

<b>CABINET</b>	<b>AGENDA ITEM No. 6</b>
<b>7 November 2011</b>	<b>PUBLIC REPORT</b>

<b>Cabinet Member(s) responsible:</b>	Councillor Peter Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
<b>Contact Officer(s):</b>	Simon Machen - Head of Planning, Transport and Engineering Services Harj Kumar – Senior Strategic Planner	Tel. 453475 Tel. 863852

**PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (PROPOSED SUBMISSION VERSION)**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b> Executive Director Operations	<b>Deadline date :</b> Full Council on 7 December 2011
That Cabinet recommends the Peterborough Planning Policies DPD (Proposed Submission Version) to Council for approval for the purposes of public consultation and submission to the Secretary of State.	

**1. ORIGIN OF REPORT**

1.1 This report is submitted to Cabinet following approval of the Consultation Draft version of the Peterborough Planning Policies DPD for the purposes of public participation at the meeting of Cabinet on 13 December 2010, and following the ensuing public participation and further evidence gathering since that date.

**2. PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to enable Cabinet to consider and recommend to Council a document which forms part of the major policy framework – namely the Peterborough Planning Policies DPD (Proposed Submission version). If it is approved by Council, it will be published for public consultation and then submitted to the Secretary of State.
- 2.2 The recommended Planning Policies DPD is attached at Appendix A.
- 2.3 A brief summary of comments received during the Consultation Draft consultation in February 2011 and officers’ response to these comments is attached at Appendix B.
- 2.4 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1: To take collective responsibility for the delivery of all strategic Executive functions within the Council’s Major Policy Framework and Budget Framework and lead the Council’s overall improvement programmes to deliver excellent services.

**3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>YES</b>	If Yes, date for relevant Cabinet Meeting	7 November 2011
Date for relevant Council meeting	7 December 2011	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	CLG – April 2012 (approx)

- 3.1 The table below shows the dates and events that have taken place so far in the preparation of this DPD, and those likely in the future.

MAIN STAGES			DATE
	<b>Evidence gathering</b>	Meetings, workshops with internal and external stakeholders to identify main issues	July 2007 - Oct 2008
	<b>Issues and Options</b>	Public consultation on Issues and Options	Oct 2008 - Nov 2008
	<b>Consultation Draft</b>	Public consultation on the Council's draft policies	Feb 2011 - March 2011
<b>Current Stage→</b>	<b>Proposed Submission</b>	Final opportunity for formal representations on the proposed planning policies	Jan 2012- Feb 2012
	<b>Submission and Examination</b>	Planning Policies Document submitted to government along with all public comments received during the proposed submission consultation period	April 2012
		Independent Examination by a Planning Inspector	July 2012
	<b>Adoption</b>	Council adopts Final Plan	Dec 2012
	<b>Monitoring and Review</b>	Each year, identified targets are monitored	

#### 4. PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH PLANNING POLICIES DPD (PROPOSED SUBMISSION VERSION)

- 4.1 The Planning and Compulsory Purchase Act 2004 introduced a 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 Development Plan Document (DPD), which itself sits beneath (and takes its lead from) the 'Peterborough Core Strategy'.
- 4.2 The Core Strategy, which Members will recall was adopted in February 2011, 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 DPD. 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 DPD.

## **Consultation Draft**

- 4.5 The Consultation version of the Planning Policies DPD was approved by Cabinet in December 2010. It included full draft wording for each proposed policy. The six-week consultation of this version of the document took place in February/March 2011.

## **Summary of the Proposed Submission Version**

- 4.6 All the comments made at the Consultation Draft stage have been analysed and taken into consideration in formulating policies in this Proposed Submission version of the 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. This is a continuing, iterative process that also contributes to decisions on the final version. In summary, the outcome of all of this work is a Planning Policies DPD which stems from the Core Strategy agreed by Council.
- 4.7 All of the policies in the Planning Policies DPD 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 (the recommended Planning Policies DPD is attached at Appendix A):

<b>Draft Policy</b>	<b>Policy information</b>
PP1 – Design Quality	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 – Impacts of New Development	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
PP3– Amenity Provision in New Residential Development	The aim of this policy is to ensure adequate amenity provision is provided for future residents in all new development.
PP4 – Prestigious Homes	The policy seeks to prevent the loss of top-of-the market housing in order to enable business leaders to live locally.
PP5 – Conversion and Replacement Dwellings in the Countryside	This policy recognises the potential for conversion of redundant rural buildings to dwellings and sometimes the need to replace existing dwellings in the countryside. The policy specifies criteria that have to be met before planning permission can be granted.
PP6 – The Rural Economy	This policy sets out criteria that have to be met for tourism, leisure, cultural and employment development in villages and the countryside.
PP7 – Development for Retail and Leisure Uses	This policy outlines what would be permitted in the Primary Shopping Areas and within the boundary of the District and Local Centres. It also defines the edges of the Primary Shopping Areas and District Centre boundaries.
PP8 – Primary retail frontages in District Centres	The policy allows for the provision of non-A1 uses within primary frontages providing these do not adversely affect the vitality and viability of the

	District Centres.
PP9 – Shop frontages, security shutters and canopies	This is a generic policy to improve the appearance of all shops.
PP10 – The 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.
PP11 – 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.
PP12 – 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.
PP13 – Nene Valley	The Nene Valley is viewed as an important asset for Peterborough; its use should be encouraged in some locations near the city centre but protected in more rural locations.
PP14 – The 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.
PP15 – Heritage Assets	A generic policy designed to protect any heritage assets including their settings.
PP16 – 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.
PP17 – Ancient, Semi-Natural Woodland and Ancient and Veteran Trees	The policy protects these areas from development that would adversely harm these areas.
PP18 – 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.

- 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.
- 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 grant planning applications, especially on detailed design matters (which can be very sensitive in local communities). It is important that the Council gets these policies right otherwise it 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 preparing this Proposed Submission Planning Policies DPD, we consulted on the Consultation Draft document (February-March 2011). All the comments made at this stage have been analysed and taken into consideration in formulating policies in this Proposed Submission document. A summary of the comments made and our response to these is attached at Appendix B.
- 5.2 The Proposed Submission version of the document was considered by the Planning and Environmental Protection Committee on 11 October and the Sustainable Growth Scrutiny Committee on 13 October 2011. At the Planning and Environmental Protection Committee officers answered questions raised by members at the meeting and the Committee recommended the document to the full Council without any changes.
- 5.3 The draft minutes of the Sustainable Growth Scrutiny Committee are attached at Appendix C.
- 5.4 When approved by Cabinet and Full Council, the document will be published for a 6 week public consultation period, starting in January or February 2012.

## **6. ANTICIPATED OUTCOMES**

- 6.1 It is anticipated that Cabinet will recommend the Planning Policies DPD (Proposed Submission version) for approval by Council.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 Cabinet is recommended to approve the Planning Policies DPD (Proposed Submission version) because it will help to progress the Sustainable Community Strategy vision for a bigger and better Peterborough that grows the right way; and because production of the Planning Policies DPD is a statutory requirement.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 The alternative options of not producing a Planning Policies DPD or not taking into account comments made at the Preferred Options stage were rejected, as the Council would not be fulfilling its statutory requirement.

## 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 some immediate direct financial implications flowing from the approval of the Planning Policies DPD (Proposed Submission), and these relate to consultation costs and, in due course, paying the Planning Inspectorate for their services in examining the submitted document. However, these are items that have been anticipated and planned for, and budgets are set aside for this purpose.
- 9.4 **Environmental Implications** – All of the policies in the DPD are drafted to protect the environment from harmful development. Policies will deliver sustainable growth in line with the Sustainable Community Strategy. They have all been subject to sustainability appraisal.

## 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 Planning Policies DPD – Consultation Draft (Feb/ Mar 2011);
- Reports on Comments Received and responses to the Key Issues (April 2010);
- Village Envelopes in Peterborough - A Report into Suggested Changes (November 2010); and
- Peterborough Open Space Study Update (September 2011).