

**Application Ref:** 15/01589/OUT

**Proposal:** Outline application (with all matters other than access reserved) for a mixed use scheme, to include up to 14,000 sq metres of new B1 office, up to 280 residential units C3, up to 160 bed hotel C1, up to 975 sq metres of ancillary A1, A2, A3, A4, D1 and D2, floor space parking (up to 774 spaces), associated infrastructure including improvements to London Road/Town Bridge Junction, diversion of the Public Right of Way (PRoW), the demolition of Aqua House and the creation of a new riverside footpath and areas of public realm. Change of use of listed railway engine shed to Use Class B1 and listed goods shed to Use Classes A2, A3, A4, D1 and D2

**Site:** Fletton Quays, Land At East Station Road, Peterborough,

**Applicant:** Peterborough Investment Partnership

**Agent:** Mr Jeremy Good  
England & Lyle

**Site visit:** 20.10.2015

**Case officer:** Ms A McSherry

**Telephone No.** 01733 454416

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

**Recommendation:** **GRANT** subject to relevant conditions, and the completion of a S106 Agreement.

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

### Site and surroundings

The site covers an area of approximately 6.4 hectares, and is located within the city centre boundary, but outside of the central retail area.

It is positioned to the south of the River Nene, and to the north of the Peterborough to March railway line and the new residential development called 'Vista/Carbon Challenge'. To the east of the site is the elevated Frank Perkins Parkway dual carriageway, with residential areas beyond. London Road bounds the site to the west, with the Charters public house and restaurant on the river frontage. The Listed Customs House is located on the opposite bank of the River Nene.

The River Nene immediately adjacent to the site is a County Wildlife site, and approximately 200m to the east of the site is a SSSI, SPA, Ramsar & SAC Site.

The site is allocated as an Opportunity Area for mixed use redevelopment, CC6.2 Fletton Quays, in the City Centre DPD (2014). The Mill site which also forms part of the Opportunity Area, is not included within the application site boundary, as it is not currently within the applicant's ownership (the Council has made financial provision in its budget to acquire the Mill and is currently in negotiation with the landowner). It is hoped in future that this site would also be redeveloped, to enhance this key area city centre site.

The site is currently a brownfield site, containing concrete bases of the former Bridge House Council building, B&Q and Matalan buildings that have been demolished. The vacant Aqua House office building still remains on site. There are 2 listed railway buildings on site which are to be

retained and incorporated into the development. The eastern end of the site, is overgrown and undeveloped.

## Proposal

Outline planning permission is sought for a mixed use scheme to include:-

- Office space (Class B1) – up to 14,000 sqm
- Residential (Class C3) – up to 280 units
- A hotel (Class C1) – up to 160 bedrooms
- Ancillary A1, A2, A3, A4, D1 and D2 uses – up to 975sqm
- Car parking – up to 774 spaces
- Junction improvements to London Rd, public realm improvements including new riverside promenade, and landscaping
- Change of use of listed railway engine shed to Use Class B1, and listed goods shed to Use Classes A2, A3, A4, D1 and D2

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 key parameters within the Parameter Plans e.g. maximum floor space, building heights, usage locations on site. An illustrative masterplan has also been submitted to help demonstrate one possible way the site could be redeveloped. The scheme proposes a new riverside pedestrian walkway and improvements to the riverbank. The access and highway works have been submitted for approval under this outline application and are not reserved for consideration in future. The change of use of the two Listed Buildings on site is sought under this application, however any physical alterations required as a result of implementing these change of uses would be required to be submitted for consideration under a further Listed Building application.

The proposed development will involve the demolition the currently vacant former office building Aqua House. It will also involve the diversion of a Public Right of Way on site.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
15/00008/SCREEN	Screening opinion for redevelopment of Fletton Quays site	Comments	18/09/2015

## **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 have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

## **National Planning Policy Framework (2012)**

### **Section 1 - Economic Growth**

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

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

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

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

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

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

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

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

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

### **Section 11 - Biodiversity**

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

### **Section 11 - Contamination**

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

### **Section 12 - Conservation of Heritage Assets**

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the

desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

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

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

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

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

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

#### **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.

#### **CS13 - Development Contributions to Infrastructure Provision**

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

#### **CS14 - Transport**

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

#### **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.

### **CS19 - Open Space and Green Infrastructure**

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

### **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.

### **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.

### **PP15 - Nene Valley**

Development which safeguards and enhances recreation or which would bring landscape, nature conservation, heritage, cultural or amenity benefits will be supported. Development which would increase flood risk or compromise flood defences will not be permitted.

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

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

### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be

refused unless there are overriding public benefits.

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

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

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

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

### **Peterborough City Centre Plan (2014)**

#### **CC1 - 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.

#### **CC6 – Riverside South Policy Area**

Within the Fletton Quays Opportunity Area planning permission will be granted for a Mixed Use development which delivers approximately 400 new dwellings. Offices, culture and leisure uses with restaurants and bars along the river frontage will also be acceptable. Any retail use will be limited that to that which is ancillary to serve the development itself. Individual proposals which would prejudice the comprehensive redevelopment of this Opportunity Area will not be permitted.

#### **CC11 - 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.

### **Planning practice guidance (PPG) – Department for Communities and Local Government (2014)**

- Conserving and enhancing the historic environment
- Design
- Travel plans, transport assessments and statements in decision-taking
- Viability

## **4 Consultations/Representations**

### **PCC Transport & Engineering Services**

No objections – The proposed junction improvements to access/exit the site onto London Road are considered to be acceptable in highway safety terms. Whilst reduced car parking levels are proposed for the residential uses, this is a highly accessible city centre site with shared car parking arrangements proposed, together with controlled parking zones. The modelling information has been assessed and Officers are satisfied that there would be no capacity issues with the proposed access alterations at East Station Road/London Road. Therefore there are no objections subject to the imposition of conditions.

**PCC Conservation Officer**

No objections – There are two listed buildings on site, 1. The Railway Goods Shed (Grade II), and 2. The Railway Engine Shed (Grade II). On the adjoining riverside site, is the Locally Listed Whitworths Mill building. On the opposite riverbank to the site is the Grade II Listed and Scheduled Customs House. It is important to achieve appropriate new beneficial re-use of both of the listed buildings on site to secure their long term survival. It is considered that the uses proposed would be appropriate re-uses for these buildings. Separate Listed Building consent will be required for the conversion of these buildings, and any proposal which does not preserve the important special character and significance of these buildings would not be supported. The new office building proposed to the east of the Listed Engine Shed has been reduced in height, to improve the visual relationship and transition between this retained and proposed building. It is not considered that the proposal would have any significant impact on the city centre conservation area, or long distance views towards the Cathedral. The potential location of the proposed hotel, would be set back from the Town Bridge site frontage and splayed, to give a fuller view of the Cathedral when approaching from the south.

**PCC Rights of Way Officer**

No objections – Pleased to see a public right of way alongside the river is to be incorporated within the development and identified as requiring a diversion order. The costs of the legal order will be required to be met by the developer.

**PCC Wildlife Officer**

No objections – The scheme will result in the loss of a key area of Open Mosaic Habitat (OMH), which is a Habitat of Principal Importance, at the far eastern section of the site. It may not be possible to re-create this habitat within the site boundary, therefore alternative off-site translocation of this habitat may be required. It is considered that the re-provision of habitat either on or off site could be secured by condition. However any off site provision would have to be prepared in advance of commencement of works on site, and a 5 year monitoring programme secured, together with adequate funding to secure the long term management of the habitat. The retained habitat on site should be enhanced for the benefit of reptiles and other species. Whilst the bat surveys found little evidence of bats on site, a bat method statement should be secured by condition. Bird nesting features should be secured by condition. The Habitats Regulation Assessment submitted concluded that there would be no likely significant effects of the Nene Washes. The mitigation measures detailed to reach this conclusion must be secured by condition. A Construction Environmental Management Plan is required to be secured by condition to ensure protection of the River Nene County Wildlife site both during construction and in the long term, in respect of dust, water quality etc. The principle of pre-planted coir rolls on the western stretch of the riverbank, and more naturalised further east is considered to be acceptable.

**PCC Tree Officer**

No objections – The amended design and access statement now more clearly details the existing tree strategy, in respect of future tree removals/retentions. Early pruning/pollarding of the Willows in Group 3 adjacent to the Nene, will help establish the future potential of the trees in this area, to prevent misguided retentions. The future landscaping will be dealt with at the Reserved Matters Stage. No objection subject to conditions.

**PCC Lead Local Drainage Authority**

No objections – Subject to the imposition of a condition requiring the details of the sustainable drainage scheme to be submitted and agreed.

**PCC Pollution Team**

No objections – Subject to the imposition of conditions in respect of contamination and noise mitigation.

**PCC Archaeological Officer**

No objections – The site has been the subject of a series of archaeological investigations carried

out between 2000 and 2005. On the basis of the available evidence, the buried archaeological potential of the site is considered to be negligible. In addition, the type of construction design adopted would minimise any adverse effects upon potential buried remains. No archaeological investigation required to be secured by condition. Interpretation boards on site to highlight the role of the site in the development of the railway would be encouraged. Any deep excavations into alluvial deposits are likely to require archaeological monitoring, which could be secured by condition.

#### **PCC S106 Planning Obligations Officer**

No objections – A financial viability appraisal has been submitted, which demonstrates that the provision of affordable housing would render the scheme unviable. Therefore Officers are in agreement that no affordable housing provision should be sought. The scheme can afford to make a £100,000 contribution which can be used towards improvements to cycle/pedestrian connections, and/or the management/relocation of the Open Mosaic Habitat area on site.

#### **Environment Agency**

No objections – Subject to the imposition of planning conditions in respect of 1. ensuring compliance with the Water Framework Directive, 2. compliance with the Flood Risk Assessment, 3. Contamination, and 4. No infiltration of drainage into any areas on site which may cause unacceptable risk to controlled waters.

#### **Anglian Water Services Ltd**

No comments received.

#### **Natural England**

No objections – The Habitats Regulations Assessment report has considered the potential effects of the development on the Nene Washes, which is a SSSI, SAC, SPA and Ramsar site. We are satisfied with the conclusions of the assessment that the proposal is unlikely to have any significant effect, through direct or indirect impacts, on the Nene Washes. The biodiversity mitigation and enhancement measures in the Ecology Report are acceptable. We welcome the measures to naturalise the river corridor and enhance biodiversity in line with the objectives of the Nene Valley Nature Improvement Area. Natural England is satisfied with the ecology addendum's commitment to providing the 0.125ha of lost Open Mosaic Habitat off site if it is not possible to re-provide it on site. This is subject to the implementation details and long term management strategy being secured by condition.

#### **Historic England**

No objections – We are keen to see the two Grade II listed former railway buildings brought back into appropriate beneficial use. No details of the necessary physical changes are included with this outline application, therefore the applicant should be aware that any approval of this application does not automatically mean that future Listed Building applications would be approved if any of the necessary alterations/works would on balance result in harm. The illustrative masterplan indicates a 'campus' type layout with individual large footprint buildings within a landscaped setting, this does not follow the urban typology of the historic grain of the city centre on the opposite side of the river, and given its proximity of the city centre perhaps this should be considered. We recommend this is reviewed at reserved matters stage. The proposal does not include a footbridge across the river, therefore the vibrancy of the new public realm might suffer. The amended Heritage Statement has assessed the impact of development on the setting of Customs House. Whilst there would be some harm to the setting of Customs House it is considered that this harm would be less than substantial as set out in the NPPF. Therefore in determining the application it will be necessary for this harm to be weighed against the wider public benefits of bringing this site back into use. We are concerned about the new four storey office building, linked by a single storey element to the Railway Engine Shed, and feel that this scale would visually dominate the Listed Building. We strongly recommend that the height of this new building is reduced, to three storeys, and if needed the width of the single storey could be reduced.

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

No objections – This is an outline proposal, with all matters bar access reserved. The indicative plans indicate elements of good practice in relation to crime prevention through environmental design and feel confident at reserved matters stage a scheme which adequately addresses vulnerability to crime could be achieved.

### **Network Rail (NR)**

No objection – In respect of any previously owned NR land, discussion with our Property Team should take place in respect of any restrictive covenants. All drainage proposed on site should be directed away from Network Rails land and structures, and any drainage works which might affect railway assets should be agreed first with NR. Any works within close proximity of NR assets must be carried out in a fail safe manner and no interference with NR land or assets can occur. The security of the railway boundary must be maintained at all times, and any proposed fencing on railway boundaries must be appropriately designed and be trespass proof. NR should be consulted on any proposed landscaping in close proximity to their boundary. Any external lighting in close proximity to the railway should be designed to ensure it does not cause dazzle for train drivers.

### **National Grid**

No objection – There is National Grid apparatus that may be affected by the proposed development. Therefore the contractor should contact National Grid before any works are carried out to ensure their apparatus is not affected by any of the proposed works. Information on the developers responsibilities has been provided, and it is the developers responsibility to ensure that these measures are complied with.

### **Cambridgeshire Fire & Rescue Service**

No objections – Adequate provision should be made for fire hydrants, this could be secured by way of a planning condition.

### **Peterborough Ramblers**

No objection – no objection to the diversion of the right of way. However we would like S106 money to be put towards enhancing the existing footpath. If footpath Peterborough 5 east towards Stanground was improved, this would increase use by people walking from Stanground to the site, and would form part of a circular route for residents, dog walkers etc.

### **Vivacity**

No objections - In respect of the proposed cultural facilities Vivacity would have liked more D1 and D2 non-residential institutions, assembly and leisure uses. The application gives high priority to the new public realm areas on site, any new areas of public realm should be of a high standard. Public art is key to the creation of successful public realm, and conditions to secure this should be imposed. We are pleased to see the Bridge House mosaic is to be re-used and incorporated into the development. It is important that viable uses for the 2 redundant railway buildings on site are found and that their conversion is sensitive to their historic significance. The application omits the provision of a footbridge over the river Nene, but does provide space on site should one be built at a later date. Vivacity consider a footbridge over the Nene would be of benefit to both the site and the wider city, giving an attractive pedestrian route into the city and the cultural and leisure facilities on the Embankment. This development would put additional pressure on the heavily used regional swimming pool. Perhaps a new city centre swimming pool facility should be found to replace this existing facility. We would be happy to work with the Council to see what external financial support could be available to achieve these above issues.

### **Peterborough Civic Society**

Objection – Considers the scheme lacks vision and ambition. Over the last 20 years there has been a number of plans for the site to take advantage of its key city centre and river frontage location. These include the 2005 booklet 'The Plan for the City Centre' and 2008 Southbank Masterplan. These visionary documents put forward a range of uses that would attract a lot of people to the site e.g. art gallery, concert hall, conference centre, hotel, university, bars and

restaurants. They also proposed an iconic footbridge across the river. This application should be assessed against the City Centre Plan (2014) policies CC6, CC7 and paragraph 5.5.7, and the Southbank Masterplan 2008. The scheme is criticised for not including the Mill site, for having no committed re-use or renovation of the Listed Railway Buildings and for not providing an iconic footbridge across the river or railway line. The uses proposed will not attract visitors to the site, other than for views of the river and Cathedral. The design and layout of the new blocks will be key to ensure they do not appear regimented. The public realm proposed is poor in places and will not make for attractive spaces. In addition to the re-using of the Mitchell's mural on site public art is required to improve the appearance of the scheme. The different treatments of the river frontage needs further consideration to ensure it does not appear confusing. There is poor connectivity proposed along the river frontage of the site, and in providing pedestrian/cycle connections to the sites to the east and west, and with the proposed steps up to London Road. S106 money should be secured to improve the pedestrian/cycle path to the east of the site with Stanground. This is a redevelopment, rather than a regeneration proposal. This proposal should be refused as contrary to Policy CC6 of the City Centre Plan. The City Councillors as landowners will have the final say on the redevelopment of this premier site.

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

Initial consultations: 377

Total number of responses: 12

Total number of objections: 10

Total number in support: 2

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

- The lack of a pedestrian and cycle bridge both across the railway and the river. Bridges would improve existing pedestrian/cyclists routes to and from the site. The existing Town Bridge route for pedestrians and cyclists is very unpleasant, noisy, and has traffic fumes.
- Access has not properly been considered and no attempt has been made to connect the site to the Embankment and the Key Theatre.
- We have been waiting many years for this site to come forward, however this proposal seems to be a basic commercial development, and as such is a missed opportunity for this unique Peterborough site. There are no public meeting facilities/concert facilities proposed. The applicant should be required to demonstrate that some degree of major public benefit will result. The 5 large blocks proposed to be positioned end on to the river will give a poor visual impression from outside the site. We should wait until a better scheme comes along, one that we would be proud of and one which would include the Mill site. The Mill site should be compulsory purchased. The redundant Mill and Silos should be demolished.
- Why is there no marina for pleasure crafts?
- This proposal is dramatically different from the previously proposed development for the site
- Support the Civic Society comments. The Elected Members as landowners will have the final say on this development.
- Whilst the City Council as landowner will benefit financially from the redevelopment of the site, they should also be looking for a long term investment by creating a place people want to use. This development appears to be for profit and not enhancing the Civic amenity of Peterborough.
- The development ignores the river setting. It will create a high rise claustrophobic environment, next to Peterborough's star attraction the river.
- A huge opportunity in respect of accessibility has been missed. The site should include a railway stop, to increase footfall to the site, encourage green travel, and to take pressure of the existing railway station.
- Before during and after development unrestricted access to the Flour Mill site should be maintained. It is difficult to see how articulated lorries would turn when accessing the Mill site. To maximise the value of the site a consensus about high quality design is desirable. This development should not restrict or devalue the potential for the Mill site to be

redeveloped in future. Some of the plans and documentation appears to suggest the Mill site is included, it is not and this could be misleading.

2 letters of support has been received, commenting:-

- We wholeheartedly support the application and trust it will proceed at the earliest opportunity.
- We fully support the proposal. It will add value to our home and the surrounding area. It is a much needed development and one which might kickstart further redevelopment including the Rivergate area. We would like to see upgrades to the Town Bridge route into the city, with improved footways and lighting, to provide safer, cleaner and easier routes into the city.

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

The main issues for consideration are:

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

#### Proposed Uses

##### Residential

The scheme proposes up to a maximum of 280 (C3) residential units. Policies CS2 and CS4 of the Core Strategy promotes the city centre as a location for substantial new residential development of a range of different densities depending on their location, to deliver 4,300 additional dwellings. Policy CC6 of the City Centre Plan seeks more city centre living. The Fletton Quays CC6.2 allocation under this Policy, identifies indicatively that around 400 dwellings could be accommodated in this Opportunity 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 and CC6 of the City Centre Plan. There would also be scope for further residential accommodation to be provided on the excluded Mill land as part of future phases of redevelopment.

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 an open book 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 and Officers consider that the viability assessment has demonstrated due to the abnormal site costs e.g. contamination, flood risk, Listed Building conversion, provision of large areas of new public realm etc, that were any affordable housing to be provided either on-site or by way of an off-site commuted sum it would render the scheme unviable. Therefore it is Officers recommendation that no affordable housing should be sought in this instance. It is noted that the adjacent Vista/Carbon Challenge housing scheme includes 40% affordable housing but this was subject to significant public sector subsidy, through the Homes and Community Agency, such subsidy is no longer available.

##### Offices

Up to a maximum of 14,000sqm of B1 Office floor space is proposed. The Core Strategy Policies CS3 and CS4 seek to encourage mixed use development which incorporates employment development, with an emphasis on B1 or service sector development, together with residential, leisure and/or retail within the city centre. Policy CC6 of the City Centre Plan also encourages mixed use development on the Fletton Quays site, and states that Office use would be appropriate for this site. The office development proposed is therefore considered to be acceptable in principle and in accordance with the development plan policies CS3, and CS4 of the Core Strategy and CC6 of the City Centre Plan.

## Hotel

A hotel up to a maximum of 160 beds is proposed. The actual number of bedrooms proposed would depend on the operator and be determined under any future reserved matters application so the number of rooms could be fewer. Policy CC6 identifies a hotel as being a suitable use, as part of a mixed use redevelopment. It is therefore considered that a hotel would be an acceptable use as part of this mixed use city centre site, and would accord with Policy CC6 of the City Centre Plan.

## Retail/Restaurants/Cafés/Drinking Establishments and Assembly/Leisure Uses

- Retail (Class A1/A2)
- Restaurants and cafes (Class A3/A4)
- Drinking Establishments (Class A4)
- Non Residential Institutions (Class D1)
- Assembly and Leisure (Class D2)

Up to a maximum of 975sqm of ancillary A1, A2, A3, A4, D1 and/or D2 uses is proposed.

Change of use of the listed goods shed to Use Classes A2, A3, A4, D1 and D2

The principle of these uses are considered to be acceptable. Any proposed retail uses should be ancillary to the main uses on site, so as not to compete with those in the Primary Shopping area of the city centre. Policy CC6 identifies cafes, restaurants and drinking establishments in this riverside location to be appropriate uses. It also identifies cultural and leisure as being uses that would be appropriate for this site. Therefore these uses proposed would be in accordance with Policies CS4 of the Core Strategy and CC6 of the City Centre Plan.

### **b) Parameter Plans**

The application seeks approval of two Parameter Plans on which subsequent reserved matters applications will be based. The parameter plans set out an overarching framework to control and inform the future detailed design of the scheme. They cover maximum building heights, the zones where buildings will be located and what uses are proposed within each of these zones. The Parameter Plans give developers an agreed set of parameters from which to work when designing the final detailed scheme.

#### Parameter Plan - Vertical limitations

This plan has been submitted to agree the maximum heights of buildings that could be proposed in different areas of the site, on which any future reserved matters applications should be based.

This plan has been amended through negotiation during the course of the planning application, as the heights were considered to be too great in relation to the Listed Engine Shed Building on site. It was felt that the height proposed would have had a detrimental impact on the setting of the Engine Shed. This involved the reduction in height of the proposed new office building that would be positioned to the east of this building, to improve the visual relationship and transition between this and the proposed building. The detailed design of the proposed building, as part of any future reserved matters application, will be key to ensuring a successful transition and visual relationship between two buildings. The impact on Heritage assets will be considered in more detail later in the report.

The maximum heights proposed in all parts of the scheme, and in particular on existing road frontages, and in relation to the surrounding built form are considered to be acceptable. Whilst the buildings proposed on site would be substantially higher than some of the surrounding city centre streetscape, it will be viewed in an area where presently there are existing taller buildings e.g. the residential Apex House, the new Vista apartment building, the Peterborough United football

ground, and the flats on the opposite side of the riverbank. It is considered in this urban city centre context the heights of the new buildings proposed would be appropriate and it is considered that there would be sufficient separation distances and relationships with surrounding development that no significant harm would result.

### Parameter Plan – Usage and Zoning

This plan has been submitted for approval to agree the building zones on site, and to agree what uses would be proposed within each of these zones. The building zones and uses within this plan are considered to be acceptable. The plan ensures that there would be sufficient space between the new development and the river frontage to create a new promenade area of public realm. It also ensures that the commercial use proposed adjacent to London Road is set back from the road frontage to improve views to the Customs House and Cathedral. It also provides sufficient separation distance between the Listed Railway buildings and the new buildings proposed to the west, so that new areas of public realm can be created and the setting is not adversely impacted upon.

#### **c) Masterplan**

The masterplan scheme submitted with the planning application is illustrative only and represents one way in which the site could be developed. It does not include the Mill site, but it does demonstrate one possible way that the site could be redeveloped without prejudicing the comprehensive redevelopment of the whole Opportunity Area. 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.

Policy CC6 requires development on this site to maximise the advantages of the riverside setting, with a high quality design solution. The illustrative masterplan proposes to orientate the buildings adjacent to the river in a north- south alignment so that more of the development can achieve views of the river and Cathedral albeit oblique views, than an east-west alignment would achieve. It also proposes some commercial uses at ground floor on the river frontage to provide cafes/restaurants to take advantage of the riverside views.

Policy CC6 requires that development should deliver an attractive public riverside walk and cycle path with a new foot/cycle bridge across the River Nene to the Embankment. The illustrative scheme proposes a new public riverside walkway/cycle path and whilst it does not include a new bridge it does reserve space on site for the landing of a river bridge should monies become available to provide one in the future. The financial viability appraisal submitted, demonstrates that due to the abnormal site costs there would be no money available to secure the provision of a bridge under this planning application. The Council and its Partners have given a commitment to work together to try and secure external funding towards the cost of a bridge. However Members in their decision making must weigh up all the benefits of bringing this derelict site back into beneficial use e.g. improved visual appearance of the site, the bringing back of two Listed Buildings into use, the provision of large areas of public realm including a new riverside walkway, the provision of homes and employment etc against the fact that the scheme cannot afford to provide a bridge which is a requirement of Policy CC6. Officers are of the view that the benefits of the scheme outweigh the harm of not providing a bridge.

Development of this site in accordance with Policy CC6 is required to incorporate and enhance the Listed buildings (railway engine and goods sheds), with imaginative new uses. This illustrative scheme proposes to change the use of these Listed Buildings on site, and create new areas of public realm including public squares around them, so they will be a key part of the regeneration of the site.

Policy CC6 requires any scheme on this site to incorporate appropriate flood risk mitigation measures and deliver opportunities to naturalise the river corridor and enhance the biodiversity of the river edge. The Flood Risk Assessment submitted in support of this application is acceptable

and the illustrative scheme proposes amongst other things ground floor car parking to minimise the impact of flooding on the development. The treatment of the riverbank will be the subject of a planning condition however the illustrative scheme does look at various options including the introduction of coir rolls to naturalise and enhance the biodiversity of the river edge, similar to works by the Environment Agency towards Thorpe Meadows.

Therefore whilst the masterplan is illustrative only at this outline stage, and could be subject to change under future detailed reserved matters applications, it does show one possible way in which the many of the key issues of Policy CC6 albeit not a bridge, could be delivered. It therefore gives Officers comfort that in principle this proposed development accords with Policy CC6 of the City Centre Plan, and the benefits of the scheme outweigh the harm of not providing a bridge. Therefore subject to the relevant planning conditions it is considered that this outline proposal would form a sound basis on which future reserved matters applications could be based.

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.

### Mural

The former Bridge House Building on site that was last occupied by Peterborough City Council, had a Bas Relief Sculpture on its western elevation. When the building was demolished this sculpture was removed and stored securely, and it is proposed that it will be re-incorporated into this scheme. This will be secured by way of a planning condition.

### **d) Highway Implications**

Access is being committed and considered under this current outline planning application. A Transport Assessment and Travel Plan have been submitted in support of the application.

### Access

The proposed vehicle access would be provided from the existing junction of East Station Road and the A15 London Road. To enhance the accessibility for cyclists and pedestrians, whilst still ensuring sufficient junction capacity, the following improvements are proposed:-

- The provision of two exit lanes from East Station Road, one left turn only and one right turn only. Currently there is only one lane to exit the site.
- The provision of a toucan crossing facility both across East Station Road and across the A15 London Road. Currently there is only a Puffin crossing along East Station Road.
- An off-slip for cyclists travelling from the north to allow them to turn left into the site into East Station Road without having to wait and turn with the main traffic flow.
- An off-slip for cyclists, wishing to turn left out of the site from East Station Road, to allow them to exit the site without having to wait with the main traffic flow.
- Provision of advance cycles stop line for cycles wishing to turn right out of the site.
- An advanced green signal for cycles turning right from East Station Road on to the A15 London Road, this provides cycles with a head start of approximately six second cars allowing them to clear the junction or be dominating the exit by the time vehicles have caught up with them. This early start would only be called if demanded by a cycle (the presence of a cycle in the advance cycle reservoir would be captured by a presence loop).
- An off-slip for cyclists coming from the south and wishing to turn right from A15 London Road into the site, allowing the cyclist to access the proposed Toucan crossing. Currently cyclists must move out across 3 lanes of traffic to be able to turn right into East Station Road.

The proposed improvements have been assessed for capacity and have been subject to an independent Stage 1 Road Safety Audit.

It has long been an aspiration to provide pedestrian and cycle bridges across both the River Nene and the Railway to improve access into the city. In the residential Vista development land was set aside for landing a bridge however due to viability issues this scheme was unable to provide the bridge or any financial contributions towards it. At this time it was anticipated that there would be external government funding available to secure this infrastructure.

Similarly, for this proposal, the illustrative scheme shows that landing areas can be secured for both the railway and river bridges, and this could be secured at the detailed layout design stage, when the exact siting of buildings would be fixed. However, a viability appraisal has been submitted for this scheme which, similar to the adjacent housing scheme, demonstrates that the provision of a bridge or financial contribution towards it would render the scheme unviable.

In view of the schemes inability to provide a new pedestrian/cycle footbridge across the river, the applicant has put forward the above access improvements under this proposal to enhance pedestrian/cycle accessibility to and from the site along the A15 London Road. This will also improve the pedestrian/cycle route for existing users of the A15 London Road into the city centre. Therefore it is considered that the proposed improvements for pedestrians and cyclists to access and exit the site, together with the wider regeneration benefits of bringing this derelict Opportunity Area site back into beneficial use would outweigh the need to provide the bridge, as it has been proven that in doing so it would render the scheme unviable.

The design and layout of the roads within the site, will be considered at the detailed reserved matters stage, however it will include a minimum 3m shared pedestrian/cycle footway through the site to encourage sustainable travel modes.

### Parking

The adopted parking standards for residential development are minimum, not maximum standards. For residential units with 2 bedrooms or more, policy requires a minimum of 2 spaces. The precise mix of residential flats is not known at this stage, but the proposal is to provide 1 space per unit. This is not truly policy compliant as there will be a number of two bedroom flats in the scheme.

However, in recognition of the application sites city centre location, Officers consider that 1 allocated space per unit is acceptable, as there is also a multi storey pay and display car park proposed, which along with the allocated resident parking will complement the parking strategy for the proposed shared parking scheme to secure the needs of residents. Officers feel that the right balance in numbers has been struck which would meet the needs of the development and help achieve a high quality public realm that is not dominated by parked cars. It is also important to note that the Vista flatted development to the south has a parking provision of 0.7 spaces per unit, so the number of spaces provided at Fletton Quays would be in excess of this recently precedent set.

Therefore one space per dwelling, a maximum of 280 spaces, would be allocated so each property has its own numbered space. Any additional demand for residential parking e.g. properties with more than 1 car or visitors, can share the other car parking provision on site e.g. the office car parking, multi storey car parking etc. Based on the illustrative scheme 223 spaces would be provided under the residential accommodation and 57 spaces within the multi storey car park which would be set aside specifically for the flats to ensure each one has an allocated space.

The City Council's parking standards for offices and hotels are maximum rather than minimum car parking standards, therefore reduced numbers are acceptable.

Based on the office and hotel floor space proposed a maximum of 513 spaces would be required for the B1 Office use and a maximum 160 spaces for the hotel excluding staff, so 673 in total. It is proposed that 497 spaces will be provided in the multi storey and car parking area to the east of the site. Taking away the 57 spaces required for residential use, a total of 440 spaces would be available for the hotel and office staff. As the office users are likely to require parking during the

day, and the hotel users during the evening, it is considered that these shared arrangements would be acceptable. The site is also located in a highly accessible city centre location close to a number of public car parks, therefore reliance on the private car is likely to be less than in suburban city locations. In addition 22 car parking spaces are proposed beneath the hotel.

To prevent residents, employees and visitors parking inappropriately on the public highway, parking restrictions could be imposed by way of a Controlled Parking Zone. The Local Highway Authority recommend that this is secured by way of a planning condition.

280 secure and covered cycle parking spaces are proposed for the residential uses, this is one space per unit. 117 secure and covered cycling spaces are proposed to be split between the hotel and office sites. This is lower than normal, however space will be reserved for expansion and should demand be found through the monitoring of the travel plans further spaces can be created. This approach has been taken on many other sites within Peterborough.

### Travel Plan

An overarching travel plan has been submitted under this outline planning application to promote and encourage sustainable travel modes. Under the detailed reserved matters proposals or when the final end users of the buildings are known, more specific travel planning can be done to target the specific needs of the businesses on site. These more detailed Travel Plans can be secured by way of a planning condition.

### Junction capacity

To test the impact of the development proposals upon the capacity of the signalised junction East Station Road and the A15 London Road a model of the existing and proposed junction layout was developed. The analysis demonstrates that the proposed layout would provide capacity improvements when compared to the existing layout during the morning peak hour and that in the pm peak hour there would be a slight deterioration in capacity when compared to the proposed junction layout, albeit the junction would continue to operate with spare capacity. The Local Highway Authority accept the results of the modelling which concludes that there would be no capacity issues associated with the proposed alterations to the East Station Road/London Road junction.

It is recommended that a condition is imposed requiring the junction improvement works to be carried out prior to the occupation of the residential units.

Whilst the modelling of the London Road and East Station Road junction show that the existing and proposed arrangements operate with spare capacity, it is recognised that the junction does not operate in isolation and is heavily influenced by capacity at the junction with Oundle Road to the south and Bourges Boulevard to the north.

Irrespective of this planning application, Peterborough City Council as part of their future intended highway works are proposing improvements to the Bourges Boulevard junction.

### Diversion of Public Right of Way (PROW)

The principle of the diversion to the public right of way on site is considered to be acceptable. The scheme proposes more options for pedestrians movement through and around the site, including a new riverside promenade route. The exact details of the new route, and the timings for its implementation will be considered through a separate application process.

## **e) Impact on the Listed Buildings and Historic Environment**

A Heritage Statement was submitted in support of the application.

There are no Scheduled Monuments located within the application site. The Old Customs House on the opposite bank of the River Nene is the nearest Scheduled Monument, it is also a Grade II Listed Building.

There are two Grade II Listed Buildings located within the application site; 1. The Railway Engine Sheds and Workshops and 2. The Railway Goods Shed. There are also some surviving railway lines on site between these two buildings, which have some heritage interest and value.

Peterborough City Centre Conservation Area is located approximately 100m to the north of the site at its nearest point. The Grade I Peterborough Cathedral is located in the city centre to the north of the site.

Adjacent to the northern boundary of the site is the locally listed Whitworths Mill, which was built in 1840's, this is not included within the application site.

### Setting

The Heritage report considers the impact of the development on the setting of the Listed Buildings and Conservation Area in the vicinity of the site, and the Listed Buildings on site.

Views of the Old Customs House from the south along London Road will be enhanced compared to when Bridge House was in-situ as it is proposed to 'set back' and orientate the new buildings (Hotel and Commercial Office) away from London Road. The former Bridge House was positioned much closer to London Road therefore the new set back position of buildings would allow for better appreciation of the Old Customs House and Cathedral when approaching from the south, this will be controlled via the approved parameter plan.

The report acknowledges that the proposed development would form part of the Customs House wider setting and therefore would alter the current setting and impact upon its heritage significance, albeit in a limited way. However this harm is considered to be less than substantial, especially when weighed against the significant public benefits of the redevelopment of the site, including the bringing back of 2 Listed Buildings into use.

In respect of the Cathedral and Cathedral Precincts the report concludes that whilst the site will form part of the Cathedral's wider setting to the south, the proposed development would not impact on its heritage significance, particularly given the set back of the hotel and office and the orientation of the residential uses which allows views through the development.

Within the application site, the setting of the two Listed Railway buildings will be altered and their significance impacted upon. In respect of the proposed new residential development, it is proposed to reduce the height from west to east towards the Listed Buildings on site, which is considered to be acceptable. A new office building is proposed to the east of the Railway Engine Shed building. During the course of the application the height of this building has been reduced to 3 storeys together with a reduction in width of section of new build which would link the buildings together. This was to address the Historic England and Conservation Officer's concerns about the scale of the new building dominating the Listed Building. It is considered that the height, massing and location of the amended building would not dominate the listed building but would cause some harm to its immediate setting. However the impact, in accordance with the NPPF, would be less than substantial, and in line with para. 134 this should be weighed against the public benefits arising from the whole proposal. Any structural improvement works that would be considered under a future Listed Building application, would need to improve and maintain their historical integrity, ensuring their sustainability and future re-use. The change of use of these buildings will enable the opportunity for enhancement and secure their long term future.

In respect of the adjacent locally listed Whitworth Mill, the original setting of this asset has been altered with the demolition of the previous buildings and railway on site. Within its current setting the 2 Listed Railway buildings are to be retained and enhanced by the proposed development.

Therefore subject to appropriate and sensitive design of the new development within its immediate vicinity its current setting and therefore local heritage significance would be improved.

The application site sits to the south of the Peterborough City Centre Conservation Area, which is rich in designated assets. At certain locations along the southern boundary of the Conservation Area the rooftops of the proposed development would be visible. However it is considered this small impact on setting is unlikely to detract from their heritage significance.

#### Change of Use of the Listed Buildings

It is proposed to change the use of both listed buildings: the railway goods shed to a cultural and leisure hub and the railway engine shed to office use

The railway engine shed and workshop was constructed 1845-50 and remained in railway use until the 1960s, then as a timber merchants but has been unoccupied for some time. The adjacent railway goods shed is a large single-storey structure constructed from similar yellow stock brick with a corrugated asbestos roof. The goods shed remained in railway use until the 1950s with intermittent storage use since. Since the mid-1990's both buildings have been in a poor state of repair having suffered from neglect, short term repairs and some fire damage.

The historic and architectural significance of the buildings lie in their early date, their group value as part of the earliest railway complex in the city and, in the case of the goods shed, a transshipment point with the river.

It is important to achieve appropriate new beneficial uses of both buildings to secure their long term survival. The proposed re-use of the goods shed for leisure related activity would seem compatible and viable and in accordance with Policy. Likewise, office and community re-use of the engine sheds and workshop is acceptable. Listed building consent will be required for work to convert both buildings. Alterations to accommodate these uses will need to be sympathetic to preserve their special interest and would include not only their physical fabric (cast iron windows, columns, rails etc) but also the historic layout and arrangement of internal spaces and 'openness'. This would seem feasible if best practice and guidance is followed to retain their special character and significance.

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 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 (Heritage considerations).

#### f) **Ecology**

A Phase 1 Habitat survey, which included bat survey and breeding birds survey and a reptile survey was submitted in support of the planning application.

The Nene Washes SSSI, SPA, Ramsar & SAC Site is located approximately 200m east of the site. The Boardwalks and Woodston Ponds Local Nature Reserves (LNR) are located approximately 1150m and 1250m to the west of the application site. Due to the distance of these LNR's from the application site, it is not considered that the development would have any impacts on the ecology.

The River Nene County Wildlife Site is located immediately adjacent to the northern boundary of the application site.

In respect of flora, a botanical survey carried out this year has identified in the railway spoil area on site (eastern section), near threatened in England plant species and South beard-grass, which has

rarely been recorded in the UK and never in Peterborough.

The survey found no evidence of water voles along the banks adjacent to the application site. No signs of otter activity were found on site, despite some sections of the bank being suitable lay-up areas.

The bat activity surveys carried out on site found no evidence of any bat roosts on site, and found the trees and buildings on site to have low bat roost potential. The bat boxes on the trees on site were inspected and found not to be in current use. The bat surveys carried out on site found the number of bats using the site to be low.

The initial ecology report found the site having the potential to support common reptile species, therefore further survey work was carried out in 2 areas identified on site. The further reptile survey submitted however, found no reptiles on site during any of the survey visits. This indicates that reptiles are currently absent from the survey area, and the wider application site. No specific mitigation measures are required for this species. In line with best practice a tool box talk should take place with the construction team, so they are aware of the site potential for these species.

There are no records of Great Crested Newts within the application site and there are no water bodies within the site therefore this species is unlikely to be present.

No evidence of Dormice or their habitat was found during the survey, therefore it is unlikely that this species is present on site.

Bird species recorded within the application site during the Phase 1 Habitat Survey include blackbird, goldfinch, house sparrow, magpie, woodpigeon, and mute swan. House sparrow is a red list species which are the highest conservation priority, due to declines in breeding populations.

Sand martins have historically been recorded nesting within the London Road drains, which run through the retaining wall at the entrance to the site. This species is on the amber list due to its European conservation status.

The trees and areas of scrub/shrub on site are suitable for supporting nesting birds.

There are no records of White-clawed crayfish within the site or within 2km of it.

During construction it will be important to appropriately manage surface water run-off and dust to minimise the impacts on the River Nene County Wildlife site, this can be secured by way of a planning condition.

The bat surveys found no evidence of any bat roosts on site, but some of the site is suitable for bat foraging and commuting habitat. Therefore existing bat boxes will be relocated on site as required and new bat bricks proposed. During construction, noise, and lighting could be suitably controlled to minimise the impact on bats. Inspections of the Railways Buildings should be secured by condition prior to commencement of works to ensure that there are no bat roosts in these buildings.

Whilst no otters were recorded on site, the riverbank could provide suitable layup areas for them. Therefore prior to any bank enhancement measures, a pre-construction check for otters must be undertaken.

Demolition and construction works should take place outside the bird nesting season unless surveys are carried out which can demonstrate that there are no nesting birds on site that would be affected by the proposed works. The Sand Martins nesting facilities will have to be re-provided on site, and this can be secured by a planning condition. New bird nesting facilities on site to enhance the overall level of biodiversity should be secured by condition.

The proposed development is therefore considered to be in accordance with Policies CS21 of the

Core Strategy and Policies PP16 and PP19 of the Planning Policies DPD.

### **g) Habitats Regulation Assessment**

In order for Peterborough City Council to fulfil its obligations under Regulation 61 of the Conservation of Habitats and Species Regulations 2012 (as amended) a Habitats Regulations Assessment screening report for the likely significant effects was submitted with the application. This screening process is to identify the likely impacts of a project upon an international site, either alone or in combination with other plans and projects, and consider whether the impacts are likely to be significant. The international site which requires consideration under this assessment is the Nene Washes SPA, SAC and Ramsar site.

The report concludes that the proposed works would not directly impact upon the interest features for which the Nene Washes is afforded its international protection. In addition, indirect impacts associated with noise and visual disturbance are considered unlikely, due to the urban nature of the surrounding area. Noise levels associated with the construction of the development are below the excepted noise levels (i.e. 42dBA in comparison to a disturbance level of 55dBA). In addition, construction lighting will be limited to the application site only and measures will be put in place to ensure that it does not affect the wider area (i.e. strategic placement of lights and their direction into the site rather than into the wider area).

The development is not anticipated to have any significant impact on water resources during construction and best practice pollution prevention measures will be put in place to ensure that water quality is not impacted.

The section of the Nene Washes closest to the area of works is not considered to be optimal habitat for breeding or overwintering bird species. The central sections of the international site are known to support greater numbers of bird species and this area is located approximately 2km away from the development, reducing the potential for noise and visual disturbance.

Operationally, the increase in the local population is also considered unlikely to cause disturbance impacts as the Nene Washes are not publically accessible and there are other recreational areas closer to Fletton Quays which can be used for walking etc.

Therefore the conclusion of the report is that the works are not likely to have a significant effect on the interest features or condition of the Nene Washes and therefore there should be no requirement for detailed Appropriate Assessment.

### **h) Trees**

An arboricultural assessment was submitted in support of the planning application.

It categorises the quality and possible retention value of the trees on site. Officers are in broad agreement with the findings of this report and the existing tree strategy in the Design and Access Statement. The London Plane Tree on site, positioned to the rear of the Aqua House building, is the only tree of such high quality that it should be retained and incorporated into the redevelopment. The rest of the trees on site are of mixed quality and health. The majority of the trees internal to the site and on the southern boundary will be removed to facilitate development. Officers do not raise an objection to this approach. The existing trees on the northern boundary adjacent to the river have been split into 5 main groups. In the first two of these groups on the western side of the site most trees will be removed, however there might be opportunity to retain and incorporate some of these trees into the scheme. The retention will also be dependent on the health of the trees. The mature Willows will be pollarded to help understand their future growth potential and incorporation into the scheme. The other 3 groups of trees will be retained subject to the health and future growth potential of the trees.

At the detailed design stage, when a new landscaping scheme for the site will be proposed, further consideration of the retention and removal of existing trees will take place to ensure that the best possible future landscaping strategy for the site occurs.

Therefore the approach to existing tree retention and future landscaping is considered to be acceptable and subject to conditions the proposal is considered to be in accordance with Policy PP16 of the Planning Policies DPD.

#### **i) Flood Risk/Drainage**

##### Flood Risk

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

Whilst a large proportion of the site is located in Flood Zone 1, there are some parts of it which are located in Flood Zone 2 and 3. The site is allocated under Policy CC6 of the City Centre Plan for a mixed use development. As part of the allocation process and the Strategic Flood Risk Assessment the impact of flooding was considered and the sequential approach to site selection applied to consider whether there was any other land available for the development in a lower risk flood zone. The outcome of this assessment was that options for regenerating the southern bank of the River Nene through development elsewhere do not exist, and hence the focus would be on regenerating the different areas of the South Bank. The allocation of the site identified the following uses as being suitable on the site: - residential, food, drink and leisure development, offices and shops, and amenity open space. The allocation in planning terms means that in respect of flood risk the proposed uses can be accepted subject to any appropriate mitigation.

The development proposed in Flood Zone 2 is to be food, drink, leisure facilities, together with ground floor parking under the residential uses, and open space. No residential use is proposed on the ground floor. The proposed uses within Flood Zone 2 are considered to be acceptable as they are classed a 'less vulnerable'.

Specific flood resistance and resilience measures to reduce any impacts of flooding will need to be considered at the detailed reserved matter stage for ground floors shops etc, and this can be conditioned.

The proposed residential (sleeping accommodation) uses are to be located outside of Flood Zones 2 and 3, and therefore within areas on site of lower probabilities of flooding.

The proposed hotel use would, however, be located within Flood Zone 3. Therefore, what is known as 'the Exception Test' is required, in order to demonstrate that on-site mitigation measures can be provided in order to ensure the hotel would not flood, and that the development has wider community benefits.

The redevelopment of the site is a key part of the regeneration and growth of the city centre and Peterborough as a whole. The site is a previously developed brownfield site, and the development could be made safe from flooding through appropriate layout, signage and participation in the Environment Agency's flood warning scheme. The hotel should be designed so that there are no guest rooms/sleeping accommodation on the ground floor river level. The hotel would also be connected to higher grounds via an entrance on to London Road, providing a safe means of escape. Therefore both the entrance as well as the guest rooms/sleeping accommodation would have a floor level above the 0.1% Annual Exceedance Probability (AEP) (including climate change) and an added 600mm freeboard allowance to make the development safe for its lifetime.

As the hotel would occupy an area of floodplain, floodplain storage compensation is required to prevent an increase of flood risk elsewhere. Based on the indicative plans the proposed hotel would have a 32m<sup>3</sup> increase in volume from that of that of the previous Bridge House building on site, therefore 32m<sup>3</sup> of floodplain compensation storage must be provided elsewhere. There

appears to be sufficient land on the eastern part of the site for this to be accommodated. The detailed proposals that come forward will have to recalculate the exact volume required, and provide this on site, therefore this would be secured by way of a planning condition.

Therefore, at this outline stage, it can be concluded that the development satisfies the requirements of the Exception Test. The reserved matters stage will have to carefully consider the exact mitigation measures required based on this submitted Flood Risk Assessment.

Following mitigation, flood risk can be reduced, however the residual flood risk will still remain. The residual risks that remain can be managed by businesses and residents subscribing to the Environment's Agency free flood warning service and at the detailed design stage an evacuation plan to ensure the safe evacuation of the development should flooding occur.

Therefore in combination with the compensation and mitigation measures proposed in the FRA and in particular the recommendations outlined in Section 5.2, the proposed development is considered to be appropriate in terms of flood risk and in accordance with Policy CS22 of the Core Strategy and the NPPF.

### Drainage

A surface water management plan was submitted in support of the application.

It states that the information on existing ground conditions indicates that the disposal of surface water by infiltration into the ground is unlikely to be feasible due to poor infiltration rates of the soil and possible contamination in the made ground.

The existing site has a total impermeable area of 4.81 hectares, and the proposed illustrative scheme has a total impermeable area of 4.66 hectares, which would be an overall reduction in the impermeable area of 0.15 hectares.

A new surface water drainage scheme for the site, including SUDS components, is recommended to be secured by planning condition.

The SUDS components could include Permeable paving, swales, channels, and rills, rain gardens, green roofs and walls, silt removal devices and pipes and subsurface storage.

Subject to the imposition of a surface water drainage condition, the development is considered to be in accordance with Policy CS22 of the Core Strategy and the NPPF.

### **j) Water Framework Directive**

The Water Framework Directive was adopted in December 2000, and requires the prevention of deterioration of aquatic ecosystems and requires the protection and enhancement of such ecosystems. In 2003 this European Union directive was transposed into national law, Water Environment (Water Framework Directive WFD) (England and Wales) Regulations 2003. The WFD applies to all bodies of water, including those that are man-made. Therefore the impact of the development on all the surface and groundwater is required.

For new development such as this a compliance assessment is required to ensure that the proposal would not impact on the status of the aquatic ecosystem.

The report concludes that the proposed development does not have the potential to impact significantly on the surface water and groundwater bodies in the area. The main way that the proposed development could potentially impact on WFD compliance is in respect of surface water drainage, although it is considered that this is likely to be negligible given the proposed drainage systems. Whilst no site specific measures are required to ensure compliance with the WFD, best practice measures should be adopted both during construction and operation to minimise any

harmful impacts on the water environment.

### **k) Contamination**

A contaminated land assessment was submitted in support of the planning application. This report amongst other things examined ground conditions, took samples to assess the potential contamination, assesses the impact of contamination on controlled waters, and gave an assessment of the geo-environmental risks associated with the proposed redevelopment.

The site has had a number of potentially contaminative uses, including railway industry, wagon and goods etc. Some of these contaminants will require removal and some the placement of a cover layer to mitigate the risk to end users of the site.

Officers consider the findings of the report acceptable and subject to further site investigation and agreement of the proposed remediation measures, to be secured by way of planning condition, it is considered that the site can safely accommodate the proposed uses.

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

### **l) Noise and Vibration**

A noise and Vibration assessment 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.

Noise levels on this site are mainly influenced by road traffic on London Road, passenger and freight trains using the adjacent railway line to the south, traffic noise from the Frank Perkins Parkway, and during the daytime by construction noise from the Morris Homes site on Hawksbill Way.

Noise and Vibration assessments were carried out on site to understand the existing noise and vibration levels.

#### Mill

The Mill buildings adjacent to the site are currently dormant and have been for a number of years, following the occupiers relocation to another site in Peterborough. It may be unlikely that these buildings will be re-occupied for these purposes, however the impact of this use on the proposed, particularly the residential uses has to be considered. Should re-occupation occur noise emissions would be controlled under a permit for the site, which would prohibit significant impacts at local sensitive receptors by restricting noise from the mill to be no higher than existing background levels at these receptors. The assessment considered the distance of the Mill with existing dwellings and those proposed to try and gauge likely noise levels and appropriate mitigation. It concluded that subject to suitable glazing and ventilation, the uses of the site would be acceptable in respect of noise impacts were the Mill use to be re-opened and its noise levels be restricted to no higher than background levels.

#### Embankment

Events at The Embankment are currently subject to a noise limit at residential properties on Stagshaw Drive/Hadrians Court. These existing residential properties are approximately twice the distance from the Embankment as the proposed dwellings on this site.

It is therefore recommended to condition that the glazing and ventilation of the proposed residential dwellings achieves a sound reduction performance of at least 40dB Rw in order to ensure that internal noise levels are the same as those at existing properties.

There are glazing units on the market that could achieve this requirement.

Due to the nature of the potential noise and the fact that concerts would be more likely during the summer months, it may also be prudent to provide an alternative means of rapid ventilation to these properties

Therefore whilst it can be concluded that sufficient noise levels could be achieved the necessary glazing and ventilation required to achieve this noise mitigation should be secured by condition.

Details of the proposed plant on site should be conditioned to ensure it is sited and designed to achieve acceptable noise levels at nearby sensitive receptors.

Construction Noise and the necessary mitigation measures can be secured as part of a Construction Management Plan.

#### **m) Air Quality Assessment**

An air quality assessment has been submitted in support of the proposal.

The air quality assessment considered the potential for the proposed development to impact on local air quality at identified receptor locations both during its construction and operation. The assessment also predicted air pollutant exposure at future receptors within the proposed development.

The report concluded in respect of dust, that a dust management plan to mitigate for demolition and construction dust, should be secured by condition, and that with suitable mitigation, the impacts would not be significant.

A road traffic emissions assessment and sensitivity study were undertaken. The conclusions reached were that the impacts of road traffic movements generated from this development, on local air quality were not significant and would not cause any new breaches in any air quality objectives at any existing receptor locations.

The proposal is therefore considered to be acceptable in respect of its impact on air quality.

#### **n) Archaeology**

Finds dating from the prehistoric period, including a log boat, have been recovered during dredging of the river and maintenance work along the banks. Documentary sources indicate that the site was used as a ground fair during the medieval and post-medieval periods. Historic maps show that it was not developed until the advent of the railway during the 19<sup>th</sup> century. East Station is the earliest station recorded in Peterborough. It was opened in 1845 and closed in 1966.

The site has been the subject of a series of archaeological investigations carried out between 2000 and 2005 and this has shown that the previous uses mean that very little remains.

On the basis of the available evidence, the buried archaeological potential of the main site is considered to be negligible. In addition, the type of construction design adopted would minimise any adverse effects upon potential buried remains. Any deep excavations of the alluvial deposits are likely to require archaeological monitoring, this could be secured by condition.

In the detailed scheme, it is considered that the incorporation of Interpretation boards to highlight the significance of the site in the context of the development of the railway would be appropriate. Any surviving heritage assets associated with the 19<sup>th</sup> century railway station should be retained, as far as possible and incorporated into the proposed design.

Therefore in respect of the impact on archaeology, the proposal is considered to be in accordance with Policies CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD.

**o) Community Infrastructure Levy (CIL)/S106**

The Council has adopted a 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. However based on the information submitted in respect of the proposed uses it is unlikely that this proposed development will be liable for a CIL charge, as offices, hotels, ancillary retail, leisure and assembly, and apartments schemes greater than 15 units, are all uses which are not CIL liable.

30% affordable housing provision is required by Policy CS8. An open book financial viability assessment was submitted in support of this application. This provided evidence that due to the significant abnormal site costs in respect of contamination, flood risk, Listed Building conversion, provision of substantial areas of public realm etc that the scheme could not afford to provide any affordable housing, or it would render it unviable. The lack of affordable housing needs to be balanced against the NPPF requirement to encourage sustainable development and regeneration benefits this development will bring to the site and surroundings.

The viability appraisal did demonstrate that a £100,000 S106 contribution could be provided to be put towards improvements to the cycle/pedestrian connections to the site, and/or the management/relocation of the Open Mosaic Habitat area on site.

The proposed highway works, new public realm works, CCTV, public art, fire hydrants and implementation of travel plans will be secured by way of planning condition.

**p) Miscellaneous**

Most of the comments made from residents have been addressed in the main report.

- In respect of the comment about providing a rail stop on site to ease congestion in the main Railway Station. Network Rail have not approached the Council about the need for more railway stops in Peterborough. It is also likely that even if a need could be demonstrated that the infrastructure costs associated with such a project may prove prohibitive.
- In respect of the turning rights of articulated lorries for the former Flour Mill on the applicants land, this is a legal matter in respect of any legal rights of access the adjacent landowner has over the applicants land. This proposal does not encroach on to any of the neighbouring Mill site.
- Any financial benefit the City Council may or may not make as former landowner from this development is not a material planning consideration. The application must be considered on its own planning merits, irrespective of who the applicant is, or what profit they make.

## **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 residential, office, hotel, retail, restaurants, drinking establishments etc uses are considered to be acceptable on this city centre site. This is in accordance with Policy CC6 of the City Centre DPD and Policy CS4 of the Core Strategy.
- The vertical limitations, and usage and zoning 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.

- 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 and Policy PP17 of the Planning Policies DPD.
- 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 and Policies CS17, CS21 and CS22 of the Core Strategy.

## **7 Recommendation**

The Head of Planning Services recommends that Outline Planning Permission is **Granted** subject to the following conditions, and the prior completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990:-

- 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 ten 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 before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

- C5 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.

Reason: To be in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011).

C6 Planning permission is hereby granted for a mixed use development. The exact quantum of floor space for each particular use will be determined through the reserved matters submissions, however the following maximum parameters apply:-

1. Residential (Class C3) up to a maximum of 280 units
2. Office (Class B1) up to a maximum of 14,000sqm
3. Hotel (Class C1) up to a maximum of 160 bedrooms
4. Retail (Class A1/A2), Restaurants, cafes and drinking establishments (Class A3 and A4), Non-residential institutions (D1) and Assembly and Leisure (D2) up to a total maximum of 975 sqm
5. Change of Use of the Listed Railway Engine Shed to B1 Office Use and ancillary accommodation
6. Change of Use of Listed Goods Shed to A2, A3, A4, D1 and/or D2 uses.
7. Parking up to a maximum of 774 spaces

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

C7 The reserved matters applications to be submitted shall be in accordance with the following approved plans and documents:-

- Parameter Plan – Usage and Zoning – A20-08-07 Rev L
- Parameter Plan – Vertical Limitations – A20-08-06 Rev M
- Junction Improvements – PB3521 – SK001 Rev A
- Red Line Boundary – A10-0012 Rev E
- Existing Site Plan – A20-08-17 Rev B
- Location Plan – A10-00-03 Rev G
- Railway Engine Shed – A10-00-19 Rev A
- Railway Goods Shed – A10-00-20 Rev A
- Design Framework Rev F

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

C8 20% of all residential units shall be constructed as Lifetime Homes. 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.

C9 The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of the sustainable drainage scheme as outlined in the report 'Surface Water Management Plan' Fletton Quays, Reference: IEMPB3521R005F01, Revision: 01/Final, Date: 24 September 2015 has been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for its implementation, and

- e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- f) Demonstration that it meets the government's national standards

Once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

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. 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.

C10 Before each phase of development approved by this planning permission no development shall take place until a scheme to prevent deterioration in the status of any surface or groundwater body, that does not also prevent good status being achieved in these water bodies in the future, has been submitted to and approved in writing by the local planning authority. The details for each phase of development shall demonstrate full compliance with the mitigation measures within Chapter 5.3 of the Water Framework Directive Assessment prepared by Royal Haskoning DHV dated 23 September 2015, and shall contain the following details:

- Proposed new bank materials/structures (including the installation of coir rolls)
- Sediment management
- In-channel morphological diversity techniques
- Appropriate vegetation control techniques
- Appropriate invasive species control techniques
- Maintenance of the scheme

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:

To demonstrate that the achievement of all relevant requirements (No Deterioration and Improvement to Good Status) is not compromised by the proposed scale of growth in accordance with National Planning Policy Framework, EU Water Framework Directive, the EA River Basin Management Plan, Core Strategy Policies 21 & 22, CAAP Policy CC6, objectives of the Nene Valley Nature Improvement Area, and the Floods & Water Management SPD.

C11 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (date: 22 September 2015 / reference number: IEMPB3521R004F01) and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage of 32m<sup>3</sup> must be provided on a volume for volume level.
2. Finished floor levels are set no lower than 300mm above the 0.1% annual exceedance probability (1 in 1000 year).

The mitigation measures shall be fully implemented prior to occupation of any development and subsequently maintained in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS22 of the Core Strategy.

C12 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation scheme has been submitted to and approved by the Local Planning Authority and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the Local Planning Authority dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model procedures for the Management of Land Contamination, CLR11". No development shall be carried out except in accordance with the approved details.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

C13 On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

C14 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

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

C15 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 proposed infiltration systems or soakaways do not pose additional risk to groundwater in line with the National Planning Policy Framework (paragraphs 109 and 121), the EU Water Framework Directive, the River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2013) position statements G1 to G13 inclusive.

- C16 Prior to the occupation of any development hereby approved, plans showing a scheme of access improvements based upon the principles shown on plan PB3521-SK001 Rev A shall be submitted to and approved by the Local Planning Authority. The improvements shall be implemented prior to the occupation of any of the dwellings.

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

- C17 Prior to the occupation of any development hereby approved, plans showing a scheme of measures to prevent vehicles encroaching onto the footway/cycleway on London Road along the frontage of the proposed hotel building shall be submitted to and approved by the Local Planning Authority. The improvements shall be implemented prior to the occupation of the proposed hotel.

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

- C18 Traffic Regulation Orders shall be implemented at the cost of the applicant on those streets within the development that are to be adopted as public highway as part of an overall 'Controlled Parking Zone' scheme to prevent parking in unsafe locations within the proposed development.

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

- C19 Within 3 months prior to the first occupation of any phase of the development a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The detailed travel plan shall include SMART targets and identify 'soft' measures to encourage the use of non-car modes to travel to and from the site. The Travel Plans shall be in place for the life of the development.

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

- C20 Prior to the commencement of each phase a scheme for the provision of cycle parking for that phase including the number of spaces to be provided and the timing shall be submitted to and approved by the Local Planning Authority. The spaces for residents (of the dwellings and hotel) and employees of the offices, hotel, leisure and retail uses shall be secure, covered and monitored with visitor spaces being covered and secure. The cycle parking shall be implemented in accordance with the approved scheme.

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

- C21 Prior to the commencement of each phase a scheme for the provision of car parking for that phase including the number of spaces to be provided and the timing shall be submitted

to and approved by the Local Planning Authority. The car parking shall be implemented in accordance with the approved scheme.

C22 Prior to the commencement of each phase of development a Construction and Demolition Environmental Management Plan (CDEMP) shall be submitted to approved by the Local Planning Authority. The CDMP shall include for each phase of the construction:

- A Noise and a Dust Management Plan
- Hours of Operation
- Routes to and from the site for construction vehicles.
- On-site parking, turning and loading/unloading for construction vehicles.
- Location of storage compounds/welfare facilities.
- Location and specification of wheel wash facility.
- Phasing plan for the demolition
- Ecological protection measures

The CDEMP shall thereafter be adhered to throughout the relevant period of construction.

Reason: In the interests of highway safety in accordance with policy PP12 adopted Planning Policies DPD. This is a pre-commencement condition because the details to be approved are required to be put in place before development commences for the duration of the development.

C23 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. This is a pre commencement condition as suitable fire hydrant need to be identified and designed into the scheme early for safety reasons and to prevent abortive works on site.

C24 Prior to the first occupation of any use a scheme of bird 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 Prior to the commencement of any works, in the vicinity of the existing Sand Martin nest sites on London Road, details of alternative Sand Martin nest sites to compensate for those to be lost shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these nesting sites shall be provided on site in accordance with the approved details in advance of the breeding season following removal of existing nesting features and shall thereafter be maintained as such.

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

C26 Prior to the commencement of development, details of the proposed Open Mosaic Habitat (OMH) area (including details of a 5 year monitoring plan, and long term management plan) to compensate for that to be lost on site, shall be submitted to and approved in writing by the Local Planning Authority. The OMH area may be provided either on the application site, or in an off-site location but should measure a minimum of 1,200 sq metres. The new

Habitat area must be provided in accordance with the approved details in advance of construction works on the eastern part of the site and thereafter maintained as such.

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 works to existing buildings a full Bat Method Statement must be produced setting out details of the following:

- Pre-construction bat inspections of the two railway buildings to ensure no bat roosts are present, prior to construction works commencing.
- Provision of a range of bat boxes and bat tiles to be incorporated into approximately 10% of all new dwellings to provide suitable bat roosting habitat, plus the re-locating of existing bat boxes from trees to be removed
- External lighting, both during the construction period and post construction, to be designed to be baffled downwards away from key habitats including the river Nene trees and the 'habitat/ ecology areas' Lighting of the river Nene corridor is avoided (as per bat requirement)
- Use of 'silent' piling methods
- Construction lighting to be directed into the application site and not onto the river
- Use of sedimentation control including silt bunds
- Bat-friendly landscape planting be incorporated into the site layout

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

C28 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.

C29 Prior to the commencement of the development a Public Realm Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall be based on the Design Framework Document. The Strategy shall include details of (but is not limited to) the following:

- Those areas that would have public access and those that would be private
- Proposed materials/hard landscaping
- Street furniture
- Public Art
- Lighting
- Signage
- Interpretation boards, detailing the Railway significance and history of the site
- CCTV and security/management measures
- Soft landscaping, inc. those trees to be retained and removed
- External SUDS features
- Site servicing arrangements, including refuse and recycling collection

Each reserved matters application submitted pursuant to conditions 1 and 2 shall be accompanied by a statement showing how it complies with the overarching public realm strategy.

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 Prior to the commencement of the development a Phasing Plan for the timing and delivery of the development, in terms of the relationship between the phases of development and the proposed infrastructure, has been submitted to and approved in writing by 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).

- C31 Prior to the commencement of construction of any residential unit or hotel accommodation, in line with the Noise Assessment dated October 2015 full details of the proposed windows and means of ventilation shall be submitted to and approved by the Local Planning Authority in writing. The glazing is likely to need to achieve a sound reduction performance of at least 40dB Rw with 26dB and 27dB R at 63Hz and 125Hz respectively. 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 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). This is a pre commencement condition because the use of appropriate noise mitigation windows and ventilation is vital to achieving acceptable noise levels for residents and preventing abortive works should inappropriate materials be used.

- C32 No development which would involve deep excavations of alluvial deposits 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.

- C33 The Bass-Relief/Bridge House Mural shall be incorporated into the proposed development, details of its proposed location, and the timing of this implementation shall be submitted to and approved in writing by the Local Planning Authority. The Mural shall thereafter be implemented on site in accordance with the approved scheme and maintained thereafter.

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).

C34 Prior to the construction of each new building details of any roof top plant, flues, equipment, handrails, suicide barriers etc shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the details shall be implemented on site in accordance with the approved details prior to first occupation of the associated building and shall thereafter be maintained as such.

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). This is a prior to commencement of development as the visual appearance of the buildings are key to the success of the scheme, and to prevent abortive works should inappropriate materials be used.

C35 The detailed layout of 975 sqm of ancillary A1, A2, A3, A4, D1 and D2 hereby approved shall be submitted to and approved in writing as part of the reserved matters applications, to prevent an over concentration of A1 uses, or the provision one single A1 unit of 975sqm. It is envisaged that these units would be ancillary in size and scale for the main uses on site and provide a range of smaller units rather than 1 or 2 large units.

Reason: In order to protect the vitality and viability of the City Centre in accordance with CS15 of the Adopted Peterborough Core Strategy, and Policy CC6 of the City Centre Plan.

C36 Prior to the commencement of the residential and hotel uses details of the proposed engineering works and treatment of the riverbank shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the details shall be implemented on site in accordance with the approved details prior to first occupation of the associated building and shall thereafter be maintained as such.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance and in the interests of biodiversity in accordance with policies CS16 and CS21 of the adopted Core Strategy, Policy PP2 of the Peterborough Planning Policies DPD (2012) and the NPPF, and to ensure compliance with the Water Framework Directive.

Copy to Cllr Serluca, Cllr Thulbourn and Cllr Faustino