

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 4
7 DECEMBER 2010	PUBLIC REPORT

Cabinet Member responsible:	Councillor Marco Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning and Economic Development	
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PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (CONSULTATION DRAFT VERSION)

RECOMMENDATIONS	
FROM: Head of Peterborough Delivery Partnership	Deadline date: Cabinet 13 December 2010
<p>The Committee is asked to offer any comments on the draft Peterborough Planning Policies Development Plan Document (DPD) (Consultation Draft) , with such comments being reported to Cabinet on 13 December 2010 (and at that meeting Cabinet will be requested to consider and approve the document for the purpose of public participation).</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Committee following approval of the Council’s Local Development Scheme by the Secretary of State for Communities and Local Government in January 2010.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to enable the Committee to comment on the Planning Policies DPD (Consultation Draft Version) (hereafter referred to as the ‘Planning Policies DPD’) before it is presented to Cabinet on 13th December for approval for public consultation in spring 2011.

2.2 The draft of the Planning Policies DPD is attached at Appendix A. A background document including a summary of comments received during the Issues and Options consultation in October 2008 and our response to these comments has been drafted and will be made available on Peterborough City Council’s website.

2.3 This report is for the Committee to consider under its terms of reference No. 2.6.1.5 of part 3, section 2, of the Constitution ”To be consulted by, and comment on, the Executive’s draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation”.

3. **TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date of relevant Council Meeting	Late 2011 or early 2012 following consultation (but not this version of the Document)
		Date of Submission to Government Dept	Spring 2012

3.1 A table showing the dates and events that have taken place so far in the preparation of this DPD, and those likely in the future, appears on the first page of the document at Appendix A.

4. **PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH PLANNING POLICIES DPD (CONSULTATION DRAFT VERSION)**

Introduction

4.1 The Planning and Compulsory Purchase Act 2004 introduced a new system of plan-making, which is known as the Local Development Framework (LDF). One of the documents that the Council must produce as part of the LDF is the Planning Policies DPD, which itself sits beneath (and takes its lead from) the ‘Peterborough Core Strategy’.

4.2 The Core Strategy, which Members will recall is well advanced in its preparation, sets out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that are core to achieving or delivering that strategy. The Core Strategy is accompanied by a ‘key diagram’ which shows pictorially some of the key elements of Peterborough’s development strategy, but it does not have a ‘proposals map’ drawn on an Ordnance Survey base.

4.3 The Planning Policies DPD is intended to provide detailed policy statements to help in determining planning applications. The policies in the Planning Policies DPD will help in delivering the overarching principles established in the Peterborough Core Strategy. At the end of each policy we have referred to the appropriate Core Strategy policy (or policies) and objectives which it supports.

4.4 Recognising the important role of the City Centre, a document that focuses specifically on this area is being prepared, known as the Peterborough City Centre Area Action Plan. Although policies in the Planning Policies DPD will apply throughout Peterborough (unless clearly stated otherwise in the policy), there will be additional specific policies for the city centre in the City Centre Area Action Plan.

Consultation Draft

4.5 The regulations and guidance on the preparation of documents within the LDF provide for various stages, with differing opportunities for public involvement at each stage. The Government has relaxed some of those regulations, making it more flexible when and how LDF documents are prepared and consulted upon. The purpose of the Issues and Options consultation was to explore issues that could be included and views on the general direction that a policy might take on a particular issue. No policies were drafted at that stage. We have included draft policies in this Consultation version of the Planning Policies DPD. We feel it is important that everybody has an opportunity to comment on the policies before we proceed to the next, and more formal, pre-submission stage.

Summary of the Consultation Draft Version

4.6 In the early stages of preparing the Planning Policies DPD, we consulted the public and all the stakeholders on an ‘Issues and Options’ document (October-November 2008). This

identified possible issues to be addressed and alternative policy approaches for each one. All the comments made at that stage have been analysed and taken into consideration in formulating policies in this consultation document. It is a statutory requirement that policies must be subject to formal sustainability appraisal (incorporating strategic environmental assessment), and, if necessary, Habitats Regulations Assessment, and this is a continuing, iterative process that also contributes to decisions on the recommended preferred options. In summary, the outcome of all of this work is a Planning Policies DPD which stems from the Core Strategy agreed by the Council.

- 4.7 All of the policies in the Planning Policies DPD (Consultation Draft) are summarised in a table below. This table provides a flavour of each policy and Members can then investigate any policy in detail in the document.

Draft Policy	Policy information
PP1 – Location and Design of New Development	This is a generic policy covering all types of new development. The objectives of the policy are to improve design standards and the sustainability of new development.
PP2 - Amenity	This policy aims to ensure that all development takes into consideration the impact that it will have on the occupiers and/or users of properties nearby. It also aims to secure basic levels of amenity for all new developments.
PP3 – Top of the Market Dwellings	The policy seeks to prevent the loss of top-of-the market housing in order to enable business leaders to live locally.
PP4 – Housing in the Countryside	This policy recognises the potential for conversion of redundant rural buildings to dwellings and sometimes the need to replace existing dwelling in the countryside. The policy specifies criteria that have to be met before planning permission can be granted.
PP5 – Rural Economy	This policy sets out criteria that have to be met for tourism, leisure, cultural and employment development in villages and the countryside.
PP6 – Primary retail frontages in District Centres	The policy allows for the provision of a controlled number of non-A1 uses within primary frontages but prevents any proliferation that would adversely affect the amenity of neighbouring properties or the character of District Centres.
PP7 – Shop frontages, security shutters and canopies	This is a generic policy to improve the appearance of all shops.
PP8 – Transport Implications of Development	This policy addresses all transport issues such as the effect of development on road safety, traffic congestion, access and circulation, parking, and the design of new infrastructure. These are all material considerations in determining a planning application.
PP9 – Parking Standards	Maximum car/van parking standards (except for C3 - dwelling houses and C4 – houses in multiple

	occupation where minimum parking standards apply) have been devised to reflect the approach to local parking standards in Planning Policy Statement (PPS) 4. Minimum parking provision for cycle, powered two wheelers and spaces for disabled users are included in the parking standards. We have also included a need to provide a charging point for an electric vehicle where appropriate.
PP10 – Open Space standards	The primary purpose of the open space standards is to secure adequate provision of open space for all new residential development. The standards set out a hierarchy of open space which builds up to a total requirement of open space per 1,000 population and which will be applied to all relevant development proposals.
PP11 – Nene Valley	The Nene Valley is viewed as an important asset for Peterborough; its use should be controlled and landscape safeguarded for the benefit of local people. Policy PP11 is included for this purpose.
PP12 – Landscaping and Biodiversity implications of Development	The policy deals with provision for landscaping and biodiversity in connection with new development and elements and provision to include when submitting a scheme.
PP13 – Heritage Assets	A generic policy designed to protect the designated and undesignated heritage assets including their settings.
PP14 – Buildings of Local Importance	This policy is included to protect a number of buildings of 'local importance', which are considered to make a positive contribution to the character of the area in which they are situated or have local significance.
PP15 – Ancient, Semi-Natural Woodland and Veteran Trees	The policy protects these areas from development that would adversely harm these areas.
PP16 – Habitats and Species of Principal Importance	We are required by law to protect Habitats and Species of Principal Importance in Peterborough. Any development proposal that would cause demonstrable harm to a legally protected species or habitat will be refused permission.
PP17 - Drainage and Floodrisk Management	All proposals will be required to address issues of drainage and flood risk management in accordance with the policy unit approach to be explained in a subsequent Supplementary Planning Document.

- 4.8 The Planning Policies DPD is less sensitive than other statutory planning documents for Peterborough, such as the Core Strategy and Site Allocations DPD, for the simple reason that it does not include new land allocations for development. Rather, it is something which, in general terms, is usually of greater interest and scrutiny by the 'professional' industry of planners, architects and developers. Members of the public do get involved but these tend

to be those who are already familiar with the planning system and/or have made representations on other planning documents.

- 4.9 Despite this likely low profile whilst in preparation, the policies themselves, once adopted, become extremely important when determining planning applications. They give the Council the powers and justification to either refuse or approve something, especially on detailed design matters (which can be very sensitive in local communities). It is important we get these policies right otherwise we could be storing up problems for the future, making life very difficult when determining planning applications.
- 4.10 In 2008, as part of the preparation for the Planning Policies DPD, we provided residents, landowners, developers, agents and parish councils with an opportunity to suggest changes to any village envelope. A number of changes were put forward for consideration. These were considered and the criteria along with the result of the assessments are included in the 'Village Envelopes in Peterborough - A Report into Suggested Changes' document. This is a background document that has been used in preparing the Planning Policies DPD and will be made available for inspection on Peterborough City Council's website.

5. CONSULTATION

- 5.1 In the early stages of preparing this Planning Policies DPD, we consulted on an 'Issues and Options' document (October-November 2008). This identified possible issues to be addressed and alternative policy approaches for each one. All the comments made at that stage have been analysed and taken into consideration in formulating policies in this consultation document. A report containing a summary of the comments made and options selected will be made available on Peterborough City Council's web site.
- 5.2 Prior to this meeting, a draft version of the document has been considered by the LDF Scrutiny Group on 29 November 2010. Any changes arising from comments made by that Group will be incorporated into the version presented to Cabinet.
- 5.3 When approved by the Cabinet, the document will be published for 6 week public consultation, starting probably in spring 2011 and ending early-mid April. Please note that this might mean the end of the consultation may overlap into the early part of purdah period. However, as this document has a relatively low public profile and is not specific to any ward, it is not considered this slight overlap is a concern. The alternative would be to delay consultation until late May. The overall timetable for preparing the Planning Policies DPD to the adoption stage is in the document on page 1.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that the Committee will offer comments on the Consultation Draft document, with such comments presented to Cabinet. Cabinet will then be requested to approve the Planning Policies DPD for public consultation in spring 2011.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Committee is recommended to make its comments known to assist Cabinet in reaching its decision.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 It is a statutory requirement to produce the Planning Policies DPD therefore the alternative option of not producing this document was rejected.
- 8.2 Alternative policy options were considered but only the best option was chosen because it conformed with the: (a) Core Strategy, and/or (b) sustainable development principles.

9. IMPLICATIONS

9.1 The Planning Policies DPD will have implications for all sectors of the community throughout the Local Authority area.

9.2 **Legal Implications** - The Council must follow due Regulations in preparing the Planning Policies DPD. Eventually, once the final document is adopted in 2012, the Council has a legal duty to determine planning applications in accordance with those policies.

9.3 **Financial Implications** - There are no immediate financial implications flowing from the approval of the Planning Policies DPD – Consultation Draft, simply because this is not the ‘final’ document. However, Members should be aware there may be future financial implications. There could be indirect financial implications arising from the development of sites (e.g. provision of infrastructure and services for the new residents, s106 arrangements, and increased council tax or other receipts because of granting planning permission based on the policies in the Planning Policies DPD).

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- Peterborough Planning Policies DPD - Issues and Options (Oct/ Nov 2008).
- Peterborough Core Strategy Proposed Submission Version (April 2010).
- Reports on Comments Received and responses to the Key Issues (April 2010).
- Village Envelopes in Peterborough - A Report into Suggested Changes (November 2010).