

PLANNING & ENVIRONMENTAL PROTECTION
COMMITTEE

TUESDAY 21 FEBRUARY 2012 AT 1.30PM

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**UPDATE REPORT &
ADDITIONAL INFORMATION**

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PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 21 FEBRUARY 2012 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent/Supporters/Parish Council/Town Council/Neighbourhood Representatives
3.1	1	10/01461/OUT – FORMER ROYAL MAIL SORTING OFFICE, BOURGES BOULEVARD, PETERBOROUGH, PE1 1AE	Mr David Shaw Mr Ben Wrighton (GL Hearn) Mr Nick Jones (GL Hearn) Mr Tim Webb (ING)	Objector Agent Agent Applicant

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BRIEFING UPDATE

P & EP Committee 21 February 2012

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	10/01461/OUT	Former Royal Mail Sorting Office, Bourges Boulevard, Peterborough, PE1 1AE. Redevelopment of site to provide office (Use Class B1) and retailing use (Use Classes A1, A3 and A4) with associated vehicular access/egress, car parking and landscaping.

AMENDMENTS TO THE COMMITTEE REPORT :-

- **Section 2** – Planning Policy, the following policies should be added:-

CS11 'Renewable Energy'
CS21 'Biodiversity'
CS22 'Flood Risk'
LNE10 'Detailed Elements of Landscaping Schemes' from Local Plan
U1 'Water Supply, Sewage Disposal and Surface Water Drainage' Local Plan
U9 'Pollution of Watercourse and Groundwater' Local Plan
CC10 'North Westgate Opportunity Area'
National PPS5 Planning for the Historic Environment
National PPS23 Planning and Pollution Control

- **Section 8** – Conclusions, the following policies should be added:-

Policy CS3 'Spatial Strategy for the Location of Employment Development'
Policy CS15 'Retail'
Policy LNE9 – Landscaping Implications of Development Proposals
Policy LNE10 – Detailed elements of landscaping schemes
Policy U1 'Water Supply, Sewage Disposal and Surface Water Drainage' Local Plan
Policy U9 'Pollution of Watercourse and Groundwater' Local Plan

- **Section 5** – Planning History, the following developments should be added:-

Planning Reference 07/01463/OUT - - North Westgate Development Area, Westgate, Peterborough. - 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 - North Westgate Development Area, Westgate, Peterborough.

- **Additional Planning Conditions:-**

1. Prior to the commencement of development unless otherwise agreed in writing with the Local Planning Authority, a scheme for the provision of fire hydrants to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of general amenity and fire safety, in accordance with Policy CS16 of the Core Strategy DPD 2011.

2. Prior to the commencement of development, unless otherwise agreed in writing with the Local Planning Authority, an Ecological Strategy for the protection, mitigation and enhancement of ecological interests within the site shall be submitted to and approved in writing by the Local planning Authority.

Reason: To protect and enhance the ecological value of the site, in accordance with Policy CS21 of the Core Strategy DPD 2011.

3. A community safety and crime reduction strategy shall be submitted to and approved in writing by the Local Planning Authority as part of any subsequent reserved matters application. This shall include details of how the seven attributes of Sustainable Communities, as detailed in 'Safer Places- The Planning System and Crime Prevention' can be addressed in relation to crime prevention.

Reason: In the interests of general amenity and crime prevention, in accordance with Policy CS16 of the Core Strategy DPD 2011.

ADDITIONAL LETTERS OF OBJECTION RECEIVED

1. Hawksworth Securities

Hawksworth Securities are very concerned as they consider the scheme to be totally contrary to policy. For their North Westgate redevelopment scheme they have been asked to wait until the new City Centre Area Action Plan is in place, however this scheme has not.

'The ING scheme is totally contrary to approved planning policy in the LDF Core Strategy and policy in the approved Station Quarter Development Brief.

The fundamental concerns with this application are;

- 1. The proposed ING scheme will essentially be a free standing shopping facility containing a supermarket of 46,000 sq ft (larger than the new Morrison's store at Stanground) that is neither fully a part of the city centre nor does it provide a retail facility for a residential part of the city.*
- 2. The amount of comparison shopping within the scheme is 18795 sq ft, the equivalent of 8-9 typical (e.g. H Samuel the jewelers) retail units in Queensgate*
- 3. It will be accessed mainly by individual car trips using its own 310 space car park. It is too far from shopper (i.e. Queensgate) car parks to be used in conjunction with single city centre shopping trips. It therefore does nothing for the city centre nor does anything to improve the station.*
- 4. The correct location for this type of retail development, very clearly defined in the Core Strategy of the LDF, is the city centre within which the priority is North Westgate. This policy has been in place since at least 1995 (The Local Plan) and has recently been confirmed in the Core Strategy of 2011. (No other city centre in the East of England has an area as large as North Westgate that has been derelict for so long.)*
- 5. This proposal will impact upon the development programmed for North Westgate by reducing retail demand. When considered together with permissions in the past few years such as at Brotherhood Retail Park this proposal would take at least half of the space originally proposed for North Westgate. The City council should be focusing all new retailing on North Westgate to secure a far more attractive city centre bringing in customers from a much wider area, as was the case when Queensgate first opened. We should have a shopping experience second to none in East Anglia instead of languishing in the second division well behind, for example, Cambridge, and Norwich, and soon to be overtaken by Rushden (already with a Waitrose/John Lewis and soon to have a Marks and Spencer) and Corby (Corby already has a Primark and TK Maxx).*

6. *The most significant requirement in Peterborough is for a Debenhams store. The city has been a priority target for the company for over 32 years. This could be the anchor for North Westgate. However if more and more retailing space continues to be permitted outside of the city centre there will be decreasing interest from other retailers to support it. It is essential that the policy of city centre first, as agreed so often, is adhered to and all resources are put into North Westgate to regain a high quality regional shopping offer. Allowing the ING scheme to proceed only puts further back the development of North Westgate. (Primark and TK Maxx are helpful to the city centre but they do not act as a real draw. For example Corby has a Primark and TK Maxx and is only 25 minutes by car from Peterborough. Several traders in Peterborough City Centre already know that Primark will take 20% of their trade away from them.)*
7. *Finally the retail element can be built without the office element. There is absolutely no guarantee, and very little likelihood at present, that the office element, which is 500 of the jobs, will be built.*
8. *Why do we feel we must object to this proposal?;*

We need to understand if agreed policy is to be adhered to or not.

It is because we have been offering a scheme for North Westgate for over 15 years which would provide a much greater benefit, which is formally agreed by the City Council as a priority and which is in danger of being delayed even further. The proposed scheme is at best a short term fix whereas we propose a long term solution in accordance with policy laid down by the City Council in all their planning documents. If ad hoc planning decisions continue to be made to allow more retailing outside of the city centre then North Westgate will be like waiting for Godot.

The conclusions of the North Westgate team are that there is confusion and inconsistency around Council Policy in this area of the City which is creating uncertainty at a point in the economic cycle where a clear vision has never been more important and at a time when the City Centre has been and continues to be undermined by significant edge and out of town proposals which are contrary to what should be a "city centre first" policy.

For some reason officers appear to be recommending a scheme which contravenes their own policy and further confusion has been added in recent times for example:-

In June 2010 a "City Centre Conference" was held at The Great Northern Hotel –the intention being to outline the Councils vision for the future of the City Centre and to encourage investment. At that meeting a council aspiration was clearly expressed to bring forward significant office development of 500,000 sq ft for the public sector around the station. Clearly the proposal under consideration is inconsistent with that aspiration.

In the approved Station Quarter Development Brief there is an aspiration to use the area between the railway and Bourges Boulevard to help with the delivery and operation of a new and improved Bus Station to provide a "transport hub" in combination with the station itself. This option we feel is very worthy of proper consideration and to allow the subject application would prejudice that opportunity.

Given this confusion and the need for an overall vision we consider that there is a very strong case for this area of the City to be planned holistically – collegiately involving the various landowners in a masterplan approach. Indeed our team have now been told that further consideration of NWG must await the City Centre Area Action Plan and so to recommend this application is surely inconsistent. In summary therefore we consider that the ING application is contrary to Council Policy and is piecemeal. Furthermore it is premature in the context of the wider thinking necessary to ensure a long term sustainable solution for the benefit of all landowners, the City and the people of Peterborough.

Critique of committee report

Para 7.1; this confuses policy CS3 and CS 4.. The sentence on prioritising retail development in North Westgate is from CS 4 and is a key point in that policy. CS 3 is about employment and nothing to do with retailing.

Para 7.1.2 . This is not correct. The private sector through Hawksworth has been assembling land over a number of years, including 2 properties within the past 12 months. They are now the largest landowner in North Westgate. Progress is therefore being made on land assembly. For schemes such as this complete land assembly is never achieved prior to obtaining planning permission. The CPO procedure comes after planning.

This paragraph also states that “In addition and as suggested in the policy, North Westgate is most appropriately used for comparison retail as opposed to convenience retail.” This is wrong. Policy CS 4 says **Expansion of retail floorspace, in particular for comparison goods, will be encouraged in accordance with appropriate capacity forecasts, with priority given to retail expansion in the early years in the North Westgate area.** This is saying that the priority for the expansion for retail floorspace in the city centre should be North Westgate. The reference in particular to comparison goods is to make it clear that city centre retail expansion is focused on comparison shopping. Policy CS15 does refer to convenience shopping and is very clear stating that priorities for the provision of new or additional convenience goods floorspace are at the City Centre (of appropriate scale to serve areas of major new residential development), at Werrington Centre and at new centres in the proposed urban extensions.

There is no policy guidance that states convenience retail is less of a priority in North Westgate. A convenience store in North Westgate would be a desirable part of the retail mix.

Para 7.1.7 . This paragraph fails to understand that new city centre retailing should be prioritised in North Westgate

This paragraph states that no other sites are available. This is mistaken as the majority landowner of North Westgate has tabled a proposal in 2005, refreshed in 2011, which includes a space suitable for a foodstore. There is an existing planning application for the scheme.

Para 7.1.9; This paragraph states that there is no where else that this development can go. This is mistaken. As explained above it can go in North Westgate

Para 7.1.14 states that the Station Quarter Brief is a material consideration. This Brief states that “**the general presumption in the Station Quarter is that large scale retail provision is inappropriate**”. “**However some limited retail provision is acceptable provided they fall into the following categories;**

- ancillary retail uses supporting the functioning of the station,**
- small neighbourhood retail units to support the Quarters new residential and business communities.**

The proposal is neither of these.

The Brief suggests any retailing should be combined with comprehensive regeneration of the station quarter and should not be a free standing scheme. It is indicated that it should be on the west side of the tracks and should have limited dedicated car parking. The proposal has 310 car parking spaces with no conditions. All 310 are therefore likely to be used by the operator for customer parking. The scheme is a free standing scheme with its own car parking totally contrary to the Brief.

The Station Quarter Brief is also very clear in stating that comparison retailing in the Station Quarter is “**fundamentally inappropriate**”. The scheme has 900 sq m of comparison retailing within the main store and an additional 850 sq m in additional units. This a very significant amount of space . It is the equivalent of 8-9 typical Queensgate shops

Para 7.1.16 Again the report fails to correctly point out that comparison shopping is fundamentally inappropriate in the Station Quarter and that any retailing should have very limited dedicated car parking

Par 7.1.19 again fails to consider that 1750 sq m of comparison floorspace is included in the scheme totally contrary to policy and delaying the development of the city centre

Para 7.2.3 This paragraph states that North Westgate is not suitable for the development because policy is to direct mainly comparison, not convenience, shopping to North Westgate. This is incorrect. The policy is that North Westgate is a priority location for where comparison shopping should be located. There is no policy that states convenience shopping is not suitable. There is room for both.

A further reason is given that the North Westgate scheme is not progressing. This is untrue as land assembly and discussions with PCC have taken place in the past 12 months

Para 7.2.6. This confirms there is trade draw from existing District Centre foodstores and ASDA. While these stores are extremely unlikely to close, the reduction in trade will have an impact on the amount of employment they provide. This proposal will therefore result in loss of employment in the District Centres. PCC has been keen to ensure, and has a policy to support, regeneration of the District Centres.

Para “Conclusions”

The following conclusions are wrong;

- a. **Can not be accommodated in the city centre;** the retail element can be located in North Westgate, a priority for retail development.
- b. **Will not result in a detrimental impact upon the District centres;** this proposal will lead to loss of employment in District centres.
- c. **Uses are compatible with policy;** the comparison goods element is directly contrary to planning policy.
- d. **Provides an appropriate level of parking;** an inappropriate level of dedicated foodstore car parking is being provided which is contrary to planning policy and the Station Quarter Brief. ‘

3. NETWORK RAIL

I am writing regarding NRs objection letter of 19/11/2010 summarised in the committee report regarding the overall nature of our concerns. We note that there have been some subsequent amendments to the scheme in terms of its siting in relation to the station, setting it back by approximately 10m from the Station Road boundary with NR land. However the current plans and presentation material give the distinct impression that the adjoining NR land between Station Road and the site, especially at the junction with Bourges Boulevard, will remain in the current configuration and be available for landscaping to complement the ING scheme. Additionally it presumes open access to Network Rail’s Station Road and pavement along its length.

It must be noted that there is no arrangement at present in place between NR and ING to facilitate this and ING does not have any rights to access NR land from this side of the site. Further, NR is not in a position to fund any specific landscaping works (and I am sure the Council is expecting a high quality landscaping here to complement the ING scheme) and there is no guarantee NR will always want to retain the current alignment of Station Road. For example depending on capacity and highways issues we may need at some future point in time to realign (“straighten out”) this part of Station Road or widen the bell mouth junction with Bourges Boulevard.

As the Council is still minded to approve the scheme I would be grateful if in the light of the issues above it could be recognised that it can only be implemented as shown in the application documents if the specific landscaping works are funded by developers

contributions in the same way that they are making other public realm and highways improvements through S106, and that the developer commits to detailed discussions with our engineers and property team to agree what exactly is feasible here before reserved matters are submitted. Alternatively this could be a requirement by Grampian Condition to ensure that the scheme only proceeds when these issues are resolved. This is important to avoid a situation where the Council may grant consent in outline only to find out that fundamental changes are needed when it comes to discharging the reserved matters.

RECENTLY RECEIVED STATEMENT OF SUPPORT FOR THE SCHEME FROM THE APPLICANT

“ING’s proposal for the Station Quarter before the committee on 21st February 2012 is an excellent opportunity to start the long awaited regeneration of the Station Quarter, to deliver investment in to the City Centre and to improve the connection between the station and the City Centre.

Introduction

ING Real Estate Development (ING) has been involved in the Station Quarter since 2005. For many years it worked closely with Network Rail and the City Council on developing proposals for the wider area. When it became clear that the financial crisis meant the wider proposals were no longer achievable for the foreseeable future, ING considered how best to bring forward the high quality regeneration of the Station Quarter and the anticipated investment in the City Centre.

The outline planning application before the committee on Tuesday 21st February 2012 was first submitted to the Council in autumn 2010 and amended in the summer of 2011 following discussions with officers and key stakeholders. It is the most appropriate scheme for the site and as the first phase of wider regeneration the most effective way to encourage further investment in the Station Quarter area as it will act as a catalyst for investors and other occupiers.

ING has been engaging with stakeholders and the community on this proposal since its inception in 2010 and the constructive approach, which included the reduction in the size of the food store and increased public realm in 2011, is demonstrated by the very limited number of representations on the application and the withdrawal of an objection by Hammerson, the owner of Queensgate.

The scheme being put before committee members is therefore the result of detailed discussions with officers and has evolved having taken into account key stakeholder and consultee comments. Officers have thoroughly considered the merits of the planning application, including compliance with local policy and all other material planning considerations.

Objectives

There has been a long standing aspiration to secure investment in, and the regeneration of the Station Quarter, and to improve the relationship between the railway station, the bus station and the city centre. The Council’s objectives for the Station Quarter, as set out in the Council’s 2008 Development Brief, are clearly met by the application:

“1. Create a new commercial and mixed use Quarter”

This application will provide a mix of retail, leisure and commercial office space as well as new public realm whilst at the same time acting as a catalyst for the rest of the area

“2. Create a new high quality Gateway”

The high quality design of the proposals will improve the approach to the city centre from the station and the overall impression for visitors to Peterborough.

“3. Reduce severance and improve connections”

The S106 package that is being offered as part of the application secures funding for a pedestrian crossing of Bourges Boulevard, significantly improving connectivity between the station and the City Centre.

“4. Create new areas of public realm”

The application includes a significant new piece of public realm on Station Road.

Perhaps most significantly for the Station Quarter location is that any development should not prejudice the operational requirements of the railway station. This proposal does not, in any way prejudice this requirement.

Proposals & evolution

The proposals represent a significant investment in the most accessible and one of the most neglected areas of the city and the changes made to the scheme following discussions with officers and key stakeholders in early 2011 resulted in a more integrated and appropriate design solution.

The high quality scheme has been carefully designed to allow it to be delivered in a phased and independent manner, but with careful regard to the surrounding context, including the future

comprehensive regeneration of other parts of the Station Quarter and North Westgate. The investment will be responsible for securing a number of regenerative benefits, including some 635 new jobs and flexible, modern office accommodation without the support of public sector funding. The scheme can provide some 30% of the Station Quarter's overall office target, and some 10% of the City Centre target over the next 15 years, as set out in the Council's Core Strategy.

Bourges Boulevard & S106

As stated in the Development Brief, one of the main objectives for the Station Quarter is to improve connectivity within the City Centre. Of the near £1million of contributions from the scheme approx. £600,000 is to deliver a new pedestrian crossing over Bourges Boulevard to improve the connections between the station and the city centre.

The S106 agreement with the Council (which has been agreed with officers although is yet to be signed) therefore includes the delivery of a new pedestrian crossing across Bourges Boulevard, either by ING or, if the Council wants to implement a wider scheme, a financial contribution to be used to that end. In either event, there will be a new at grade crossing connecting the Station Quarter to the City Centre as a result of the development.

In addition to a new crossing, ING will also be contributing to local highway improvements in the vicinity of the site and which are directly related to the Development.

The new crossing of Bourges Boulevard and wider environmental improvements will have a positive effect City-wide by reconnecting the train station with the commercial 'heart' of the city.