will provide more up to date information on the underlying groundwater regime, which will inform the car park design and construction.

Officers accept the findings and recommendations of this report, and are satisfied that the further intrusive investigation can be secured by condition, together with any necessary mitigation/remediation required as a result of the findings.

The proposal is therefore considered to be in accordance Policy PP20 of the Planning Policies DPD.

- Drainage/Flood Risk

Flood Risk

A Flood Risk Assessment has been submitted in support of the application.

The site is located within Flood Zone 1, therefore in accordance with National Planning Policy Guidance all of the proposed uses are considered to be appropriate within this flood zone category, and the risk of flooding is low.

The risk of flooding from groundwater is considered to be low to moderate, though this is likely to be limited to subsurface development such as car parks and basements (which if constructed below the groundwater table, could potentially produce localised 'damming effects'). If planning permission is granted, further site investigation should be undertaken prior to construction to better quantify the risk of groundwater flooding to the site. If the results show that the groundwater flooding would be an issue for subsurface features e.g. car park, then suitable mitigation would be required e.g. installation of an impermeable lining etc.

Drainage

At this outline stage, the exact drainage design for the site is not known, and so will be subject to a planning condition. The applicant has however submitted an outline Sustainable Urban Drainage Strategy (SUDS) to demonstrate how surface water onsite could be managed sustainably, and how SUDS could be integrated into the proposed development layout.

The outline strategy proposes the use of Rills (open channels, covered with iron grating) to act as surface water conveyance features, which receive rainwater from the surrounding rooftops and paved surfaces on side streets. The rills drain into storm planters/rain gardens, which slow and cleanse the water along its route. It also proposes a mist pool water feature to attenuate surface water during significant storm events, but will be predominately dry or only contain shallow water at other times. Permeable paving in certain areas of the site is also proposed, green roofs and a

designated flood storage area.

Officers agree with the principles set out in the Outline SUDS Strategy, and are satisfied that the exact details of the final drainage strategy proposed can be secured by way of a planning condition.

The proposal is therefore considered to be in accordance with the NPPF, and Policy CS22 of the Core Strategy.

- Archaeology

The previous planning application was supported with an Archaeological Desk Based Assessment, an Archaeological Geophysical Assessment and some targeted Trial Trenching.

The desk based assessment identified that the redevelopment of this site had the potential to impact upon archaeological remains. Whilst the site is located outside the medieval nucleus, records indicate that human burials have been found in the vicinity of the site. The area has the potential for prehistoric, Roman, early-medieval and medieval remains. Some ground disturbance has been caused by 19th and 20th century foundations, utilities and service runs, however more deeply buried deposits may survive beneath this. As demolition, ground preparation and construction works may impact on archaeological assets, a geophysical survey (GPR) was undertaken.

The GPR survey results identified several anomalies that could belong to archaeological features, and relate to activity predating the composition of the city centre. There were several rectilinear features positioned on a different alignment to the modern town layout, which could belong to former human activity. Throughout the survey there were also several anomalies of weaker patterning detected. On this basis further investigation was carried out to understand their archaeological significance, via a programme of trial trenching within all of the car park sites in Hawksworth landownership. No archaeological remains were found as a result of these archaeological digs.

Therefore Officers are content the redevelopment of this site is unlikely to impact on archaeological remains, however a Watching brief archaeology condition is recommended to monitor the proposed groundworks, as a precaution should any archaeological assets are uncovered during construction.

The proposed development is therefore considered to be in accordance with Policies CS17 of the Core Strategy and PP17 of the Planning Policies DPD.

- Ecology

A Phase 1 Habitat survey, and bat survey were submitted in support of the planning application. It was agreed that the previous bird survey did not need to need to be repeated for this application.

Officers are satisfied with the assessments in respect of the proposed impacts on protected species. The Bat Report found no evidence of bat roosts being present within the site's trees or buildings. However there was a low level of bat foraging activity across the site. Therefore it is recommended that a range of integral bat roosting features are secured, and that proposed external lighting is designed to be baffled downwards away from any retained habitats and bat box locations. These are recommended to be secured by way of a planning conditions.

The previous bird survey found evidence of several Species of Principal Importance nesting within the site including Starling, Dunnock and House Sparrow, however no Black Redstart were found. Avoidance of works that could damage nests within the bird nesting season of 1st March until 31st August will be required, unless surveys can demonstrate that nesting birds are not present. As per the recommendations of the report, a range of nesting features to cater for Swift, House Sparrow and Starling should be incorporated within the development, the details of which can be secured by a planning condition.

Japanese Knotweed and Cotoneaster have both been found growing on the site. They are invasive non-native species, listed on Schedule 9 of the Wildlife & Countryside Act, and it is an offence to

cause them to spread. Therefore as stated in the EIA and CEMP, care would need to be taken during any works involving the removal, management or disturbance of these plants to ensure no offence is committed. Relevant information can be sought from the Environment Agency regarding statutory obligations on their disposal.

The illustrative landscape masterplan submitted includes living/green roofs, water features and trees, which are welcomed. Opportunities for roofs to incorporate 'brownfield' features should also be explored given the potential for Black redstarts in the area. Soft landscaping should also include a range of native plant and shrub species. The exact details of the landscaping proposals will be secured at the Reserved Matters Stage.

The proposed development is therefore considered to be in accordance with Policies CS21 of the Core Strategy and PP16 of the Planning Policies DPD.

- Trees

The 2015 Arboricultural assessment and an Arboricultural Supporting Statement have been submitted in support of the planning application.

It is stated that the baseline condition of the existing tree stock on site is expected to be broadly similar to that recorded in 2015, with the exception of slight increases in height/trunk girth/canopy spread as a result of natural growth in the 3 year intervening period. It has been confirmed that such modest growth is considered unlikely to be materially significant to the development proposals. On this basis it is considered that the 2015 Arboricultural report can be used in support of this application.

The report identifies that the development proposed would likely require the removal of 23 Category 'C' trees and 3 groups of trees. Category C trees are generally regarded as low quality trees and ones which are not considered to be a significant constraint on development. In addition to this tree removal in the report, the highway mitigation measures on Bourges Boulevard north of the Bright Street roundabout are likely to involve the removal of some of the trees on the highway verge. In principle there would be no objection to the loss of some of these trees, subject to some replacement planting. Officers therefore consider that the tree loss proposed would be acceptable and that satisfactory mitigation could be achieved by a scheme of new tree planting. A proposed Landscape Masterplan has been submitted with the application and whilst it is illustrative only at this outline stage, it does show a possible scheme that would mitigate for the proposed trees loss.

The assessment also mentions the need for works within the Root Protection Area (RPA) of nine offsite Category U trees. Therefore at the detailed reserved matters stage, a Finalised Tree Protection Plan and an updated Method Statement would be required, to identify the exact Root Protection Area infringements and associated methodologies to reduce any potential impact on the retained trees. In addition full and detailed landscape details would be required, along with implementation and maintenance plans.

The proposal is therefore considered to be in accordance with Policy PP16 of the Planning Policies DPD.

- Noise

A noise assessment and Noise Assessment Technical Note was submitted in support of the planning application. This assessment included assessing both the suitability of the site for the proposed uses, and the impact of the development on potentially sensitive receptors in the vicinity of the site.

The main source of noise impacting upon the site is road traffic noise, as the site is bounded by the A15 (Bourges Boulevard), Bright Street, Lincoln Road and Westgate. The noise impacts from the Brewery Tap public house on site were also considered in the assessment. The report concludes that acceptable internal noise levels could be achieved for the new residential properties which face directly onto the surrounding road network, with a suitable glazing and ventilation strategy. In

addition to the types of glazing and ventilation that can be used to secure acceptable noise attenuation, the internal layouts of the properties can also be designed to have less noise sensitive rooms on facades facing the noise source etc. Block A, B and C have the potential to be impacted from break-out noise from the Brewery Tap Public House, together with noise from patrons. The break out noise levels are highest on the eastern and southern facades of the Brewery Tap. The Noise Assessment relies on noise data from 2015, therefore it is advised that any future proposed noise mitigation strategy for the residential uses at the Reserved Matters stage is supported with a relevant updated noise survey data. Therefore to ensure acceptable noise levels are achieved for the proposed new residential properties, a noise mitigation strategy condition is recommended to agree the exact layout details and glazing/ventilation specifications etc proposed.

Any outdoor amenity areas for the residents proposed, should also similarly be designed in a way to help mitigate against the adverse impacts of noise.

The construction hours proposed of 8am to 6pm Mondays to Fridays, 8am to 1pm on Saturdays and no working on Sundays/Bank Holidays is acceptable and in line with Industry standards.

At this outline stage no details of the proposed building services plant are known. At the detailed design stage when the location, number and type of plant proposed is known, the design will have to ensure that it meets the relevant noise criteria in respect of maximum noise levels permissible in relation to the closest existing or proposed residential properties.

The proposed development would have an impact on traffic flows on existing roads in the area, both during construction and once the development is operational. The assessment considered the impact of this on existing residential properties located along surrounding roads and considered that the impact of traffic noise would typically be negligible. Therefore it is considered that the increase in traffic as a result of this development would not unacceptably impact on the existing noise levels enjoyed by surrounding residential properties.

- Air Quality Assessment

An air quality assessment and an air quality technical note have been submitted in support of the proposal.

It concludes that dust emissions from construction demolition can be adequately controlled using on-site High Risk mitigation measures/management practices. With appropriate mitigation measures the potential effects on health and amenity would be acceptable.

The impact of additional vehicle emissions on surrounding receptors has been modelled and it has found that the impact from the additional vehicle emissions of the proposed development on local air quality will be negligible and not significant. In addition any construction plant emissions from plant on site would be small in comparison to the traffic movements on surrounding roads. The effect on local air quality is considered to be negligible.

Officers consider the findings of the assessment to be acceptable, and would impose a demolition/construction management plan condition to deal with the mitigation of noise and dust during the demolition and construction periods.

- Community Infrastructure Levy (CIL)

Peterborough City Council now have an adopted CIL Charging Schedule. Peterborough City Council are obliged to collect the CIL from liable parties (usually either developers or landowners). All applications identified as CIL liable will incur a CIL charge. As this is an outline application we will not be able to issue a liability notice confirming the amount of CIL that is due until we receive reserved matters details. A CIL Questions form has been submitted by the applicant which sets out the proposed details of demolition and new build. The only proposed use within the scheme that could be liable for a CIL charge is the proposed supermarket use.

The proposed highway works, new public realm works (including pedestrian and cycle links), CCTV, public art, fire hydrants and implementation of travel plans will be secured by way of planning conditions, rather than a S106 Legal agreement.

- Other Matters
- Loss of parking on site for adjacent residents – This is an Opportunity Area which has been earmarked for regeneration for a number of years. Whilst residents who currently use the site for overspill car parking will no longer be able to do this, it is not the applicant's responsibility to provide surrounding residents with car parking spaces on this site to address their existing parking problems.
- Loss of former Westgate Church outbuildings containing the Westgate New Church/Christian bookshop buildings – Since the last 2015 planning approval on the site, the Locally Listed Westgate Church has been sold and is now occupied by another church group. The congregation of the Westgate church moved from the main church building into one of the outbuildings on site and they are now known as the Westgate New Church. Various other community groups also operate out of this building. Whilst the loss of the Westgate New Church and community groups would be extremely regrettable, the church and community groups when they moved into these buildings were aware of the plans to demolish them, as this was also proposed in the 2015 planning permission. These buildings need to be demolished to create the new public realm and square around the old church building, therefore their retention does not seem possible. This proposal does allow for the provision of 2,000sqm of new D1 floorspace, which includes public worship/religious instruction use. So the church could try and negotiate terms with the applicant to occupy some of the new D1 floorspace proposed within their scheme.
- Existing Hotels have empty rooms, no more needed – Business competition between hotels is not a material planning consideration. This is a sustainable city centre site, where a hotel land use would be acceptable. The size of the hotel now proposed is smaller than the 2015 planning approval, up to 4,500qm is now proposed, whereas the previous planning approval granted up to 8,000sqm.
- Servicing arrangements - This is an Opportunity Area which has been earmarked for regeneration for a number of years. The Local Highways Authority are satisfied that in principle that the site can be adequately serviced. At the detailed reserved matters design stage further consideration of the servicing arrangements will be required.
- Ability to implement the scheme, due to diverse land ownership – If planning permission is granted the applicant will have to try and negotiate with the various land owners to acquire their land to bring forward the site. Compulsory Purchase may need to be considered should agreement not be reached with landowners.

6 Conclusions

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

- The principle of the mixed used retail, housing, office, leisure etc uses are considered to be acceptable on this city centre site. This is in accordance with Policy CC3 of the City Centre DPD, Policy CS4 of the Core Strategy and Policies LP46 and LP6 of the emerging Local Plan.
- The masterplan principles identified, and maximum and minimum limits of deviation shown in the Parameter plans are considered to be acceptable, to form the basis of any future reserved matters applications.
- The proposed access arrangements, parking and traffic impacts are considered to be acceptable. There are no highway safety concerns with the development proposed. The development is therefore considered to be in accordance with Policy PP12 of the Planning Policies DPD and LP13 of the emerging Local Plan.
- The proposed development would not result in substantial harm to the character and appearance or setting of any listed or locally listed buildings and would preserve the character

and appearance of this adjacent City Centre Conservation Area. The limited harm arising is outweighed by the economic, social and environmental benefits of the scheme. This is in accordance with Policies CS17 of the Core Strategy, Policy PP17 of the Planning Policies DPD, and LP19 of the emerging Local Plan.

- Issues of impact on trees, ecology, archaeology, contamination and flood risk have all be considered and have not been found to be such that the development is inappropriate. The limited impacts can be mitigated by the use of planning conditions. The development is therefore considered to be in accordance with Policies PP16, PP17, and PP20 of the Planning Policies DPD, Policies CS17, CS21 and CS22 of the Core Strategy and Policies LP28, LP29, LP32, and LP33 of the emerging Local Plan.

7 Recommendation

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

- C1 Approval of details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

- C2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, landscaping, layout and scale shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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

- C3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

- C4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- C5 Planning permission is hereby granted is for a mixed use development of up to a maximum of 57,000sqm of floorspace. The exact quantum of floorspace for each particular use will be determined through the reserved matters submissions, however the following maximum floorspace parameters apply:-

1. Retail (Class A1/A2) up to a maximum of 3,500sqm
2. Foodhall (Mixture of Classes A1, A3, A4 and A5) up to a maximum of 2,500sqm
3. Restaurants and cafes (Class A3) up to a maximum of 2,500sqm
4. Office (Class B1) up to a maximum of 16,500sqm
5. Residential (Class C3) up to a maximum of 25,000sqm

6. Hotel (Class C1) up to a maximum of 4,500sqm
7. Non residential institution (Class D1) up to a maximum of 2,000sqm
8. Leisure (Class D2) up to a maximum of 500sqm
9. Parking up to a maximum of 300 spaces

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

C6 The reserved matters applications to be submitted shall be in accordance with the following approved plans and documents:-

- Parameter Plan 02 – Demolition Plan – 0800 00
- Parameter Plan 03 – Lower ground level below ground excavation – 0801 01
- Parameter Plan 04 – Active frontages – 0802 01
- Parameter Plan 05 – Ground level Plan – 0810 P03
- Parameter Plan 05A – Upper Level Plan – 0811 01
- Parameter Plan 05B – Detail siting Plan 0812 00
- Parameter Plan 06 – Vertical Limits of Deviation – 0815 04
- Parameter Plan 07 – Pedestrian access Plan – 0830 01
- Parameter Plan 08 – Vehicle access/Routes – 0831 01
- Highway Layout – NWPB-AEC-XX-XX-DR-HY-SKO1 Rev 1
- Site Location Plan – 0001 00
- Existing site plan – 0005 00
- Masterplan Parameters and Design Principles July 2018

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

C7 Prior to each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), no development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: National Planning Policy Framework (NPPF) paragraphs 170, 178, 179, 180 seeks to prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil or water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented.

- C8 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To provide verification that the required remediation has been carried out to appropriate standards to protect controlled waters and in accordance with the National Planning Policy Framework, in particular paragraphs 170, 178, 179 and 180 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178, 179, and 180 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

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

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

- C11 No development shall commence until a surface water management strategy and detailed drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme should be based on the Flood Risk Assessment (WIE14462-103-R-3-2-6-FRA) dated July 2018. The development shall be carried out in accordance with the approved strategy and scheme.

The details to be submitted in the strategy/scheme shall include (but not limited to) :-

- Full and up to date design details of the proposed drainage systems
- Details of ground investigations
- Calculations associated with final drainage design
- Confirmation from Anglian Water that they are willing to accept the proposed runoff rates
- Confirmation of how overland flood flows will be managed
- Confirmation that drainage of the site will not be to the detriment of the drainage of the adjacent land and buildings
- Confirmation of the extent of green roofs throughout the development
- Confirmation of who will be maintaining surface water drainage systems serving the site if not adopted by the local authority, along with the proposed maintenance regime

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system. In the interests of providing a suitable drainage scheme in accordance with policy CS22 of the adopted Core Strategy. This is a prior to commencement condition as it is key that an effective drainage scheme is proposed and agreed, to prevent abortive site works.

- C12 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that any infiltration systems, such as soakaways, do not increase the potential for contaminant migration. Soakaways should not be constructed in potentially contaminated ground. In the interests of preventing contamination in accordance with policy PP20 of the adopted Planning Policies DPD (2012).

- C13 No development other than groundworks and foundations shall take place until, details of the proposed off-site highways works shall be submitted to and approved by the Local Planning Authority. The details shall include the following:

- Restrictions on traffic movements between the Royce Car Park access and the bus station access on Westgate and immediately to the west of Lincoln Road. To be implemented using CCTV/ANPR technology which shall include the initial system, monitoring regime and physical highway works and signing/lining.
- Alterations to the bus station access onto Westgate.
- Realignment and alterations to width, levels, surfacing and signage and lining (where appropriate) on Westgate.
- Alterations to the existing highway to close Deacon Street and Cromwell Road including removal of highway rights by the stopping up of the highway.
- Alterations to signage and lining in Lincoln Road and North Street.
- Alterations to the alignment of Bright Street Road, including the provision of loading bays, alterations to existing crossing facilities, signing, lining (where appropriate).

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012). This is a pre-commencement condition because the off site highway works are required to make the development acceptable and in addition to planning approval, will require permission from the Highway Authority under the Highways Act.

- C14 No development other than groundworks and foundations shall take place until, details of the proposed accesses to the site from the highways from Bright Street and Westgate shall be submitted to and approved by the Local Planning Authority. The details shall include the following:

- The service accesses to the site from Westgate including the access layout vehicle with visibility splays of 2.4m x 33m and pedestrian visibility splays of 2m x 2m being provided from the access points.
- The service accesses and car park access to the site from Bright Street including the access layout vehicle with visibility splays of 2.4m x 43m and pedestrian visibility splays of 2m x 2m being provided from the access points.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

C15 Prior to any highway works, to which this permission relates, on Westgate, details of the proposed junctions of the exit roads from the car parks onto Westgate shall be submitted to and approved by the Local Planning Authority. The details shall include the following:

- The exit from the 'Royce' car park being reduced to single lane where it meets the carriageway of Westgate.
- The exit from the 'Cavell' car park being reduced to 2 lanes where it meets the carriageway of Westgate including appropriate realignment of the carriageway, surfacing, signing and lining.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012). This is a pre-commencement condition because the highway works are required to make the development acceptable.

C16 Adequate space shall be provided within the site for all vehicles associated with the use of the site to park, turn and load/unload clear of the public highway and to enter and leave the site in forward gear, and shall thereafter be maintained as such.

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

C17 Prior to the occupation of any phase of the development, cycle parking details shall be submitted to and approved by the Local Planning Authority. These details shall include details of the number and type of cycle parking spaces for each element of the proposal. The cycle parking shall be implemented on site in accordance with the approved details prior to the occupation of the corresponding development to which they relate and thereafter maintained as such.

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

C18 Prior to the occupation of any phase of the development, a car parking strategy for each phase of the development shall be submitted to and agreed by the Local Planning Authority. This will provide full details and justification of the number of car parking spaces proposed and their associated use. The car parking shall be implemented on site in accordance with the approved details prior to the occupation of any of the development to which they relate, and thereafter maintained as such.

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

C19 Prior to the commencement of development or any phase of development a Demolition/Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The D/CMP shall include details of (but not exclusively) the following:

- The phasing of the construction/demolition.
- Parking, turning and loading for construction vehicles.
- Location of all storage compounds and welfare facilities.
- Temporary Construction Access points.
- Management of delivery vehicles.
- Haul routes to and from the site
- Wheel washing facilities.
- Hours of working.
- Details of noise and dust management measures

- Temporary Traffic management including any proposed highway works.

The D/CMP shall be in place prior to the commencement of the demolition/development and shall be adhered to throughout the entire period of demolition/construction of the development.

Reason: In the interests of highway safety and environmental protection in accordance with Policies PP12 and PP16 of the Planning Policies DPD.

- C20 Prior to the occupation of 25% of the gross employment (Class B1) floor space of the development a scheme for the Highway improvements to create additional vehicle capacity to facilitate movement from the A15 (Bourges Boulevard) South-bound approach to the Bright Street / Bourges Boulevard roundabout into Bright Street, shall be submitted to the LPA for approval and shall be implemented prior to occupation of 50% of the gross floor space of the development.

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

- C21 Within 3 months prior to the first occupation of any phase of the development a full travel plan for the phase to be occupied shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall be written in accordance with current industry best practice including guidance of the Department of Transport. The development shall thereafter be occupied/operated in accordance with the approved travel plan or a plan as subsequently modified and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable transport and development in accordance with policy CS14 of the adopted Peterborough Core Strategy.

- C22 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority in order that the excavation may be observed and items of interest and finds recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

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

- C23 No development other than groundworks and foundations shall take place on Blocks B, A or E if they are to contain any residential units, until an updated noise survey in respect of the adjacent Brewery Tap are undertaken. The specification of such noise survey should be submitted to and agreed in writing with the Local Authority, before it is carried out. In line with the Noise Assessment July 2018, the results of such survey shall be used to inform a noise mitigation scheme which should also be submitted to and agreed in writing with the Local Authority. This is to ensure that appropriate acoustic windows are proposed where needed on site, particularly in living room and bedroom windows to achieve acceptable noise levels and appropriate means of ventilation. Thereafter the development shall not be carried out except in accordance with the approved details, and thereafter maintained as such.

Reason: To ensure acceptable noise levels and levels of residential amenity are achieved, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C24 Prior to the first occupation of any residential unit a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the Local Planning Authority. This shall include a range of nesting features to be installed within the site buildings that cater for Swifts, House Sparrow and Starling. The development shall therefore be carried out in accordance with the approved details.

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

- C25 The development hereby permitted shall be carried out in accordance with the recommendations of the Ecological Impact Assessment, and in particular:
- External Lighting be designed to baffled away from any retained habitats and bat box locations. Details of external lighting shall be submitted to and agreed in writing by the Local Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

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

- C26 If within 2 years from the date of this consent no development works have taken place, further updated ecological surveys will have to be undertaken and submitted to and approved in writing with the Local Planning Authority. Thereafter all works shall be carried out in accordance with the agreed surveys.

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

- C27 Prior to the commencement of any demolition works affecting or associated with No.16-18 Lincoln Road. Full details of the amount of 16-18 Lincoln Road to be retained and incorporated into the scheme, including elevation and floor plans, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: In order to preserve the special architectural and historic character of the Locally Listed Building in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because the retention of a visually logical part of the Locally Listed building is integral to the design and appearance of scheme and surrounding Conservation Area setting.

- C28 No development other than groundworks and foundations shall take place until a Public Realm Strategy has been submitted to and approved in writing by the Local Planning Authority. This shall be based on the public realm principles set out in the Masterplan Parameters & Design Principles Document. The Strategy shall include details of (but is not limited to) the following:

- Proposed materials
- Street furniture
- Public Art
- Lighting
- Signage

- CCTV and security/management measures
- Landscaping
- Water features and external SUDS features
- Site servicing arrangements, including refuse and recycling collection

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).

- C29 Prior to the commencement of any development a Phasing Plan of proposed demolition and construction works shall be submitted to and approved in writing with the Local Planning Authority. Thereafter the demolition/construction will be carried out in accordance with the approved phasing plan.

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).

- C30 20% of all residential units shall be constructed to meet Building Regulations Part M (Volume 1) Category 2 (the lifetime home standard), and 2% Part M (Volume 1) Category 3 (Wheelchair Housing). The plans and particulars of each relevant reserved matters application to be submitted under condition 1 shall demonstrate compliance with these standards. The residential units shall thereafter be built in accordance with the approved details and maintained as such.

Reason: In order to meet housing need in accordance with Policy CS8 of the Adopted Core Strategy.

- C31 Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure sufficient facilities for firefighting in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C32 As per Parameter Plan 05 – Ground level Plan – 0810 03, the reserved matters applications to be submitted under condition 1, shall demonstrate compliance with the following criteria:-

1. The proposed east to west pedestrianised street between Blocks A and B shall be a minimum width of 16m,
2. The proposed north to south fully open pedestrianised street between Blocks A and C shall be a minimum width of 15m at its most northerly point adjacent to Bright Street, and a minimum of 11m at the most southerly point on site between these two blocks,
3. The maximum east and west alignments of the new Blocks A and C shall be within the horizontal deviations shown on this plan.
4. The minimum distances shown on the plan between Block D to Westgate Church.

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

- C33 The invasive species on site, including the Japanese knotweed shall be remediated in accordance with Government Guidance published on 30 March 2016. No use/development shall commence in any area on site where the Japanese knotweed is present until the details of the remediation undertaken, including compliance with Government Guidance has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the site the invasive plants species on site have been suitably removed and remediated to prevent their return and/or spread in line with Government Guidance.

Informatives

1. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.”
2. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
3. It is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. Trees, scrub and/or structures likely to contain nesting birds between 1st March and 31st August are present on the application site. You should assume that they contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Planning consent for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged even when planning permission is granted. For further information on surveys contact Peterborough City Council’s Wildlife Officer (wildlife@peterborough.gov.uk).
4. The Council's Environmental & Public Protection Service has powers to control noise and disturbance during building works. Normal and reasonable working hours for building sites are considered to be from 8.00 a.m. to 6.00 p.m. Monday to Friday, from 8.00 a.m. to 1.00 p.m. on Saturday and not at all on Sunday. If any activities take place on the site beyond these times, which give rise to noise audible outside the site, the Council is likely to take action requiring these activities to cease. For further information contact the Environmental and Public Protection Services Division on 01733 453571 or email eppsadmin@peterborough.gov.uk.
5. The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.

Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.

6. This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway. These works **MUST** be carried out in accordance with details specified by Peterborough

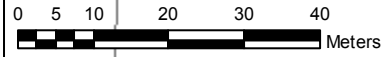
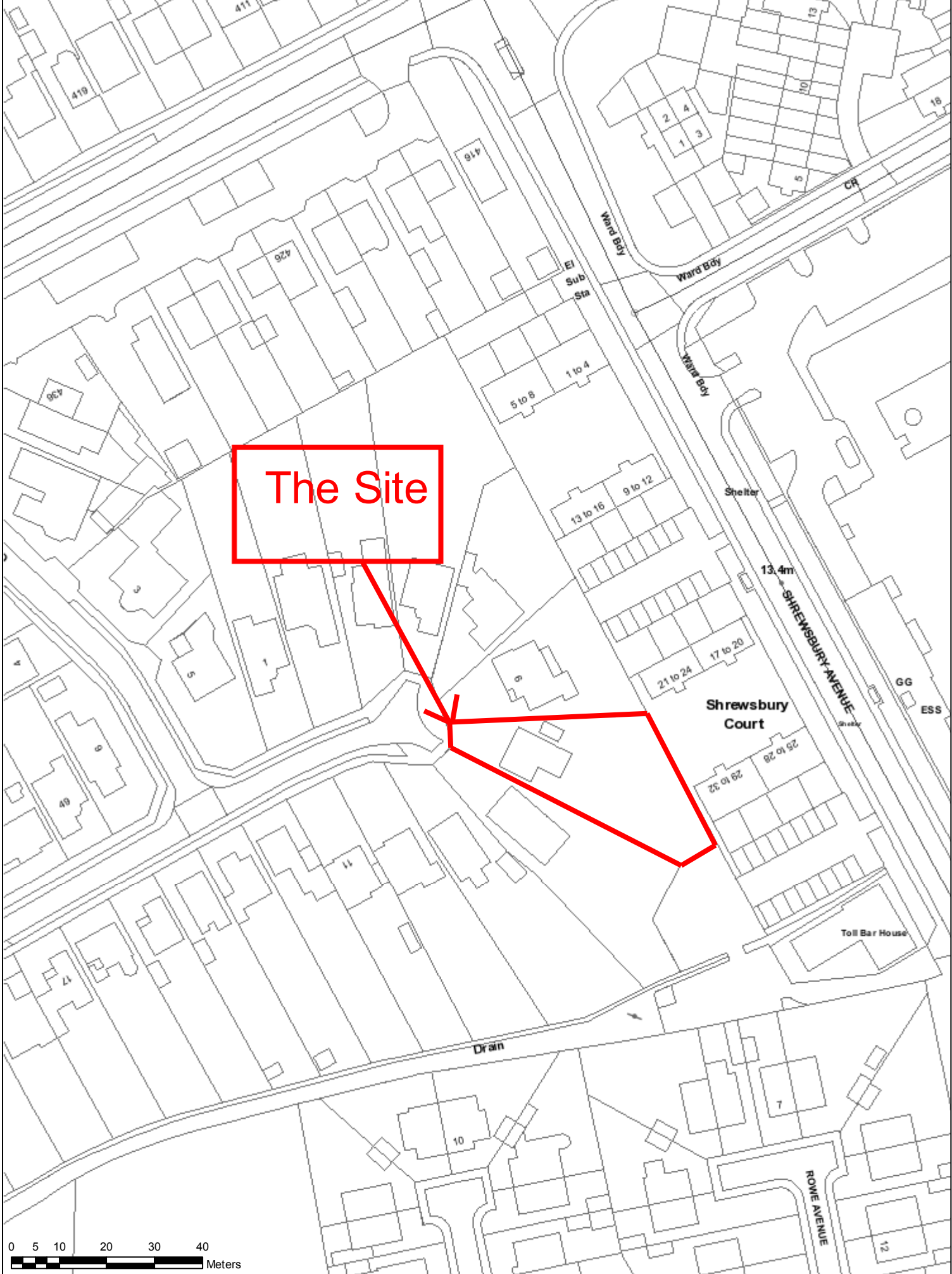
City Council.

Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee.

Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.

7. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
8. The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. **It is essential that prior to the commencement of the highway works**, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.
9. The development involves the stopping up public highway. This must be the subject of an agreement under Section 247 of the Town and Country Planning Act 1990. The applicant will need to make an application to the Department for Transport for the order and application forms and guidance notes may be found online at the following address:
<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

cc: Cllrs M. Hussain, A. Iqbal, and M.Jamil



Location Plan-18/01436/HHFUL- 7 Latham Avenue

Scale 1:1,000
 Print Date: 14/11/2018

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Application Ref: 18/01436/HHFUL

Proposal: Two storey rear extension and alterations to dwelling

Site: 7 Latham Avenue, Orton Longueville, Peterborough, PE2 7AD

Applicant: Mr A Reed

Agent: David Setchfield

Referred by: Councillor Elsey

Reasons: Loss of privacy and overbearing impact to neighbours.

Site visit: 14.09.2018

Case officer: Mr Jack Gandy

Telephone No. 01733 452595

E-Mail: jack.gandy@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site comprises a detached chalet bungalow located adjacent to the turning head of the cul-de-sac. The property is set back approximately 11 metres from the public highway, which this allows for the provision of on-site car parking as well as front garden. To the rear of the property, the bungalow is served by a sizeable rear garden, measuring approximately 34 metres in depth. Detached bungalows are characteristic of the surrounding street scene, with two storey detached dwellings located further to the west.

Proposal

Permission is sought for the construction of a two storey extension to the rear of the dwelling, along with alterations to the existing dwellinghouse:

i) Two storey extension - The existing rear conservatory and pitched-roof extension, together measuring 5 metres in depth, would be demolished. The proposed two storey extension would have an overall depth of 7.2 metres from the original rear elevation of the dwellinghouse. The extension would measure approximately 5.7 metres in width. The roof to this extension would be hipped, with the ridge line proposed to measure 5.9 metres from ground level and the eaves to be 4.4 metres high above ground level. Four rooflights would be installed onto this elevation, with three rooflights proposed to the north-facing roof elevation and one rooflight to the south-facing elevation.

ii) Alterations - To the existing front facing dormer, the central double-hung window would be replaced with two top-hung windows and the adjacent panel to the front door would be replaced. The internal wall separating the existing living and dining room would be removed to allow a larger living room, amongst over layout changes.

Revisions

The original drawings submitted have been altered to reduce the scale of the proposal. The proposed ridge has been dropped to be approximately 0.3 metres less than the dwelling's existing ridge height. In addition, the depth of the extension has been reduced by 1.0 metre.

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.

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

Orton Longueville Parish Council

No objections: Orton Longueville Parish Council has no comments to make on this application.

Local Residents/Interested Parties

Initial consultations: 10

Total number of responses: 5 (Councillor Elsey and neighbours)

Total number of objections: 2 (Councillor Elsey and a neighbour)

Total number in support: 0

One letter of representation was received from a local resident who object to the proposal on the following grounds:

- Strongly object to a double storey dwelling being erected.
- It will take away all of the neighbour's privacy to the rear garden and they will not be able to use their rear garden
- Property devaluation.
- There would be no problem with a single storey extension given that there are bungalows either side of No. 7 Latham Avenue.

A second letter of representation was submitted by **Councillor Elsey**, who has 'called-in' the application on the following grounds:

- Loss of privacy to neighbours.
- The windows from the proposed extension and Juliet balcony will be looking straight into the bedroom of the adjoining property and will leave nearly 60% loss of privacy to their gardens.
- This is already the only two story building in the cul-de-sac and this extension will make the property overbearing.

The other letters of representation submitted by neighbours relate to general enquiries, requesting

weblinks to view the plans online and whether any amendments had been made to the proposal.

5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding area
- Neighbour amenity
- Parking provision

a) Design and impact to the character and appearance of the site and the surrounding area

The proposed extension would be a large addition to the rear of the chalet bungalow. However, it is considered on balance that the proposed design would respect the proportions of the host property. This is through the proposed ridge line being less than the existing ridge line to the main house, along with the width of the proposed extension to be less than the width of the existing dwelling. The proposed 7.2 metre depth of the extension would be 2.2 metres further in depth than the existing arrangement to the rear of the property, which includes the existing dual pitched extension and conservatory.

However, given its position to the rear of the dwelling, the proposed extension would not readily be visible to view from the public realm. With the proposal to be constructed in materials to match, it is considered on balance that the proposed 7.2 metre extension would not unacceptably impact upon the character and appearance of the surrounding street scene. The alterations to the front dormer are considered to be acceptable.

Although Officers consider a more subservient extension could be achieved, the proposal is considered to be 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 Local Plan (Examination Stage) (2018).

b) Neighbour amenity

The curtilage of the site is surrounded by residential neighbours, with No. 6 Latham Avenue and No. 8 Latham Avenue located either side of the application site. To the rear of site is Shrewsbury Court.

i) No. 6 Latham Avenue

No. 6 Latham Avenue is the adjacent neighbour bungalow to the north. The boundary between this dwelling and No. 7 Latham Avenue comprises waney fence panels and vegetation. An outbuilding is also situated between the two dwellings. Given these two factors, it is not considered that the ground floor windows to the proposal would unacceptably impact upon the privacy of the adjacent neighbour. With regards to the three rooflights, the centre of each rooflight would be approximately 2 metres above floor level. This is considered to be acceptable to ensure the privacy of the adjacent neighbours.

The projection of the proposed extension, along with the position of the two dwellings, means that the proposal diverges away from the neighbour towards the rear of the property. At its nearest point however, the proposed rear extension would be approximately 7.5 metres from the side elevation of the neighbouring bungalow. Given this distance, it is not considered that the proposed two storey extension would be unacceptably overbearing to the neighbouring house and given the diverging extent of the proposal, it is not considered that the proposal would cause adverse overbearing to the rear garden.

Given that No. 6 Latham Avenue is north of the application site, it is not considered that adverse levels of shadowing would impact upon the dwelling from the proposal, given that such shadows would be at their shortest during mid-day periods. Furthermore, given the separation of the

proposal from the shared boundary, it is not considered that unacceptably high levels of shadowing would impact upon the neighbouring garden.

ii) No. 8 Latham Avenue

This bungalow is to the south of the application site. The two properties at their nearest point are approximately 2.6 metres apart from each other. The proposed extension would be set approximately 4.7 metres from the boundary. The boundary is comprised of close board fencing along with vegetation maintained at a higher level. The orientation of No. 8 Latham Avenue means that the rear of this neighbour diverges further away from No. 7 Latham Avenue, therefore between the two dwellings there would be a greater separation distance. Notwithstanding this matter, the 4.7 metre separation is considered to be sufficient to avoid the proposal being adversely overbearing to the adjacent property. In addition, given that the proposed extension would be north of No. 8 Latham Avenue, it is not that adverse levels of shadowing would impact upon the neighbour or their rear garden.

No. 8 Latham Avenue has three windows to its side elevation. Two windows serve the ground floor bathroom, with the other side window serves a bedroom. The bedroom is also served by larger window to the front elevation of the property. One rooflight, side door and two additional window openings are proposed on the south-facing elevation of the extension to No. 7 Latham Avenue. To the ground floor, the two windows and a door are proposed to the kitchen and breakfast/family area. It is considered that the existing boundary treatments would acceptably screen the lower ground floor windows to avoid unacceptable loss of privacy. With regards to the rooflight, the centre of the rooflight would be 2 metres above floor level. This is considered to be sufficient to avoid overlooking impacts to the neighbouring property and its garden.

The Juliet balcony proposed to the rear would gain some views to the neighbouring garden to the south. The position of the existing decking area to the rear of the No. 8 Latham Avenue would be partially screened by the existing single storey extension serving No. 8 Latham Avenue, but it is considered that the use of this area would be retained. Furthermore, permitted development rights allow for first floor windows and dormers to be installed to the rear of dwellings. It is considered that whilst there would be some harm to the privacy of the neighbouring garden, that harm is not considered to be unacceptable.

iii) Shrewsbury Court

Shrewsbury Court is east of the applicant dwelling. There would be approximately 18.5 metres from the rear elevation of the proposal to the nearest residential unit within Shrewsbury Court. Given this separation distance along with the sizeable rear garden, it is not considered that the proposal would cause adverse overbearing impacts or unacceptable levels of shadowing to these neighbours. Furthermore, the proposed Juliette balcony is considered to be sufficiently distant from these dwellings to ensure no unacceptable loss of privacy.

In light of the above, the proposal is considered on balance to be 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 Local Plan (Examination Stage) (2018).

c) Parking provision

The front elevation of the dwelling is approximately 10.3 metres from the public footway to the west. There is existing hard-surfacing to the front of the dwelling to allow for the provision of two vehicles to park on site in a tandem arrangement.

Under PCC's car parking standards, two car parking spaces of an acceptable size are required to serve a dwelling with two or more bedrooms. With this proposal, the dwelling would have three bedrooms, which is the same as the existing situation. With the dwelling already providing sufficient parking provision, there is no requirement to provide additional parking on-site.

On the basis of the above, the proposal is considered to be in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Local Plan (Examination Stage) (2018).

Other matters

- Property devaluation - This is not a material planning consideration.

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 unacceptably impact upon the character and appearance of the site and 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 Local Plan (Examination Stage) (2018).
- The adjacent neighbours to the site would not be adversely impact upon by the proposed development, 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 Local Plan (Examination Stage) (2018).
- Two on-site parking spaces would be retained, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Local Plan (Examination Stage) (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 development hereby permitted shall be carried out in accordance with the following approved plans:

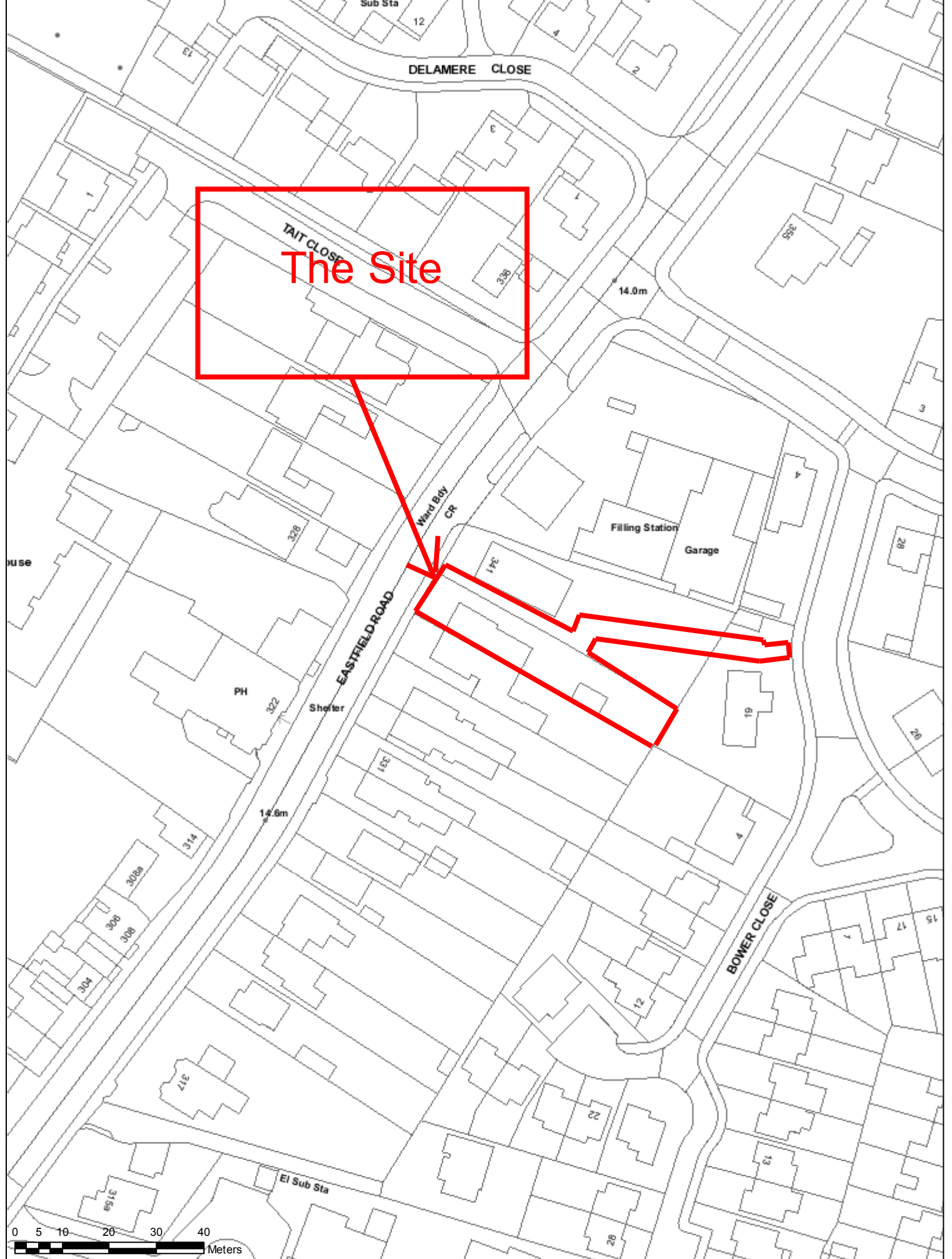
- Location and Site Plan (Drawing number AR/0718/01 Revision B)
- Existing Plans and Elevations (Drawing number AR/0718/02)
- Proposed Elevations (Drawing number AR/0718/02 Revision C)
- Proposed Floor Plans (Drawing number AR/0718/04 Revision C)

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

- C 3 The materials to be used in the construction of the external surfaces of the two storey rear extension 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).

Copy to Councillors Casey, Elsey and Walsh.



Location Plan-18/01675/FUL- 339 Eastfield Road

Scale 1:1,000
Print Date: 14/11/2018

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Application Ref: 18/01675/FUL

Proposal: Change of use from house in multiple occupation HMO (Class C4) to Hotel (Class C1)

Site: 339 Eastfield Road, Eastfield, Peterborough, PE1 4RA

Applicant: Mr J Karavadra

Agent: Mr Tim Slater
3D Planning Ltd.

Referred by: Cllr Joseph

Reason: Cumulative impact, increased antisocial behaviour and traffic

Site visit: 31.10.2018

Case officer: Mr D Jolley

Telephone No. 01733 453414

E-Mail: david.jolley@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and surroundings

The application site is a small scale HMO of up to 6 people, located along Eastfield Road, 1 mile east of the city centre. The site has a small, partly enclosed, front garden and fully enclosed rear garden. There is a driveway to the side of the property. The surroundings are broadly residential in character but with a car garage, petrol station and shop close to the application site on the corner of Eastfield Road and Ashcroft Gardens. To the side and rear of the application site is a complex of three buildings which together operate as the Eastfield Guesthouse, which is accessed from Eastfield Road and exists via a 1 way system to Briar Way.

Proposal

Permission is sought to change the use of the building from a 6 bedroom HMO (C4) to a 7 bedroom Hotel (C1). It is proposed to access the site from the adjacent access of 241 Eastfield Road, which gives access to the parking area to the rear, which exits to Briar Way

N/B The proposal has been revised to alter the redline at the request of the Local Highway Authority. This alteration is currently out for reconsultation. Any responses pertinent to the determination of the application will be added to the update report.

2 Planning History

No relevant planning history for 339 Eastfield Road

History for Eastfield Guesthouse complex;

18/00192/FUL – Extension to 19 Briar Way – Refused - Overturned by Inspector

17/02104/FUL – Extension to 4 Ashcroft Gardens - Approved

16/02187/FUL – Change of use of 19 Briar Way and 4 Ashcroft Gardens to C1 – Approved

3 Planning Policy

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

Peterborough Core Strategy DPD (2011)

CS14 - Transport

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

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)

PP03 - Impacts of New Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

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

LP16 - Urban Design and the Public Realm

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

4 Consultations/Representations

PCC Peterborough Highways Services (22.10.18)

Remove a space at the front of the site and have the parking area to the rear accessed from 341 Eastfield Road. N.B An amended plan to do this has been received and is currently subject to consultation.

Subsequently the LHA have requested the following; To provide additional reversing space for a vehicle parked in the single parking space on the forecourt of 339 the LHA would request that the 1200mm high timber fence to the east of the parking space is relocated slightly further back for a distance of 3m. This shall position the fence just to the front of the side window of the dwelling.

To provide additional space for vehicles entering the site the LHA would also request that the length of the 1200mm high fence in the centre of the driveway is reduced in length by 3m. – This will be appended as a condition to the permission.

Local Residents/Interested Parties

Initial consultations: 4

Total number of responses: 3

Total number of objections: 3

Total number in support: 0

Cllr Joseph has objected to the proposal on the basis of;

- Cumulative impact on local residents
- Increased traffic
- Increased risk of antisocial behaviour

3 Objections have been received in relation to the proposal from Local Residents.

Over the past few years there have been several instances where it has become obvious that the neighbourhood in general is deteriorating and one of the reasons for this is that properties are being purchased and converted into multi-tenant properties.

This in turn means that that "ownership" pride has been lost and as a result the area is much the

worse for it. I have no particular issue with an individual who may wish to extend their own property for personal convenience but I do object to so much change, basically, for financial reward. Recent developments and this scheme do not have the collective interests of the community at heart.

Proposals such as this are changing the face of our community by turning what was once a quite desirable residential area into a much more commercially biased one via rented housing as a result of these planning alterations - the latest being a request to convert a house to a hotel!

This in turn makes this area less desirable for any potential purchasers, which in turn will affect the saleable value of many of the residents properties. Whilst I appreciate that this planning application specifically concerns bricks and mortar, the general standards for the whole neighbourhood is what is at risk here.

Recent developments have resulted in the site being turned into a dormitory with increased traffic and antisocial behaviour.

The proposal will bring vehicles into what is a garden area. Trees will be lost increasing noise and pollution.

Increased number of residents will exacerbate problems of noise and antisocial behaviour.

Planning conditions on previous approvals have not been complied with.

Cars speed past the site, this is dangerous to residents.

We were under the impression the site was at capacity.

Insufficient parking

No amenity space, residents gather outside building and sit on walls worsening antisocial behaviour.

No facilities for waste recycling

This development will put pressure on schools.

Cars still park on Briar Way

5 Assessment of the planning issues

The main considerations are;

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings
- The impact of the proposal on highway safety

The impact of the proposal on the character of the area

Externally there is little to no change to the property and as such any changes to the character of the area will arise from the intensity of the use of the site. The application site is located along a busy arterial route, close to a school, petrol station and shop and it is considered that there is a high level of activity close to the site throughout the day. The likely increase in the number of residents using the site is unlikely to result in a materially harmful increase in the intensity of the use of the site.

An objector has stated that the loss of on site trees will harm character and increase noise nuisance to neighbours. The applicant could remove these trees without permission and as

conifers they are unlikely to be considered worthy of retention, particularly with limited public amenity, therefore it would not be reasonable to resist the application on this basis.

An objector has stated that the applicant is turning the area from a residential area to a commercial area, changing the character. Whilst it is accepted that a hotel is a commercial use, it is still people sleeping in rooms and as such is not greatly different from a residential location, patterns of use and comings and goings may be somewhat different but in essence the uses are very similar.

In light of the above it is considered that the proposal will not materially change or harm the character of the area.

The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

The proposal does not result in increased floorspace but increases the number of rooms in the property from 6 to 7. The proposal will result in a greater number of people residing in the property as the dwelling will no longer be limited to 6 people living at the site. However the exact intensity of use cannot be known as it will depend on breakdown of who is renting the rooms, either professionals where occupancy is likely to be lower or couples and emergency accommodation where more than one resident per room is likely.

If a worst case scenario of around 14 people occupying the dwelling is considered, it is clear that some increased noise from residents will result. However this is unlikely to be unacceptably harmful. The site is accessed from a busy arterial route from the city centre and as such a higher level of noise must be considered acceptable. There is a small patio to the rear of the dwelling which is likely to function as a smoking area for residents. The LPA are of the opinion that this is unlikely to be more harmful to neighbour amenity than the use of this area by residents of the HMO as amenity space.

Residents have objected on the risk of increased antisocial behaviour. The LPA do consider there to be materially more risk with a hotel than with a HMO. A resident has stated that occupiers sit on boundary walls and cause nuisance, however there is nothing to stop the existing residents of the HMO doing this currently. In fact it is likely to be easier to remove a problematical resident from a hotel rather than a HMO as the resident would not have a tenancy agreement.

Some increased noise disturbance may result from the use of the amenity space as a car park, however there is nothing to stop existing residents using the rear garden as a car park and notwithstanding this, it is considered that given the relatively busy character of the area that use of the parking area is unlikely to materially harm the amenity of the occupiers of neighbouring dwellings.

Whilst the loss of any trees is regrettable, the applicant is free to remove the conifers at any time as they are not worthy of protection. Therefore the loss of these trees should not form the basis of the refusal of this application.

In light of the above it is considered that the proposal will not materially harm the amenity of the occupiers of neighbouring dwellings. Any harm that does result must be balanced against the provision of additional emergency accommodation, which provides authority wide benefits.

The impact of the proposal on highway safety

It is noted that the Local Highway Authority did not mention the level of parking provision in their initial response. It is also noted that the design and access statement is wrong in regard to onsite parking provision as it states there is sufficient provision for 6 rooms, where in fact there are 7. Notwithstanding this and if requested by the LHA there is space to site an additional parking space beneath the solar panel area, giving the correct parking provision. It is also noted that there is space for two vehicles to park to the front of 341 Eastfield Road, spaces which are not counted on the submitted site plan but could be used as part of the wider sites provision.

Clearly by making the parking/access part of the 1 way system serving the Guesthouse complex,

some additional traffic will exit via Briar Way. It is considered that the 7 rooms will not materially increase the level of traffic using Briar Way when considered over a 24 hour period. The access to Briar Way is a recent construction, to current standards and is considered to be a safe access with good visibility on both sides. An objector has stated that the level of traffic and speed of road users on Briar Way is a risk to the residents of the proposed hotel. The LPA are of the opinion that there is no reason to believe that the residential of the proposed hotel will be at undue or unacceptable risk of road traffic accidents, with many locations close to schools becoming congested at the beginning and end of the school day.

Subsequent to their previous comments the LHA have asked for additional alterations to the proposal, to move back a section of fence to the rear of the single parking space and to reduce the section of fencing between number 339 and number 341. There is insufficient time to secure these alterations and therefore they will be requested by condition.

In light of the above it is considered that the proposal is unlikely to materially harm highway safety, subject to comments from the LHA on the amended site plan.

Other matters

An objector has stated that past developments did not adhere to planning conditions. This is not a material planning consideration and there is no policy framework to resist an application on this basis.

An objector has stated that the proposal may reduce the saleability of their own dwelling, this is not a material planning consideration.

An objector has stated that the proposal will place pressure on local schools. The proposal increases the number of bedrooms in the property by 1 and removes the cap of the number of people who can reside in the property, which may result in a number of children being accommodated in the hotel. It is also noted that school age children of those requiring emergency accommodation would need to be educated somewhere and as such in terms of the broader authority the proposal will not increase demand for school places.

An objector states that the proposal will result in the loss of amenity space, with none to serve the hotel. There is no specific amenity space requirement for hotels and the small patio to the rear of the building remains. It is considered that it would not be reasonable to refuse the application on this basis.

An applicant has stated that there are no recycling facilities for the operation and that this does not accord with the environmental agenda of the Local Authority. As a commercial enterprise the site will be served by private rubbish collection and it would be difficult for the local planning authority to enforce a condition that required residents to recycle their rubbish.

An applicant has stated that they were under the impression that the site was at capacity. It is true that this formed the basis of the refusal of application 18/00192/FUL. However this refusal was appealed and the decision of the LPA was overturned. Notwithstanding this, the proposal is an expansion of the site via the adjacent site, rather than an intensification of the existing Eastfield Guesthouse site and as such this argument is not considered valid in this instance.

6 Conclusions

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

- The proposal will not unacceptably harm the character of the area, the amenity of the occupiers of neighbouring dwellings or highway safety; in accordance with policy CS14 and CS16 of the Peterborough Core Strategy (DPD) 2011, policies PP2, PP12 and PP13 and policy LP13 and LP16

of the Peterborough Local Plan (Submission).

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

- C 2 The development shall be carried out in accordance with drawings; 313SK01 rev A and 313SK02 rev F

Reason: For the avoidance of doubt.

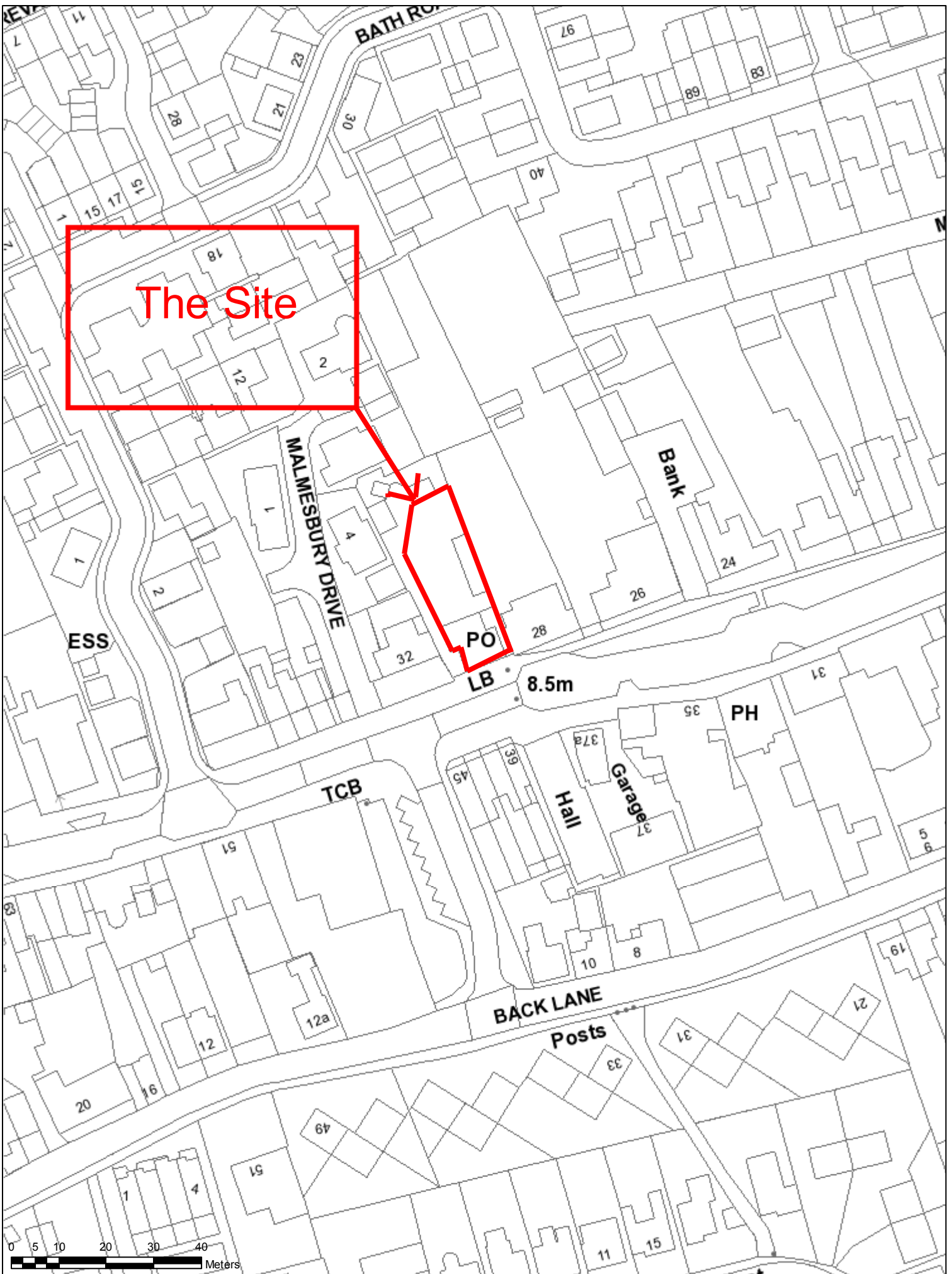
- C 3 The hotel shall not be occupied until the access, parking and turning areas have been constructed and hard surfaced or gravelled in accordance with the detail shown on the approved plan 313SK02 rev F. The parking areas shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the hotel and for no other purpose.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C4 Notwithstanding the approved plans, prior to the first use of the hotel hereby permitted a plan showing the 1200mm high timber fence to the east of the parking space at the front of the site relocated back into the site by 3.0 metres and a reduction in the fence between driveways by 3.0 metres, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved drawing and retained as such prior to first use of the hotel.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

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Location Plan-18/01758/FUL- Eye Post Office 30 High Street Eye

Scale 1:1,000
 Print Date: 14/11/2018

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Application Ref: 18/01758/FUL

Proposal: Security shutters to two windows and front door (retrospective)

Site: Eye Post Office, 30 High Street, Eye, Peterborough

Applicant: Mr Mahendra Patel

Agent:

Referred by: Cllr Steve Allen

Reason: Importance of the Post Office as a community facility

Site visit: 18.10.2018

Case officer: Mr Chris Mohtram

Telephone No. 01733 4501733 453410

E-Mail: chris.mohtram@peterborough.gov.uk

Recommendation: Refuse

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

The site and surrounding area

The site sits in the Eye Conservation Area whose boundaries are the rear of buildings adjacent the High Street to the south and north, the junction of Crowland Road and High Street to the east and the junction of Hodney Road and High Street to the west.

The site is located in the heart of Eye High Street with a strong residential area surrounding. The High street itself is a mixture of commercial, retail and residential properties, some of architectural merit, with some consisting of white and distinctive pallet brick elevations and multi lighted bay windows. Properties are set back from the highway with small front gardens enclosed by low brick walls or contain off street parking.

The site itself is a red brick, pan tiled roof detached dwelling with a long gravel driveway along its western flank and a detached garage set far back into the rear of the curtilage. The garden is reasonable in size with demarcation provided by low brick walls along its flank and close boarded fencing at its rear. Residential access is taken along the flank of the dwelling with the main access to the Post Office along the principle elevation.

The proposal

The proposal is for the installation of metal security shutters, painted white. These will cover the two windows and door on the principle elevation facing the High Street.

In correlation with the dimensions for the two windows, the shutters will measure 1.7m x 2.5m. The shutters for the door will measure 2.5m x 1m.

2 Planning History

07/00645/ENFAD - Various signs - 2 Lottery ground level signs outside Post Office. Footpath is wide so signs not causing an obstruction to pedestrians, the signs are taken in every evening. All information has been passed to highways. No further action to be taken.

18/00335/ENFOTH - Unauthorised development (Installation of external shutters) – ongoing

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

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

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

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

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

Peterborough Core Strategy DPD (2011)

CS17 - The Historic Environment

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

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.

PP11B - (b) External Shutters

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

PP17 - Heritage Assets

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

Peterborough 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.

LP16 - Urban Design and the Public Realm

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

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

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

LP19 - The Historic Environment

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

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

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

Peterborough Shop Front Design Guidance SPD (2014) – Solid external shutters may be often preferred by shopkeepers, but they are visually intrusive, 'deaden' the street frontage and create an unwelcoming environment. They are vulnerable to graffiti and fly posting. External shutters are only acceptable in special circumstances with the support of Cambridge Constabulary where there is a persistent problem of crime or vandalism which cannot be addressed by other measures.

4 Consultations/Representations

Highways Officer (07.11.18) – No objection:

The roller shutters shall not impact upon the adjacent public highway, the LHA (Local Highway Authority) would therefore raise no highway objections to the proposals.

PCC Conservation Officer (24.10.18) - Objects:

External security shutters have been resisted by PCC for a number of years now and is backed up by the councils adopted Shop Front Design Guide (2014). These installations have a hugely deleterious impact on the character and appearance of any area, let alone conservation areas.

External shutters create harsh and dead environments, leading to a perception and fear of crime, as well as significant reduction in actual and perceived levels of vitality and natural surveillance.

This impact can be readily seen by the external shutters that adorn the shop opposite. The shutters opposite are historic and were in situ prior to the Conservation Area designation in 2002, thus unenforceable. As such, these shutters should not be seen as any form of precedence, but rather, strong evidence of why such practice should not continue to be supported today.

Although there has been reported attempts of break in, Cambs Police deem the risk that shutters would prevent, to be moderately low. It is therefore considered that the shutters would only be appropriate if they were relocated internally to the building. Internal shutters are visible behind the shopfront, rather than obtrusive within the streetscene and generally form a similar deterrent to burglars as external shutters do; (i.e. few people would consider loudly breaking into a shopfront, knowing that there is a far more secure barrier behind).

The objections above are clearly backed up in the adopted Shop Front Design Guide (2014).

The NPPF contains a general presumption in favour of sustainable development, but development is not considered sustainable if it causes harm to heritage assets.

The proposed development will harm the significance of the Conservation Area and the listed building through inappropriate development within their setting, contrary to paragraph 195 196 of the NPPF that would also neither preserve nor enhance the character or appearance of the Conservation Area, contrary to Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act. The proposal would also be contrary to Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The NPPF requires that harm to a heritage asset must be weighed against any public benefit (assessed by the planning officer). It is considered that the impacts upon those assets identified within these comments are significant, though less than substantial, so paragraph 196 of the NPPF is engaged. While the harm is less than substantial, the harm is significant and the level of harm is not justified and would warrant consideration as grounds for refusal.

In my opinion, the harm caused by the proposal on designated heritage assets triggers the "strong presumption" against granting permission and the harm is not exceeded by the limited public benefits of the proposal.

It is considered that the proposal does not comply with the provisions of Paragraphs 193 and 195 of the NPPF; Peterborough Core Strategy Policy CS17 and Peterborough Planning Policies Development Plan Document Policy PP17 and the application be refused.

Recommendation

From a heritage consideration the proposed works are not supported.

The unauthorised shutters do not preserve or enhance the character and appearance of the Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) nor accord with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations)

Eye Parish Council (29.10.18) - No comments to make

Designing Out Crime Officer (19.10.18) - Whilst I accept there have been some criminal activity at this premises it is at of a low level (5 offences in nearly 4 years) and I would assess the potential crime risk to the property, "which shutters would prevent, as moderately low.

The offences include:

3 x burglary – 1 x side window forced, 2 x attempted forced entry – attempt to break windows and forcing doors - no entry gained
1 x shop lifting and 1 x robbery – offender has subsequently been arrested.

If the Local Planning Authority deems that external shutters already installed are not suitable for this property in the manner proposed, the applicant could consider installing internal shutters or demountable mesh grills. It would appear the owner has already installed toughened glass to the premises.

Ideally internal shutters should be tested to minimum security standard of LPS 1 175 SR2 or higher. I have no further comments, objections or recommendations.

Local Residents/Interested Parties

4 representations have been received supporting the scheme. Main points mentioned:

- o Other premises have shutters upon them
- o The premises has been damaged or Vandalised in the past
- o Local Post Office is struggling economically, Local Authority support is required
- o Local shops provide service to the community

5 Assessment of the planning issues

Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Highways impact
- Other matters

a) Principle of development

Policy PP11 of the Peterborough Planning Policies DPD (2012) is the primary policy in determining applications for external roller shutters, amongst other criteria (discussed below), the policy requires that a persistent problem of crime or vandalism affecting the property or business must be demonstrated, which cannot be satisfactorily and reasonably addressed by an alternative measure. Additionally external security shutters have been resisted by PCC (Plymouth City Council) for a number of years now and is also backed up by the councils adopted Shop Front Design Guide (2014). These installations have a hugely deleterious impact on the character and appearance of any area, let alone conservation areas.

The Cambridgeshire Police Architectural Liaison Officer (PALO 19.10.18) has advised that, having reviewed Police crimes and incidents at the site over the past 4 years, nothing would suggest that the premises is vulnerable to crime and disorder. Furthermore, whilst other premises within the locality have been burgled. Taking the above into account, the PALO considers that the potential crime risk to the property, which shutters would prevent, is moderately low.

In addition to this lack of identified or proven crime risk, the Applicant has failed to demonstrate why alternative measures for securing the property are not satisfactory or reasonable. Given that the main reason given by the Applicant for the shutters is to prevent thefts of high value stock at the request of Royal Mail. The installation of internal shutters has not been explored due to stated economic costs, which Officers consider is likely to be a sufficient measure to prevent/mitigate a perceived crime risk and reduce detrimental impact on the wider conservation area.

In light of the above, it has not been proven that there is a crime risk affecting the property, or that alternative measures would be sufficient to mitigate any risk that does exist. Accordingly, the principle of development is not considered acceptable.

b) Design and impact upon the character and appearance of the surrounding conservation area

The roller shutters installed on both the principle windows and main door are of a solid steel appearance and will be painted white, this will appear unduly obtrusive and dominant to the shop frontage when not retracted. The appearance of the shutters is an unattractive addition to the premises, and one which increases the perception of crime to the detriment of the character of the streetscene and wider area.

The Conservation Officer (24.10.18) comments 'External shutters create harsh and dead environments, leading to a perception and fear of crime, as well as significant reduction in actual and perceived levels of vitality and natural surveillance'.

Whilst it is noted that other premises within the locality currently have roller shutters which came about before the site was incorporated into the Eye Conservation Area (designated March 2002). The application site presently acts as relief from these harsh and 'dead' frontages.

The proposed shutters create a significant length of frontage which has no activity at night, and significantly increases the degree of harm which already results by virtue of the neighbouring shutters along the High Street. The presence of past security shutters do not automatically set a precedent for further shutters, this proposal should be resisted as it would lead to the further erosion of the character of the Conservation Area.

c) Highway impacts

Whilst the housing of the roller shutters over sails the public highway, the Local Highway Authority (LHA) has raised no objections as it is not considered that this unacceptable impacts upon the safety of users.

d) Other Matters

It is important to address other additional points highlighted within supporting statements received.

Supporting comments highlight the valued service provided by the Post Office for the local community and that economically it is struggling through additional competition in the High Street. This factors are acknowledged, however from an Officers standpoint, the harm caused by the shutters, is perceived to outweigh their benefits. The NPPF requires that harm to a heritage asset must be weighed against any public benefit (assessed by the planning officer). It is considered that the impacts upon those assets identified within these comments are significant, though less than substantial, so paragraph 196 of the NPPF is engaged. While the harm is less than substantial, the harm is significant and the level of harm is not justified and would sustain grounds for refusal.

It is also important to mention that the consultation response for the proposal expires on the 15.11.2018, with possibility of further comments submitted up to this date.

6 Conclusions

On the basis of the above, the development results in unacceptable harm to the character, appearance and visual amenity of the streetscene and surrounding area which is contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2 and PP11 of the Peterborough Planning Policies DPD (2012) and emerging Policies LP16 and LP18 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **refused**:

- R 1 There have been 5 incidents of crime reported at the application property within the four years preceding this application. Due to the number and type reported, this would not suggest that the site is vulnerable to crime and disorder. Accordingly, the potential crime risk to the property, which shutters would prevent, is considered moderately low. It has therefore not been demonstrated that there is a persistent and serious crime risk, or that other measures would not be sufficient or reasonable to mitigate any low risk that is posed. Accordingly, the proposal is contrary to Policy PP11(d) of the Peterborough Planning Policies DPD (2012) and emerging Policy LP18(d) of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.
- R 2 The roller shutters, by virtue of their appearance and prominence, result in a poor quality of shopfront which appears unwelcome, unattractive and increases the perception of crime risk within the locality. The shutters exacerbate the 'dead' frontage which already exists from neighbouring external shutters, and results in a poor quality of design within the streetscene. The development therefore causes unacceptable harm to the character, appearance and visual amenity of the surrounding Conservation Area (which is not outweighed by the crime at the property that necessitates mitigation) which is contrary to Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011), Policies PP2, PP11 and PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policies LP16, LP18 and LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.

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