

NOTICE OF MEETING

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| MEETING | PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE |
| DATE: | TUESDAY 22 SEPTEMBER 2009 |
| TIME: | 1.30 pm |
| VENUE: | BOURGES/VIERSEN ROOM - TOWN HALL |
| CONTACT: | Gemma George <i>Telephone: 01733 452268</i> <i>e-mail address gemma.george@peterborough.gov.uk</i> |
| <i>Despatch date:</i> | <i>14 September 2009</i> |

AGENDA

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There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

MEMBERS OF PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE:

Councillors: North (Chairman), M Burton (Vice-Chairman), Todd, Ash, C Burton, Kreling, Lane, Thacker, Winslade and Lowndes.

Subs: Councillors: C Day and Sharp.

CASE OFFICERS

Planning Delivery Team: Nicholas Harding, Theresa Nicholl, Dale Barker, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Emmanuel Allanah

Minerals and Waste: Susan Marsh

Enforcement: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

Minutes of a meeting of the Planning and Environmental Protection Committee held at the
Bourges/Viersen Room - Town Hall
on 1 September 2009

MEMBERS PRESENT:

Councillors N North (Chairman), M Todd, C Ash, P Kreling, S Lane, P Thacker, P Winslade,
Y Lowndes and C Day

OFFICERS PRESENT:

Andrew Cundy – Planning Team Leader
Theresa Nicholl – Planning Team Leader
Janet Maclennan – Senior Planner
Jim Daley – Principal Built Environment Officer
Jez Tuttle – Transport and Engineering
Carrie Denness – Legal Advisor
Martin Whelan – Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Cllr M Burton (Cllr C Day substitute) and Cllr C Burton.

2. Minutes of the meeting held on 7 July 2009

The minutes of the meeting held 7th July 2009 were approved as a true and accurate record.

3. Members' Declaration of intention to make representations as Ward Councillor

4. Declarations of Interest

Cllr Winslade declared a personal and prejudicial interest in item 5.5 as she had previously given a view on the application and withdrew for the item.

Cllr Thacker declared that she has been approached on two occasions regarding item 5.2, but had not expressed a view on the issue and that this would not affect her decision.

5. Development Control and Enforcement Matters

5.1 09/00464/REM - Land To The West Off Uffington Road Barnack Stamford

The committee received an application seeking Reserved Matters approval for the erection of 41 dwellings, including 12 affordable dwellings. Access to the site was approved under the outline application (06/01275/R4OUT) with all detailed matters including siting, design, external appearance and landscaping reserved. The properties are primarily two storey in height (max 8.5m to ridge), with 8 properties two and a half storey (9.1m to ridge), detached

and linked detached and comprise 10 x 2-bed, 5 x 3-bed, 17 x 4-bed and 9 x 5-bed dwellings. The proposal included a comprehensive landscaping scheme including a Wildlife Corridor to the north, west and southern boundaries of the site.

The committee received representations from the Parish Council and the agent. The Parish Council raised concerns in relation to the number of five bedroom houses; projected traffic levels and a number of detail issues regarding the design of gates and the siting of trees.

Resolved (9 for, 0 against and 0 abstention) : To approve the application subject to the imposition of the conditions outlined in the report, updated report and the revised condition in relation to reptile mitigation which was verbally presented to the committee.

Reason : This is a Brownfield Site within a sustainable location which can adequately accommodate the development of 41 dwellings without compromising the surrounding character or residential amenity of the occupiers of surrounding properties. The height, design and scale of development will complement this part of Uffington Road and enhance the character of the Conservation Area

The information provided to Members in an update report to Committee. On the basis that the Wildlife issues are resolved and subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the development will enhance the character and appearance to the northern entrance to the village, will reinforce a sense of place and will respect nearby development and longer views into the village
- the proposal makes efficient and effective use of a Brownfield site without harming the character of the surrounding area or neighbouring residential amenity
- the proposal will enhance the character and appearance of the Conservation Area
- the design and proposed materials will reflect and make reference to architectural features found on properties within the village
- the development makes adequate provision for the residential amenity of the future occupiers of the properties
- the proposal provides adequate parking provision for the occupiers of the dwellings and visitors and will not result in any adverse highway implications.

Hence the proposal accords with policies CBE3, DA1, DA2, H10, H15, H16, H20, H21, H23, LNE6, LNE9, LNE10, T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

5.2 09/00629/FUL - Norwood Primary School Gunthorpe Road Gunthorpe Peterborough

The committee resolved to allow a late speaker to address the committee.

The committee received an application seeking permission to erect a 2.0 metre Nylofor 2D security fence around the school playing field area of Norwood School. The fence would be set back 6.0 metres from the edge of the pathway adjacent to Elter Walk, to the North West along the line of the existing fence that divides the school playing field and the community field and directly adjacent to the rear boundaries of the properties along Keswick Close.

The committee received representations from the Ward Councillor and two residents speaking in objection to the application. The three speakers raised issues about loss of amenity; potential for increased anti-social behaviour and questioning the need for the fence.

Resolved (8 for, 1 against, 0 abstentions) – To reject the application contrary to officer recommendations

Reason : The application was contrary to planning policy DA2 (Loss of Amenity to Residents).

5.3 09/00708/FUL - Great Northern Railway Hotel Station Road Peterborough PE1 1QL.

The application sought retrospective planning permission for the creation of 30 additional car parking spaces on the site to be used for hotel and rail users. The car parking area was formerly part of the garden area of the hotel.

The committee received representations from the agent, who outlined the main aspects of the scheme.

Resolved : (8 for, 1 against and 0 abstentions) – To approve the application subject to the conditions outlined in the committee report.

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

- a) The proposal is acceptable and would not be contrary to any land allocations in the Adopted Peterborough Local Plan (First Replacement) 2005.
- b) Subject to the implementation of an agreed Travel Plan (to be secured through condition) involving the promotion of cycle and bus travel, this proposal for car parking provision above the maximum number of spaces normally permitted via Local Plan Policy, will mitigate pressures on the local road network without significant discouragement of other modes of travel. The car parking will also be a shared facility for use of rail users as well as hotel patrons. The development thereby accords with policies CC15 and T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- c) The proposal would not have any significant adverse impact upon highway safety and convenience. The development thereby accords with policies T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- d) a comprehensive landscape scheme and replacement planting would be an acceptable mitigation measure against the regrettable damage caused to existing landscaping. On this basis the proposal is considered to be in accordance with LNE9 of the Local Plan (First Replacement) 2005.

5.4 09/00762/FUL - Tower House 333 Thorpe Road Peterborough PE3 6LU.

The committee received an application seeking permission to insert two dormer windows on the north elevation of the existing outbuilding, and one on the south elevation. Those to the north would be “blind” dormers, with permanently closed shutters, to provide additional headroom and that on the south would be obscure glazed.

Resolved (9 for, 0 against and 0 abstentions) – To approve the application subject to the conditions outlined in the committee report.

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

- the proposed works will have no adverse impact upon the fabric, character or setting of the building Listed as being of architectural or historic interest. There will be no detrimental impact on the amenities of occupiers of neighbouring dwellings. The proposal is therefore in accordance with Saved Policies DA2 and CBE6 of the Peterborough Local Plan 2005 (First Replacement).

5.5 09/00789/WCPP - Huntley Lodge The Village Orton Longueville Peterborough.

The application sought permission to remove the Condition restricting ridge height imposed when permission was granted in 2003.

Resolved (9 for, 0 against, 0 abstentions) : To approve the removal of the condition restricting ridge height, subject to the imposition of the conditions outlined in the committee report and the conditions attached to the original application.

Reason : Allowing a variation in the height restriction of the proposed new dwellings will enable good sympathetic design in keeping with the character of the area and appropriate to the setting of the Listed Orton Hall. This proposal to vary the Condition is therefore in accordance with Saved Policies of the Peterborough Local Plan 2005 (First Replacement).

6. Buildings of Local Importance - Designation Criteria

The committee received a report regarding the Designation Criteria for Buildings of Local Importance.

The committee supported the criteria outlined at appendix 1 as amplification of Policy CBE11 (Buildings of Local Importance) of the Peterborough Local Plan (First Replacement) 2005 subject to the following comments.

- The need to recognise buildings which have received national awards. It was agreed in principle to recommend additional criteria to cover the small number of buildings in this category.
- Difficulties in defining objectively certain criteria.
- A small number of buildings were recommended to the officers for possible inclusion.

CHAIRMAN
13.30 – 16.23



LOCATION PLAN 08/00292/FUL

Cross Keys Homes, Shrewsbury Avenue, Woodston

Scale 1:2500 Date 8/9/2009 Name MKB Department Planning Services

PCC GIS



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08/00292/FUL: DEMOLITION OF EXISTING WAREHOUSE, ERECTION OF 132 DWELLINGS, 5 X LIGHT INDUSTRIAL UNITS, AND 4 X WORKSHOPS, EXTENSION TO EXISTING OFFICES AT SHREWSBURY AVENUE, WOODSTON (AMENDMENT TO HIGHWAY LAYOUT)

VALID: 25 MARCH 2008

APPLICANT: CKHD DEVELOPMENTS LTD

AGENT: ARCHITECTS DESIGN CONSORTIUM LTD

REFERRED BY: HEAD OF PLANNING SERVICES

REASON: A DIFFERENT METHOD OF TRAFFIC CALMING IS PROPOSED TO THAT RESOLVED BY THE PLANNING COMMITTEE

CASE OFFICER: EMMANUEL ALLANAH

TELEPHONE: 01733 454413

E-MAIL: emmanuel.allanah@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the proposal upon traffic and the surrounding area.

The Head of Planning Services recommends that the application is APPROVED subject to a Section 106 Agreement being entered into in order to secure financial contributions to meet the affordable housing, educational capacity, and community centre needs of the area.

For the avoidance of doubt, this is not a new planning application but a revision to the 2008 application which has not been issued because of the need to address concerns relating to traffic impact and the need to resolve a Section 106 obligation.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with key policies highlighted.

The Peterborough Local Plan (First Replacement)

T1 Transport implications of New Development – planning permission will only be granted if the development would provide safe and convenient access to the site and would not result in an adverse impact on the public highway. The amended highway design changes will not adversely affect traffic in the area, hence it is considered acceptable.

T8 Connections to the Existing Highway Network- planning permission will only be granted for development if vehicular access is on to a highway whose design and function is appropriate for the level of vehicular traffic likely to be generated by the proposed development. Proposed traffic design scheme will improve vehicular access to the approved scheme.

T10 Car and Motorcycle Parking Standards- planning permission will only be granted if the development would provide adequate parking provision in accordance with approved parking standards. The amended traffic scheme will not affect proposed car and motorcycle parking standards.

Material Planning Considerations

Planning Policy Statement 1 – Delivering Sustainable Development Planning Policy Guidance 13 - Transport

3 DESCRIPTION OF PROPOSAL

The proposal is an amendment to the highway design in connection with the planning application that was considered by Members on 29 July 2008 which they resolved to approve subject to a condition requiring no through route to Lansdowne Way and a Section 106 obligation as set out above. The idea behind the no through route to Lansdowne Way was to prevent traffic driving through the development to avoid congestion at the Lansdowne Way / Shrewsbury Avenue junction. This change would have made the development a cul-de-sac served from Shrewsbury Avenue. Had it been implemented the layout of the development would have to be changed with the loss of some dwellings in the area where it abuts Lansdowne Way in order that a turning head could be provided. As an alternative to this, it is now proposed that the development will continue to have a through link between Lansdowne Way and Shrewsbury Avenue but that it will be significantly traffic calmed using 'homezone' principles. The principle of this has been agreed by Cllr Scott (Local Ward Councillor).

4 DESCRIPTION OF SITE AND SURROUNDINGS

Please see the attached committee report dated 29 July 2008 registered as 08/00292/FUL. Annexe 1A

5 PLANNING HISTORY

None.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objection to the revised plan drawing no. 102/SP 02 rev 1 and 1615/DXD01 rev A.

EXTERNAL

NEIGHBOURS

6 letters of objection have been received from local residents raising the following issues and concerns.

- Traffic generation, congestion and concerns that new roads will become a rat run. It is suggested that the development could be served from a single access point on Shrewsbury Avenue.

7 REASONING

- a) The principle of the proposed development, the impact of the proposal on character and amenities of the area and traffic was considered by planning committee on 29 July 2008. The concerns raised by neighbours and planning committee related to traffic impact. Since the planning committee considered the proposal last year, the applicant has sought advice from the Council's Highway Engineers and amended traffic design details have been submitted in order to address the traffic issue.
- b) The area will become a 'Home Zone' (where the pedestrian will be given priority over the motorist) with a maximum speed limit of 10mph, traffic calming measures and extensive signing. As a consequence your Highway Engineers are satisfied that the area will not become a rat run.

- c) Following extensive public consultation on the revised proposals, the proposed highway design changes are considered acceptable and it will assist to reduce the impact of traffic within the development.

8 CONCLUSIONS

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

- The proposed 'Home Zone' design is considered acceptable because all cars and other vehicles such as emergency and refuse vehicles can easily come and leave from the proposed development and the sign post allowing a maximum speed of 10 mph will assist to prevent the creation of a rat run from The Street to other nearby roads. Given the traffic speed that is in place it will assist to safeguard pedestrian movement and other road users. This is acceptable and in accordance with Policies T1, T8 and T10 of the Adopted Peterborough Local Plan (First Replacement) 2005. The proposed scheme is acceptable subject to the completion of a Section 106 Agreement to secure all the identified and agreed local Infrastructures in accordance with policy IMP1 of the Peterborough Local Plan (First Replacement) 2005.

9 RECOMMENDATION

Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) for a financial contribution to meet the affordable housing, educational, highway, community centre needs of the area, the Interim Head of Planning Services be authorised to grant planning permission subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until details of all materials to be used in the external surfaces of the dwellings, office extension and industrial units; have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies DA2 and DA3 of the Peterborough Local Plan (First Replacement).
- C 3 Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. (The applicant/agent is advised that the works involved in this condition are the sole responsibility of the owner/developer to ensure a safe development and secure occupancy for future residents. In addition the applicant/agent should be aware that the Local Planning Authority has determined this application on the basis of information submitted with the planning application. The grant of permission does not imply that the site is free from contaminants.)**
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Planning Policy Guidance (PPG23 Planning and Pollution Control), Policies DA14, DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).
- C 4 No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority; the landscaping scheme shall include details of hard landscaping, planting plans, written specification (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme. The landscaping shall be retained for 5 years from the date of completion, with all losses in the period being made good.**

Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

- C 5** **A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development or the occupation of any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

- C 6** **Before the commencement of development on site a scheme for protecting the proposed noise sensitive development from the existing and proposed commercial units shall be submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.**

Reason: To protect the amenities and privacy of the adjoining properties in accordance with Policy DA13 of the Peterborough Local Plan (First Replacement).

- C 7** **Before the development of the proposed commercial uses commences a scheme shall be submitted to and agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from those sites. these provisions could include physical and / or administrative measures and would be implemented prior to occupation of the units.**

Reason: In the interests of amenities of the surrounding area and to ensure adequate measures to control noise in accordance with PPG24 Planning and Noise.

If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

- R1** A request has been made by the Local Planning Authority to secure financial contributions to meet education, affordable housing and community centre needs of the area, however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).

Copy to Councillors Scott, Seaton, North

P & EP Committee: 29 July 2008

ITEM NO 05

08/00292/FUL: DEMOLITION OF EXISTING WAREHOUSES, ERECTION OF 132 DWELLINGS, 5 X LIGHT INDUSTRIAL UNITS, AND 4 X WORKSHOPS, EXTENSION TO EXISTING OFFICES (REVISED PLANS RECEIVED 20.06.2008) AT SHREWSBURY AVENUE, WOODSTON

VALID: 25 MARCH 2008
APPLICANT: C K H D DEVELOPMENTS LTD
AGENT: ARCHITECTS DESIGN CONSORTIUM LTD
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: DEPARTURE FROM POLICY
DEPARTURE: YES

CASE OFFICER: Paul Green
TELEPHONE: 01733 453456
E-MAIL: pauls.green@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development and policy considerations
- The impact of the proposal upon the character and appearance of the area
- The impact upon the residential amenities of adjoining residents
- The impact of the proposal upon traffic and the surrounding area

The Head of Planning Services recommends that the application is APPROVED

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

- DA1 Townscape and Urban Design** – planning permission will only be granted if the development respects the relationship with nearby buildings and its surrounding and will not result in an adverse visual impact.
- DA2 The effect of development on the amenities and character of an area** – planning permission will only be granted if the development would not affect the character of an area, or have an adverse impact upon the amenities of occupiers of nearby properties.
- DA3 Materials** - planning permission will only be granted if the external finish of the development would harmonise with the established building materials of the locality.
- DA14 Contaminated Land** – planning permission will not be granted for development on contaminated land unless it can be demonstrated through investigation that the contaminated land can be remediated.

- H15 Residential Density** – planning permission will only be granted for development which achieves the highest net residential density compatible the character and appearance of the site and the surrounding area, living conditions of local residents and which achieves a good standard of design and layout and which provides adequate open space. Net densities below 30 dwellings per hectare should be avoided.
- H16 Residential Design and Amenity** – planning permission will only be granted for development which provides a satisfactory standard of amenities.
- H21 Affordable Housing** – An element of affordable housing equivalent to 30% of all dwellings shall be sought on sites within villages for the development of 15 dwellings or more, or with an area of 0.5 hectares or more.
- IMP1 Securing Satisfactory Development** – planning permission will not be granted for development unless provision is secured for all additional infrastructure as a direct consequence of the development
- LNE9 Landscaping Implications of Development Proposals** – planning permission will only be granted for development that where practicable makes adequate provision for the retention and protection of trees and other natural features and makes adequate provision for landscaping of the site.
- LNE10 Detailed Elements of Landscaping Schemes** – where appropriate the provision of a landscaping scheme shall be secured by a condition of planning obligation which will provide for the provision/retention of landscaping, new planting, provision for the protection and management of existing landscaping and ecological features as appropriate
- LT1 Open Space in New Residential Development** – planning permission will not be granted for development of 9 or more dwellings unless open space is provided and laid out in accordance the minimum standards laid out in Appendix VII.
- LT2 Off-site contributions towards the Provision of Open Space for New Residential Development** – planning permission for proposals of 9 or more dwellings will be granted if the developer has entered into a planning obligation to make a financial contribution towards meeting the open space needs of the proposed residential development off-site if the development would be of insufficient size to make provision within the site and if the open space facilities can be met more appropriately off site
- T1 Transport implications of New Development** – planning permission will only be granted if the development would provide safe and convenient access to the site and would not result in an adverse impact on the public highway.
- T8 Connections to the Existing Highway Network** – planning permission will only be granted for development if vehicular access is on to a highway whose design and function is appropriate for the level of vehicular traffic likely to be generated by the proposed development.
- T10 Car and Motorcycle Parking Standards** – planning permission will only be granted if the development would provide adequate parking provision in accordance with approved parking standards.
- U1 Water Supply, Sewage Disposal and Surface Water Drainage** – planning permission will only be granted for development if facilities of adequate capacity and design are available or will be provided without detriment to the environment.
- U6 Development at Risk of Flooding** – Development will only be granted if the risks of flooding have been assessed and mitigation measures proposed whereby the risk of development and to land elsewhere is acceptable.

- H7 Within the Urban Area residential development on any site not allocated in policy H3-** Development will be permitted where site is well related to the area and not within defined Employment Area.

Material Planning Considerations

Planning Policy Statement 1 – Delivering Sustainable Development Planning Policy Statement 3- Housing

3 DESCRIPTION OF PROPOSAL

The proposal is for a mixed use development with the applicant's existing offices to be retained and extended. New housing accessed via Lansdowne Way and Shrewsbury Avenue would be built along the northern boundary of the site adjoining residential development in Lansdowne Walk and would be of two and three storeys in height. Along the Shrewsbury Avenue frontage four storey flats grouped around open space in the form of a pond and gardens and backing onto the industrial area would be built. The proposal provides for a mix of 1-4 bedroomed properties with the car parking at ground level for the two and three storey housing and undercroft parking for the four storey flats.

In addition, the existing four storey industrial building on the site would be retained for warehouse use and seven B1 units provided. The proposal also provides for four workshop units with flats over.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site comprises of approximately 2 hectares of land and is allocated for Employment Land in the Local Plan. The site is currently occupied by Cross Keys Homes as their headquarters and contains 3198 sq. metres of offices, warehouse buildings and car parking. To the south west is Shrewsbury Avenue and housing beyond, to the north further housing and to the south east warehousing.

5 PLANNING HISTORY

None relevant.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – Final comments awaited

Children's Services - Require financial contributions for education.

Historic Environment Manager- Not likely to affect significant archaeological remains.

Neighbourhood investment Team - Require financial contribution towards community centre.

Pollution Control Group - No objections subject to conditions.

EXTERNAL

Natural England - No objections

Senior Architectural Liaison Officer – No comments received

Environment Agency – Objects because the development has no flood risk assessment. Recommends conditions regarding contamination.

Fire and Rescue Services - Provision should be made for fire hydrants.

Anglian Water – No objections

NEIGHBOURS

Letters of objection have been received from 14 local residents raising the following issues:

- Concern that new roads will become a rat run, loss of light, working hours, construction traffic, impact of noise from adjoining industrial site, surface water and foul sewer capacity, traffic congestion, increased security risk, eye sore, risk of increased anti social behaviour, density too high, lack of parking, lack of open space, height of buildings and impact of development on Shrewsbury Avenue junction.

Petition signed by 57 residents of Lansdowne Walk objecting on the grounds of construction traffic using Lansdowne Walk, suggest bollards be introduced to the street to prevent a circuit to race around. Alleyway to side of No. 26 should be blocked off or if not then CCTV should be installed. Fencing to car parks needs to be reinstated.

Five letters of objection to the amended plans still concerned at the traffic situation and the occupier of 18 Lansdowne Walk concerned at a possible loss of light.

7 REASONING

a) Principle of development

The proposal is a departure from the Replacement Local Plan which seeks to retain employment land from competing uses. However since the local plan was adopted in 2005 both national and regional policy has shifted to take a more proactive approach to mixed use schemes where the land is well related to the surrounding area in terms of links to shops, schools, open space and community facilities. In the draft Core Strategy sufficient land has been identified for employment purposes excluding existing allocations with and those without permission. Therefore in principle the development, with its close links to the adjoining residential area and its own proposal to provide workplace units and further B1 units on the site, is considered to be acceptable.

b) Layout and design

The layout comprises of a new road to be known as The Street with access from Lansdowne Way flanked by two and three storey dwellings terminating in The Square. The other access point from Shrewsbury Avenue to be known as The Avenue is flanked by the extended offices and new flats on either side. A five storey point block flat building will act as a focal point at the centre of the scheme with open space including a pond as part of a sustainable drainage system.

The buildings are to be visually light in appearance with white rendering a predominant material, cedar cladding on some elevations provides a contrast with brickwork at a lower level. Roofs are varied with some with a slate finish, the centre block with a copper finish and the houses having a low pitch zinc type finish. Throughout the scheme balconies are introduced to all the house types.

The office extensions are two storey in height flat roofed and match the scale of the existing offices but with more external glazing. The B1 units are of a mixture of brick, cedar cladding and metal roofs.

c) Residential amenity

Concerns have been raised by residents in Lansdowne Walk at the close proximity of the three storey housing proposed in The Street to existing two storey dwellings. The applicant has now amended the scheme to omit three storey housing to the rear of Nos. 64-69 Lansdowne Way and adjoining the “clipper” housing at 76-78 Lansdowne Way and replace this with two storey housing. The back to back distance would be 20 metres rather than the 21 metres usually requested. Similarly the three storey development at the entrance to the Street lies within, at the nearest point, 12 metres of the Nos. 76-78 Lansdowne Way but at an oblique angle. The proposed dwellings would be to the south west of the existing dwellings so there would be no significant loss of sunlight.

d) Traffic- The applicant has been in extensive consultations with the applicant with the outcome that the cycleway has been omitted internally from the scheme. The developer will be requested as part of the Section 106 agreement to install MOVA software at the Oundle Road / Shrewsbury Avenue junction to ameliorate traffic congestion. Also a workplace and residential travel plan and associated contributions will be required together with contributions to cycleway facilities.

A construction management plan will also need to be to ensure minimal disruption to the properties in the vicinity of the site.

With regard to the petition received from many of the residents of Lansdowne Walk it is considered that the developer cannot be reasonably expected to address these as it cannot be proven that any of the existing problems will be exacerbated by the development.

e) Third Party Concerns

The major concerns of residents are concerned with traffic both with the capacity of Shrewsbury Avenue to cope with additional traffic, construction traffic and the probability of using the new roads as a circuit. Also there were concerns about the existing footpath link through Lansdowne Walk which is used by both pedestrians and cyclists. The comments of the Highway Authority address those concerns.

With regard to loss of light raised by a resident in Lansdowne Walk the new properties although three storey in height have a ridge height of 8 metres and using the 25% angle of light will not obstruct light to those properties.

The applicant has also addressed the proximity of existing dwellings to the scheme by reducing several of the properties from three-storey to two-storey development.

Your officer considers the proposal to be an excellent example of a mixed use scheme and recommend approval subject to Section 106 contributions to affordable housing, highways, a cycleway, education and community centre.

8 CONCLUSIONS

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

- The development is considered to be well related to the adjoining area and is considered to be an acceptable mixed use scheme conforming to local and national guidance. Hence the proposal accords with Policies H3 and H7 of the Peterborough Local Plan and PPS1.
- The height, scale and density of the scheme are considered acceptable in their context. Hence the proposal accords with Policies DA2, H16 and LNE10 of the Peterborough Local Plan.
- The height, scale and density and layout of the proposal are acceptable and will not impact upon the residential amenities of the occupiers of neighbouring properties. Hence the proposal is in accordance with Policies DA2 and DA8 of the Peterborough Local Plan.
- The traffic and highway proposals are considered acceptable and in accordance with policies T1, T8 and T10 of the Peterborough Local Plan.

9 RECOMMENDATION

Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the affordable housing educational, highway, community centre needs of the area, the Head of Planning Services be authorised to grant planning permission subject to the following conditions:

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

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

C 2 No development shall take place until details of all materials to be used in the external surfaces of the dwellings, office extension and industrial units; have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

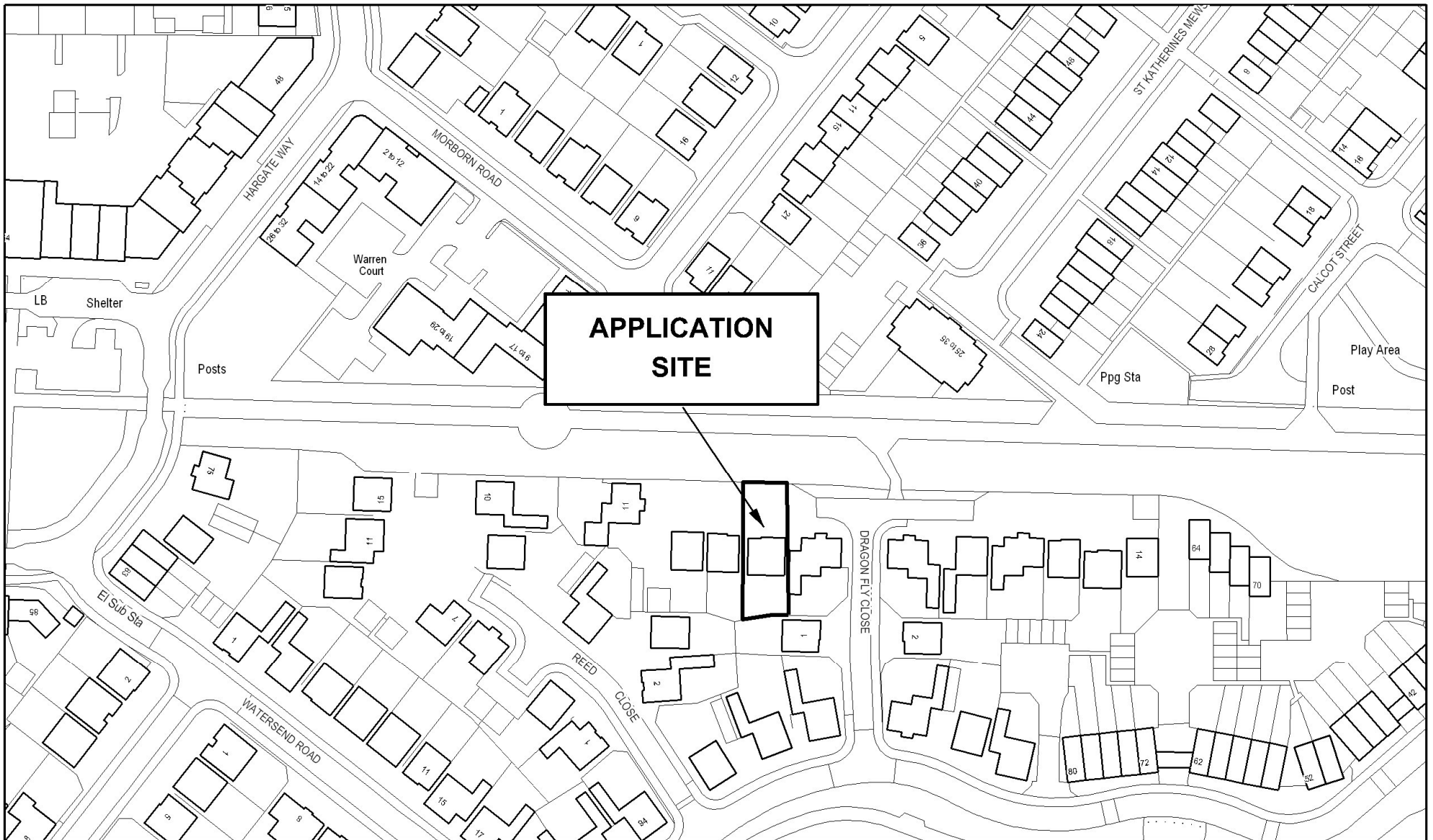
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies DA2 and DA3 of the Peterborough Local Plan (First Replacement).

- C 3** Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
(The applicant/agent is advised that the works involved in this condition are the sole responsibility of the owner/developer to ensure a safe development and secure occupancy for future residents. In addition the applicant/agent should be aware that the Local Planning Authority has determined this application on the basis of information submitted with the planning application. The grant of permission does not imply that the site is free from contaminants.)
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Planning Policy Guidance (PPG23 Planning and Pollution Control), Policies DA14, DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).
- C 4** No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority; the landscaping scheme shall include details of hard landscaping, planting plans, written specification (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme.
Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C 5** A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development or the occupation of any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C 6** Before the commencement of development on site a scheme for protecting the proposed noise sensitive development from the existing and proposed commercial units shall be submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.
Reason: To protect the amenities and privacy of the adjoining properties in accordance with Policy DA13 of the Peterborough Local Plan (First Replacement).
- C 7** Before the development of the proposed commercial uses commences a scheme shall be submitted to and agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from those sites. these provisions could include physical and / or administrative measures and would be implemented prior to occupation of the units.
Reason: In the interests of amenities of the surrounding area and to ensure adequate measures to control noise in accordance with PPG24 Planning and Noise.

If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

- R1** A request has been made by the Local Planning Authority to secure education, however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).

Copy to Councillors Scott, Seaton, North



LOCATION PLAN 09/00687/FUL

5 Dragonfly Close, Hampton Hargate

Scale 1:1250 Date 8/9/2009 Name MKB Department Planning Services

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09/00687/FUL: ERECTION OF A CONSERVATORY TO REAR OF 5 DRAGONFLY CLOSE
HAMPTON HARGATE PETERBOROUGH PE7 8DD
VALID: 26 JUNE 2009
APPLICANT: DR ZAMAN
AGENT: VISION HOME DESIGN LTD
REFERRED BY: COUNCILLOR SCOTT
REASON: OVERDEVELOPMENT AND IMPACT ON NEIGHBOUR AMENITY
DEPARTURE: NO

CASE OFFICER: LOUISE LEWIS
TELEPHONE: 01733 454412
E-MAIL: louise.lewis@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Impact on Amenity of Neighbouring Residents
- Design/ Impact on Visual Amenity
- Impact on Amenity of Application Property

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

The Peterborough Local Plan (First Replacement)

Notation- Within the Urban Boundary

DA2 – Requires that development does not have any adverse impact on the character of the area or neighbour amenity.

3 DESCRIPTION OF PROPOSAL

This application seeks planning permission for a conservatory at the rear of the dwelling measuring some 5.7 metres in depth by 4.2 metres in width. It would be some 2.4 metres at the eaves with a maximum height of 3.35 metres (at the centre of the apex).

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application property is a modern two storey dwelling with a south facing rear garden. The neighbouring property to the east, No 3 Dragonfly Close, has a garage at the rear which forms part of the boundary treatment. The rest of the garden is enclosed by 1.80 metre high fencing.

There is an existing shed in the south west corner of the garden which measures some 3 metres by 5 metres.

5 PLANNING HISTORY

There is no relevant planning history.

EXTERNAL

Hampton Parish Council Steering Group- Object to the application on the grounds of the size of the conservatory, the cumulative impact with the existing shed and drainage issues. Support the objection from the neighbour.

NEIGHBOURS

Two letters of representation have been received. One letter raises no objections to the application, the other raises the following concerns:-

- The size of the conservatory would not in keeping with the character of the area;
- The conservatory would extend beyond the rear elevation of No 3 Dragonfly Close so does not respect the size and scale of the existing buildings and would be visible from all surrounding back gardens;
- Would overlook the topmost windows and roof of the conservatory given change in levels between gardens;
- The plans are incomplete as they do not show shed already within the garden. Need to check amount of garden built on to ensure that it is not more than 50%;
- No indication is given to how rainwater would be dealt with. Water already 'pools' at boundary, the conservatory is likely to make situation worse;
- Foundations would need to be of adequate depth/construction as houses built on reclaimed land;
- Noise from large numbers of people using the conservatory, particularly in the evenings. This may prevent their child from sleeping. This would adversely affect their child who suffers from ill health.

COUNCILLORS

A representation has been received from Councillor Scott referring this application to Planning and Environmental Protection Committee and raising the following issues:-

- The impact of a conservatory of this size (in terms of footprint and height) on the amenity of the neighbouring properties particularly given the size of the gardens.

7 REASONING**a) Impact on Neighbour Amenity**

The proposed conservatory would be located adjacent to the garage of No 3 Dragonfly Close, but off set from it by some 0.7 metres. It would extend beyond the rear elevation of the garage by some 1.5 metres. Given the position of the garage on the boundary it is not considered that the conservatory would have any overbearing impact on No 3. Although side facing windows are proposed in view of this relationship and the nature of the remaining boundary treatment it is not considered that any loss of privacy would result.

The proposed conservatory would be off set from the boundary with No 7 Dragonfly Close by some 6 metres and from the boundary with No 1 Dragonfly Close by some 3.5 metres. Given these separation distances it is not considered that the conservatory would have any overbearing impact upon these properties. Whilst the upper part of the conservatory would be visible from the surrounding properties, in view of the boundary treatment i.e. 1.80 metre high fencing, it is not considered that it would result in any unacceptable loss of privacy.

The representations received from the Hampton Parish Steering Group and the neighbour raise concerns about how the conservatory would be drained and the potential impact on the soak away at No 1 Dragonfly Close. This is considered to be a matter which would need to be addressed at the construction stage (if planning permission is granted) and not one which could be taken into consideration in determining this application. Concerns have also been raised by the neighbour regarding the construction of the conservatory, particularly in relation to the foundation depth. As with the above, this is a construction issue rather than a planning matter. It is not therefore relevant to the determination of the application.

Concerns have been raised by the neighbour about noise disturbance from the large number of people potentially using the conservatory and the resulting impact upon their amenity.

Provided that the occupiers of the application property live together as a family then the number of people in the house is not a planning matter. The conservatory itself would not generate noise. Given this, it is not considered that this application for the erection of a conservatory could reasonably be resisted on the grounds of potential noise disturbance.

b) Design/ Impact on Visual Amenity

The proposed conservatory is typical in its design and whilst large, it is not considered that it would be out of keeping with the character of the existing dwelling. It would not be clearly visible from Dragonfly Close and as such would not have any significant impact upon the visual amenity of the area. A number of other dwellings in the immediate area already have conservatories.

c) Impact on Amenity of Application Property

Taking into account the existing shed, the property would have some 60 square metres of amenity space remaining. Concerns have been raised that the proposed conservatory would be too big and contrary to Government guidelines which say that no more than 50% of a garden area can be developed.

The size of the conservatory is not a planning issue per se; rather it is the impact which it would have, that has to be assessed. As set out above, the conservatory would not have an adverse impact upon the amenity of the neighbouring properties or upon visual amenity. Under the planning system proposals which would result in more than 50% of the curtilage (which includes the front garden and driveway areas) of a dwelling being developed require planning permission in order that their impact to be properly assessed.

In this instance, the proposed conservatory could be satisfactorily accommodated on the site and would not result in more than 50% of the curtilage of the dwelling being developed. Whilst it would reduce the overall amount of garden space, given that the garden is south facing it is considered that the remaining area would provide the dwelling with sufficient usable amenity space. It is not, therefore, considered that the application could be reasonably be resisted on this basis.

d) Other Matters

The proposal would not impact upon the existing parking provision of the dwelling or result in any additional increase in provision.

8 CONCLUSIONS

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

- The proposed conservatory is considered to be in keeping with the character of the area and the existing building. There would be no unacceptable adverse impact upon the amenities of the occupiers of the neighbouring dwellings. The proposal therefore accords with policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

9 RECOMMENDATION

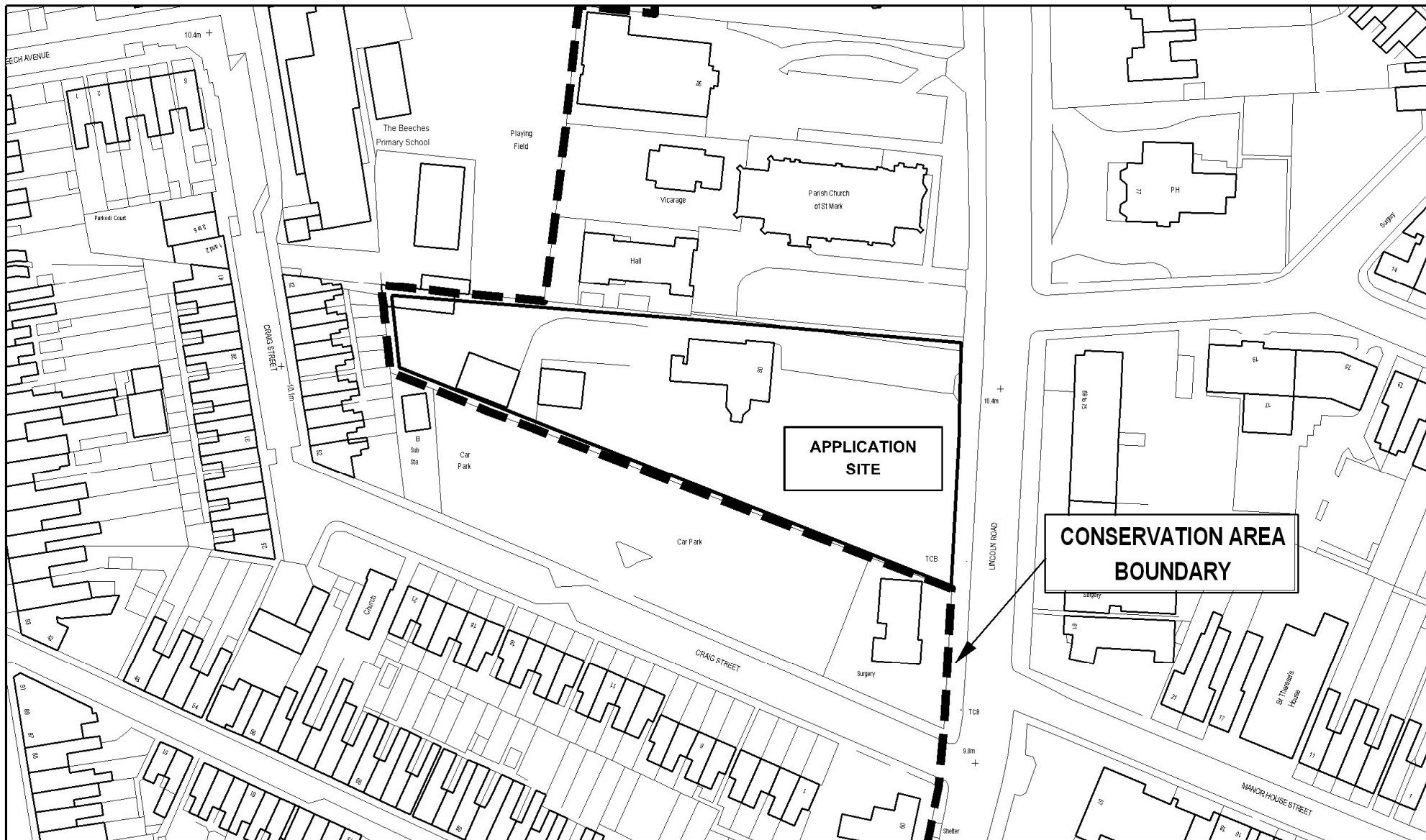
It is recommended that the application be approved subject to the following condition:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Copy to Councillors: North, Seaton, Scott

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LOCATION PLAN 09/00838/FUL and 09/00839/CON

80 Lincoln Road, Peterborough

Scale 1:1250 Date 8/9/2009 Name MKB Department Planning Services

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09/00838/FUL: CONSTRUCTION OF 8 DWELLINGS, 32 APARTMENTS, NHS RECOGNITION CENTRE (A2 OR B1 (a) USE TOGETHER WITH ACCESS, CAR PARKING AND LANDSCAPING

09/00839/CON: DEMOLITION OF ALL BUILDINGS ON THE SITE INCLUDING OFFICES AND GARAGES

AT 80 LINCOLN ROAD, PETERBOROUGH

VALID: 4 AUGUST 2009
APPLICANT: ACCENT NENE LTD
AGENT: DAVID SHAW
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: IN THE WIDER PUBLIC INTEREST
DEPARTURE: NO

CASE OFFICER: DAVID LOVEDAY
TELEPHONE: 01733 747474
E-MAIL: david.loveday@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the development on the Conservation Area
- The impact of the development on trees and ecology
- The proposed design and layout
- The impact on neighbouring sites
- Car parking provision
- Community health provision
- Housing provision
- S106 Planning Obligation

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

CBE3 Development affecting a conservation area is required to preserve or enhance the character or appearance of that area.

CBE4 Demolition of unlisted buildings which make a positive contribution to the character or appearance of a conservation area will not be granted, unless there are overriding reasons, or there are replacement proposals which make an equal or greater contribution.

LNE9 New development must where reasonably practicable retain and protect the trees that make a positive contribution to the environment and make adequate provision for landscaping of the site.

LNE19 Planning permission will not be granted for any development proposal that would cause demonstrable harm to a legally protected species.

DA1 New development should be compatible with or improve, its surroundings in respect of its relationship to nearby buildings and spaces.

DA2 The density, layout, massing and height of new development must be able to be satisfactorily accommodated on the site, without adversely affecting the character of the area or any neighbouring sites.

DA11 The vulnerability to crime in new development must be satisfactorily addressed in the design, location and layout of the proposal.

DA7 The needs of people with disabilities must be met in terms of access and provision of appropriate facilities.

CC8 New residential development in the city centre is supported provided suitable amenity for residents is provided.

CC15 Controls the provision of new city centre car parking for proposed developments.

CC16 New city centre development, should provide secure, safe, convenient and high quality parking for cycles.

OIW5 Supports office uses in the city centre provided there is good access by sustainable travel modes, and would not generate unacceptable congestion or road safety hazards.

CF7 New primary health

IMP1 New development must make provision to secure all additional infrastructure, services, community facilities and environmental protection measures, which are necessary as a direct consequence of development and fairly and reasonably related to the proposal in scale and kind.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

PPS1 Delivering Sustainable Development, sets out the planning policies for the delivery of sustainable development.

PPS3 Housing, seeks to secure well designed, high quality housing.

PPG13 Transport, seeks to integrate planning and transport and promote more sustainable transport choices.

PPG15 Planning and the Historic Environment, seeks to protect historic buildings, conservation areas and the historic environment.

ODPM Circular 05/2005 "Planning Obligations". Amongst other factors, the Secretary of State's policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;

- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development)
- iv) fairly and reasonably related in scale and kind to the proposed development;
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

There is relevant guidance in the Park Conservation Area Appraisal.

3 DESCRIPTION OF PROPOSAL

This is a joint committee report to cover:

1. 09/00838/FUL, the full application for the proposed residential development and NHS Recognition centre, and
2. 09/00839/CON, the conservation area consent for the demolition of the buildings on site.

Full planning permission is sought under planning reference 09/00838/FUL for 8 dwellings, 32 apartments and a NHS Recognition Centre (A2 or B1(a) use, together with access, car parking and landscaping. Conservation Area consent is sought under reference 09/00839/CON for demolition of all the existing buildings on site, including the main Thurston/Gayhurst Victorian villa.

The 8 dwellings proposed are to be accommodated in Blocks A and B on site and are all 4-bedroom 3 storey high open market town houses. These would be positioned on site in a terrace formation of 6 properties in block B, and a semi detached pair of two properties in block A. Each of the 6 dwellings in Block B have an integral single garage space, and the two properties within block A have 2 and 3 car parking spaces respectively positioned adjacent to their sites.

The 32 apartments on site would be provided in three and four storey high buildings. The apartments would consist of a mixture of one and two bedroom units, and would comprise of a mixture of rented, intermediate rented, and open market tenures. 14 of these apartments would provide the 35% on site affordable housing provision. These will be located in Block E and F on site, and will consist of 8 one bedroom rented apartments and 6 two bedroom intermediate rented apartments. The 32 proposed apartments on site are contained within 4 blocks, labelled C, D, E and F on the plans. Block F is to be a detached 3 storey high building positioned on the Lincoln Road frontage of the site. With blocks C, D, and E positioned to its rear, as terrace of 3 storey, 4 storey and 3 storey high units respectively.

The proposed 3 storey NHS Recognition Centre (640 sq metres) is to be located on the main Lincoln Road site frontage. Its purpose is to provide a multi agency 'hub' to support the long term health, education and general well being of the general community, especially those disadvantaged or suffering from inequality. This is to be realised by the provision of a publicly accessible space on the ground floor for exhibitions and information dissemination, set in an informal café environment. These activities are supported by various meeting and office spaces spread over the first and second floors. The plant room is to be accommodated within the third floor roof space.

48 residential car parking spaces are proposed for the dwellings and apartments; these include the 6 integral garages of the townhouses. 2 parking spaces for mobility impaired users are proposed to serve the Recognition Centre, with no staff or visitor car parking proposed. A total of 56 secure cycle parking spaces are to be provided on site in both cycle shelters and stores.

The existing vehicle access to the site from Lincoln Road is to be stopped up as a result of the development, with a replacement vehicular access proposed on the south east corner of the site. A central landscaped area is provided in front of apartment blocks of C, D, and E, with landscaping buffer strips on the northern and southern boundaries of the site.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is located within the city centre boundary and Park Conservation Area as defined by the Local Plan. The site is located on the west side of Lincoln Road. It is positioned to the south of St Mark's Church and Beeches primary school site, and to the north of the Craig Street surface level public car park and NHS building. To the west of the site are the rear gardens of the two storey residential houses on Craig Street.

The site covers an area of 5,070 sq metres. It is occupied by a large substantial Victorian brick built villa, now in commercial use, located in the centre of the plot, along with various minor outbuildings at the western end of the site. The main building has many surviving original features and is a good example of the Victorian buildings that are characteristic of this part of Lincoln Road. The site is also characterised by its mature tree lined southern and eastern boundaries and the spacious nature of the plot.

5 PLANNING HISTORY

| Application Number | Description | Date | Decision |
|--------------------|---|------------|----------|
| 98/01036/FUL | Erection of three prefabricated units for storage of office furniture and equipment | 02.11.1998 | Approved |
| 97/00756/FUL | Use as office | 12.09.1997 | Approved |
| 94/P0220C | Renewal of planning permission P1531/88/C/R for residential development comprising of 6 maisonettes and 14 flats with parking | 17.11.1994 | Approved |
| P1531'88 | Residential development comprising maisonettes and 14 flats with parking | 10.04.1989 | Approved |
| P0982'85 | Temporary use for furniture storage | 23.12.85 | Approved |
| P0464'85 | Erection of 24 No. elderly persons flats | 18.07.1985 | Approved |
| P0074'80 | Continued use as offices | 19.02.1980 | Approved |

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – Considers that this scheme is not acceptable in terms of the lack of adequate on-site parking provision. This will result in problems within the site and consequently have a negative impact upon the adjoining public highway to the detriment of highway users. However acknowledges that as the car parking standards in the Local Plan are maximum car parking standards, they **cannot recommend refusal on policy grounds**.

Historic Environment Officer – The application site lies within or immediately adjacent to the site of the Boroughbury, the Abbot of Peterborough's principal grange and manorial centre for the town and parish of Peterborough. The archaeology evaluation undertaken revealed remains associated with medieval activity, including a trackway, ditches and deposits associated with the former stream. The site is currently occupied by a fine, large detached late 19th century house, which is typical of the historic urban landscape character, which is one of substantial late 19th century houses, set back from Lincoln Road, behind a screen of mature trees. The loss of the Gayhurst building and its replacement with development which does not reflect the historic character of the area in its scale, position or use of materials, is contrary to policy and should be refused. Any development on site should be subject to a further programme of archaeological investigation, secured by way of a planning condition.

EXTERNAL

Senior Architectural Liaison Officer – Has identified a number of detailed design issues, particularly in respect of security and boundary treatments. They note the developments aspiration to meet the ‘Secured by Design’ standards.

English Heritage – Comments awaited.

Peterborough Civic Society – **Strongly opposes the application.** Whilst they consider that the demolition of buildings of character that contribute to the character of Conservation areas should generally be resisted. They do recognise however in this instance that as the existing building constrains the redevelopment of the site, that its loss may be acceptable in principle, only if the replacement development is not detrimental to the Conservation Area. They do however feel that **the proposed development would be detrimental to the Conservation Area**, due to the loss of the tree lined Lincoln Road frontage, the obscuring of views to the church, the density of development, and the proximity of development to the northern boundary.

NEIGHBOURS & MANERP

12 Letters of objection have been received from 10 local residents, including the adjacent St Mark’s Church and Millfield and New England Regeneration Partnership, raising the following issues:

- Unacceptable impact on Conservation Area
- Overdevelopment of the site
- Buildings positioned too close to Lincoln Road, out of keeping with the established building line and character of surrounding area
- Unacceptable visual impact, not in keeping with the character of the area
- Over bearing impact on adjacent church building, and loss of church as visual focal point in the streetscene
- Loss of trees on site frontage
- Poor design, unacceptable size and scale of development, with building heights too high.
- Parking problems, additional traffic and dangerous road junction
- Loss of privacy and property values
- NHS use should be positioned closer to city centre for accessibility
- Residential use on site not acceptable
- Noise, litter, and public disorder issues
- Lack of open space/play areas

COUNCILLORS

No comments received

7 REASONING

- a) **The impact of the development on the Conservation Area (The duty placed on decision makers to consider whether or not any proposal would serve to preserve or enhance the character or appearance of the area – 4 tests)**

The site lies within the Park Conservation Area, therefore the proposal needs to be assessed in terms of whether the proposed development and the loss of the buildings would preserve or enhance the character and appearance of the Park Conservation Area.

The existing building on site ‘Gayhurst’ and nearby buildings (including the St Marks Church and other former Victorian villas), the curtilage and street trees, are identified by the Park Conservation Area (2007) as features which make a positive contribution to the townscape of the Conservation Area. Planning Policy Guidance Note 15 advises that there should be a presumption against the demolition of any building which makes a positive contribution to the character of a Conservation Area. This is also reflected in point 5.8 of the Park Conservation Area Appraisal Management Plan.

It is not only the Gayhurst building itself that positively impacts on the townscape, but also its extensive grounds and curtilage trees which are typical of the Victorian character. This character is also shaped by the building line, together with consistent eaves and ridge heights on buildings nearby. The existing building on this site does not follow the building line and is not dominant in the street scene due to the strong tree presence on the site frontage and the large set back of the building. It provides a break in the frontage which allows views of the adjacent church and in particular its spire, which is a local landmark feature. This openness and the views that it provides, is also a part of the current character.

The development proposed, having regard to a) height b) proximity to the footway c) loss of trees, and d) reduction of views of the church, could be regarded as at odds with the character of the area. The mass of the development, particularly the three and four storey apartments proposed in close proximity to the boundary with the Church, would impact upon its setting.

The developers have been requested to move the northern building further back within the site, to enable a) a more sympathetic building line b) retain as far as possible the important trees on the northern corner of the site which will c) retain views of the church in the street scene. Whilst only a relatively minor alteration to the layout, it will make the 'Recognition Centre' a stand alone building on the frontage.

Without such amendments, which are anticipated prior to the Committee meeting, the proposed development is considered contrary to the Park Conservation Area Appraisal, Policies CBE3 and CBE4 of the Council's Local Plan, and PPG15.

This aspect has to be weighed against any benefits that arise from the provision of the development here.

b) The impact of the development on trees and ecology

Trees

The site is characterised by a line of mature trees that run along the southern boundary of the site, adjacent to the Craig Street car park. All trees on site are protected by their location within the Conservation Area. The eastern boundary of the site fronting on to Lincoln Road also has a tree lined character, however these trees are of more varying maturity, with the more important trees found at the site corners.

The majority of the trees on the southern boundary are category A and B trees. These are trees that have been designated as having a high to moderate value, and as a result are recommended for retention in all new developments, where possible. They comprise mature Chestnuts, Limes and Yews, some of which rise to 18m in height. The proposed development recognises the importance of this mature tree belt on the southern boundary and seeks to retain them as part of the new proposal. The importance of minimising construction in the root protection areas (RPA) to prevent damage has been recognised, and so car parking only is proposed in these areas. No objection is raised to the proposed use of 'no dig' surfacing for the parking and access road construction within the RPA's of the trees. The parking in this area would however be likely to suffer from problems with seasonal fruit fall (conkers) and aphid excretion from the Lime trees due to the proximity.

The relationship between blocks A and B and the adjacent trees will result in significant shading for block A, and loss of light to the living rooms in block B particularly at first floor level. There may be a need to prune back the crown of some of these trees due to this impact and the apprehension of residents due to the close proximity of these large trees. The pruning of the trees would create long term pressure on these trees, which positively contribute to the character of the area.

To provide the street frontage space required on Lincoln Road for the Recognition Centre and Block F, six significant trees will have to be removed. These include a Yew, Pine, two trees of Heaven, and False Acacia. The Yew, Pine and trees of Heaven are high quality significant trees that have a positive influence on the street scene, and create vertical enclosure within Lincoln Road by their presence. They are assessed to be of such a high quality that they are worthy of creating a significant constraint on the development of this site.

The linear character and long perspective view along Lincoln Road is partly created by the presence of these trees, and they like other frontage trees within the road, dominate the street scene within this section of Lincoln Road. The loss of the trees on the frontage of the site is considered to be contrary to Policy LNE9.

The suggested amendment will enable some of those trees to be retained.

This aspect, too, has to be weighed against any benefits that arise from the provision of the development here.

Ecology

The ecological assessment accompanying the application identified the need for a more detailed bat survey to be carried out. A report to detail this further survey work and any appropriate mitigation measures has been requested, and at the time of writing this document is still awaited. Members will be given an updated report of this at the Committee meeting. The other recommendations of the submitted assessment were for the use of native species in the planting proposals, that there be no site clearance or hedge/tree removal within the bird nesting season, and the provision of bird, bat, insect and hedgehog boxes on site. These can be secured by the provision of planning conditions.

The recommendation that 'all mature trees be retained on site' cannot be complied with as the scheme does propose the felling of some mature trees on site.

c) The proposed design and layout

The NHS Recognition Centre has been deliberately designed to be a 'landmark' building with a strong street scene presence. The newly appointed Design Review Panel has taken the opportunity to comment on the design and recognise that modern design does have a place in the city. The centre is intended to be visible and accessible to the general city community, hence the scale of the building along the Lincoln Road street scene, with large areas of glazing to the ends and lower levels to allow its activities to be open and engaging with the public. The centre would be 3 storeys high with plant room within the roof, the side profile and roof is a low pitched green 'sedum' roof to help provide views of the skyline beyond.

The 3 storey block of flats to be positioned adjacent to the Recognition centre have been requested to be set back further from its building line so as not to compete with the Centre and allow it to be a truly landmark, stand alone, building. The flats are designed in a contemporary manner as established by the scale and style of the Recognition Centre and Lincoln Road frontage. The flats on the northern boundary are 3 storeys stepping up to 4 storeys in the central block. These apartments would have a south facing green space available for their use. The housing further to the west is also proposed as 3 storey, with a terrace block and pair of semi's designed to sit at the end of the site. These do not harmfully impact on the neighbouring 2 storey properties.

d) The impact on neighbouring sites

The scale of development does have some impact upon the Church. Clearly it is a matter of judgement as to whether that impact is so harmful as to warrant a refusal of permission. It is one of the most challenging aspects of this proposal and has to be weighed against any benefits that arise from the provision of the development here.

It is not considered that the siting, layout and design of the residential dwellings would result in any harmful impact on the neighbouring residential properties in Craig Street.

e) Car parking

11 car parking spaces would be provided for the 8 dwellings on site, and 37 spaces for the 32 apartments. The Local Highway Authority confirm that this level of parking would not meet the maximum car parking standards of the Local Plan Policy T10 and so would create, in their view, an unacceptable shortfall with the likelihood of parking problems for future occupiers. They further consider that the shortfall in car parking spaces would lead to residents parking on the surrounding streets, to the detriment of highway safety and the existing surrounding residents.

The site is however located within the city centre boundary, and policy CC15 seeks to limit the provision of new parking spaces for development preferring to encourage the sharing of existing city centre parking facilities and only where this is not possible limit any new parking provision to that which meets only the operational and mobility needs of the development. The use of more sustainable travel modes e.g. walking, cycling, public transport should be promoted in preference to the provision of car parking. Therefore the level of car parking proposed is not contrary to Policy CC15, and cycle parking is being provided on site in accordance with Policy CC16. A travel plan will be secured to encourage the modal shift away from the use of the private car.

The Recognition Centre proposes only 2 mobility car parking spaces with no staff or visitor car parking. However cycle parking and a travel plan would also be provided. This is in accordance with Policy CC15 as it is within a City Centre location.

Despite the concerns of the Highway Authority, they do not object on Policy grounds. As such, your officers can support the parking provision as it stands.

f) Community Health

The overall scheme secures the provision of, we are advised, a much needed facility for the community at large, in a location ideal for its use. There have been concerns expressed by local residents regarding public order, litter and the like, but these are management issues for the facility.

Whilst such concerns must not be ignored, they are in the officer's view outweighed by the overall benefits of the provision of this facility. It is hoped that the applicant will be able to address what they submit as the importance of this scheme for the health strategy for the City at the Committee meeting.

g) Housing

The development provides the required 35% affordable housing provision at a time when many developers are requesting a reduction in that figure. The achievement of such accommodation, close to the City Centre, is a positive and is the second real benefit arising out of the overall scheme.

h) S106 Planning obligation

A S106 obligation is being sought for the provision of 35% on site affordable housing in accordance with the RSS, and PPS3, and travel plan requirements in accordance with Policy IMP1 of the Local Plan. The remaining S106 contributions normally sought is being off-set by the provision of the NHS Recognition facility.

These requirements accord with both national and local policy and in your officer's opinion complies with the 5 tests and the principles set out in ODPM Circular 05/2005 (see Section 2 above) and the Tesco/Witney case in which the House of Lords held that the planning obligation must at least have a minimal connection with the development.

8 CONCLUSIONS

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

This is not an easy decision for the Committee to make. There are policies, aspirations, aims and objectives (from the Council itself, its partners, the Local Planning Authority, interested parties and consultees), that conflict with each other. The principal conflict is the form of the development and any impact that this has on the character of the area. This has to be weighed against the need for the development and the benefits that it will bring to the city. Your officer has concluded that, with the suggested amendment, the balance tips in favour of the grant of permission, for both applications.

9 RECOMMENDATION

1. The Head of Planning Services recommends that **09/00839/CON** is application is APPROVED subject to the following conditions:

- C1 Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the decision notice.**
Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- C2 The demolition hereby approved shall not be commenced until such time as a contract for carrying out the works of residential redevelopment has been made and detailed planning permission granted for the development to which the contract relates.**
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
2. Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the affordable housing and travel planning needs of the area, the Head of Planning Services be authorised to grant planning permission for 09/00838/FUL subject to the following conditions:
- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C3 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all boundary walls/fences, gates to residential parking area, external lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, and thereafter shall be maintained to the satisfaction of the Local Planning Authority.**
Reason: In the interests of community safety in accordance with policy DA11 of the Peterborough Local Plan (First Replacement).
- C4 Notwithstanding the submitted information and prior to the commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, a Construction and Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:**
- (a) A phasing scheme and schedule of the proposed works;
 - (b) Provisions to control construction noise and vibration emanating from the site;
 - (c) A scheme for the control of dust arising from building works and site works;
 - (d) A scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways;
 - (e) A scheme of working hours for construction and other site works
 - (f) A scheme for construction access; including details of haul routes to and across the site and associated health and safety protection measures and details of measures to ensure that all construction vehicles can enter the site immediately upon arrival; and
 - (g) The site compound (including site huts) and parking for contractors and other employee vehicles.

The development shall be carried out in accordance with the approved construction management plan.

Reason: In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Peterborough Local Plan (First Replacement).

- C5 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policy T19 of the Peterborough Local Plan (First Replacement).

- C6 The dwellings shall not be occupied until the garage(s) shown on the approved plans have been constructed, in accordance with the details submitted to and approved in writing by the Local Planning Authority. The garage(s) shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the dwellings.**

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T10 of the Peterborough Local Plan (First Replacement).

- C7 No development shall be occupied until the associated space for bicycles to be parked for each of the uses, has been laid out within the site, and that area shall not thereafter be used for any purpose other than the parking of cycles in association with the uses on site.**

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T9 of the Peterborough Local Plan (First Replacement).

- C8 The residential and NHS Recognition uses shall not be occupied until the area shown on the plan attached for their car parking has been drained and surfaced, and that area shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the uses on site.**

Reason: In the interest of Highway safety, in accordance with Policy T10 of the Peterborough Local Plan (First Replacement).

- C9 No development shall take place within the residential site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.**

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policy Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- C10 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a watching brief for the NHS Recognition centre site 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 ensure that features of archaeological interest are properly examined and recorded in accordance with Planning Policy Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- C11 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, of a Method Statement detailing the remediation of this unsuspected contamination.**

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

- C12 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.**
Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).
- C13 The NHS Recognition centre building shall be used for that use only; and for no other purpose (including any other purpose within Class A2 or B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987) (or any provision equivalent to that class in any statutory instrument revoking and re enacting that Order with or without modification), notwithstanding the provisions of the Town & Country Planning (General Permitted) Development Order 1995 (or any statutory instrument revoking and re enacting that Order).**
Reason: In order to protect the amenity of the area, in accordance with Policies DA2 and CC15 of the Peterborough Local Plan (First Replacement).
- C14 In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [twelve months] from [the date of the occupation of the building for its permitted use].**
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);**
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;**
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**
Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).
- C15 Details of the surface water drainage system for the development (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any part of the development hereby permitted is first occupied.**
Reason: In order to protect and safeguard the amenity of the area and of the water environment, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies U1, U2 and U9 of the Peterborough Local Plan (First Replacement).
- C16 Prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority, details of the hard and soft landscaping works and other minor structures shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, unless otherwise agreed in writing with the Local Planning Authority, the following elements:-**
- i) a landscape management plan including long term design objectives, management responsibilities and maintenance schedule for any areas not within private gardens;**
 - ii) planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, plant sizes and densities;**

- iii) measures to promote biodiversity in accordance with the Protected Species Survey dated July 2009. These measures should be bird, bat, insect and hedgehog boxes/homes;
- iv) all means of enclosure;
- v) all hard surfacing materials;
- vi) any minor structures including waste/recycling facilities;
- vii) details of cycle parking provision, including the type of stands;

The hard landscaping work shall be undertaken in accordance with the approved details prior to the occupation of each dwelling and the soft landscaping works in accordance with the approved proposals and implementation plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a good quality development in the interests of visual and residential amenity in accordance with policies DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

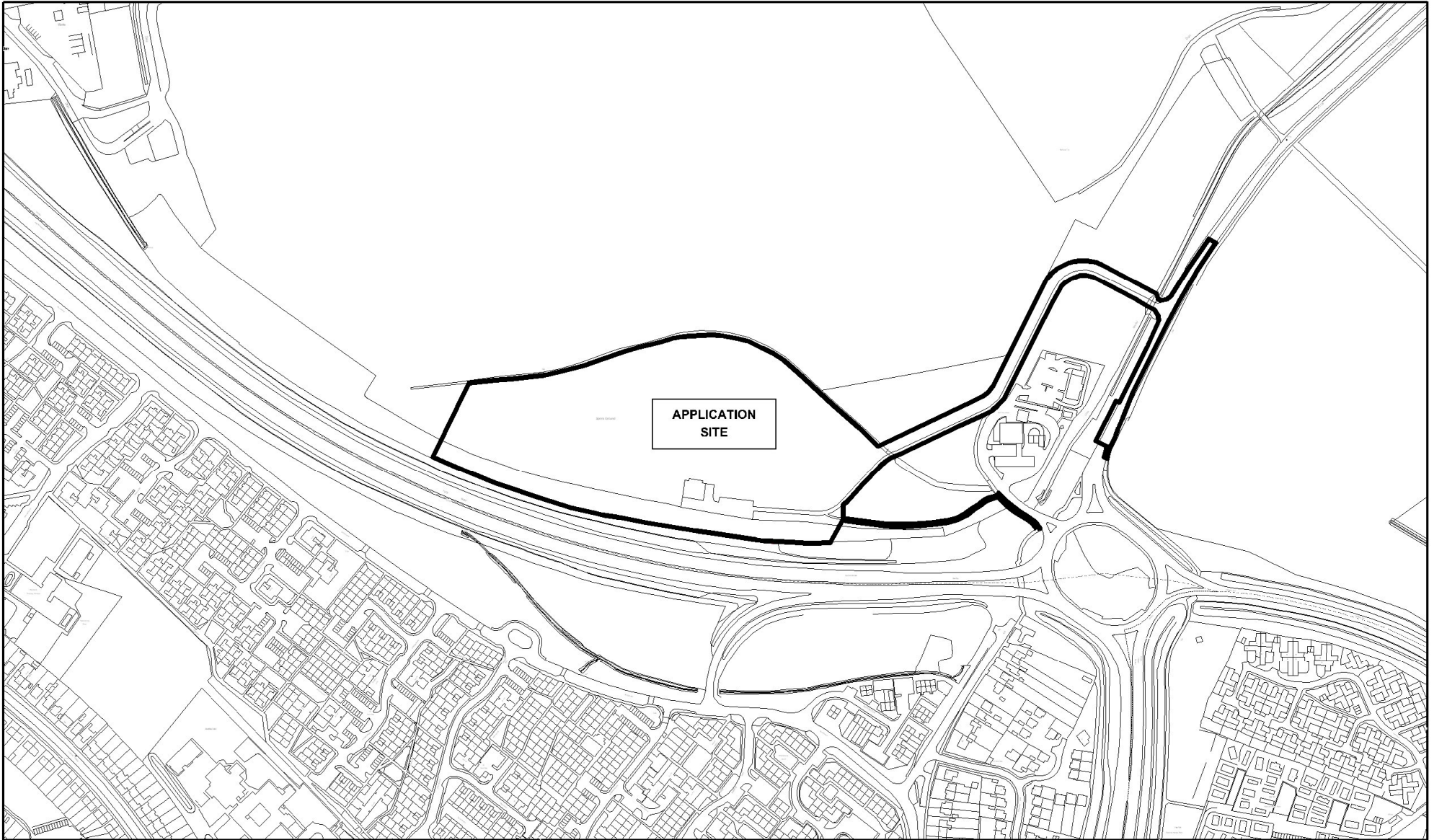
- C17 If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure that the successful establishment of the landscaping scheme, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

- R1** A request has been made by the Local Planning Authority to secure affordable housing and travel plan requirements however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).

Copy to Councillors Hussain, Khan and Fazal



LOCATION PLAN 09/00836/WCPP

Parkway Sports and Social Club, Peterborough Road, Eye

Scale 1:5000 **Date** 8/9/2009 **Name** MKB **Department** Planning Services

PCC GIS



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09/00836/WCPP: VARIATION OF CONDITION 5 OF PLANNING PERMISSION 07/00011/OUT (RESTRICTION ON UNIT SIZES) IN CONNECTION WITH CONSTRUCTION OF GARDEN CENTRE COMPRISING PLANT AREA (8915SQM), GARDEN CENTRE BUILDING WITH RESTAURANT (8000SQM), CAFE/KIOSK (250SQM), CAR PARKING, LANDSCAPING, SERVICE AREA AND RECYCLING COLLECTION TOGETHER WITH IMPROVEMENTS TO ACCESS ROAD AND ACCESS TO EYE ROAD, NEW BUS STOPS AND ASSOCIATED FOOTWAY/CYCLEWAY ACCESS AT PARKWAY SPORTS AND SOCIAL CLUB PETERBOROUGH ROAD, EYE, PETERBOROUGH, PE1 3TD

VALID: 28.07.2009
APPLICANT: GARDEN PARKS (PETERBOROUGH TWO) LIMITED
AGENT: TURLEY ASSOCIATES
REFERRED BY: CLLR SWIFT
REASON: GOOD FACILITY FOR THE CITY
DEPARTURE: NO

CASE OFFICER: DAVID LOVEDAY
TELEPHONE: 01733 474747
E-MAIL: david.loveday@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The retail impact of development

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

R4 Retail development outside centres is only acceptable provided it would not have an unacceptable impact on the vitality and viability of any centre, and it would not put at risk the Local Plan Retail Strategy.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

PPS 6 Planning for Town Centres objective, is to promote the vitality and viability of town centres by focusing development in these centres, which are accessible to all.

3 DESCRIPTION OF PROPOSAL

This application seeks permission to vary condition 5 of planning consent (07/00011/OUT), over and above the variation already granted consent by planning reference 09/00062/WCPP.

The variation sought, is to allow the amalgamation of units 8, 9, and 10 into one single unit of 974 square metres in size, which is larger than the 800 square metre maximum unit size permissible by planning references 09/00062/WCPP and 07/00011/OUT.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is located on the north east edge of City. The site is positioned within the urban area boundary of the city, with its northern boundary marking the settlement edge. The site is to the north of the Eye/Peterborough Road and A47 Paston Parkway roundabout. The site has no specific land use allocation in the Local Plan. The site has most recently been used as a sports ground by the Parkway Sports and Social Club. Prior to this development the site was agricultural land but had previously formed part of the Dogsthorpe brickworks and was filled with inert material after excavation.

The site covers an area of 5.94ha and is currently unused but has previously been occupied by the Parkway Sports and Social Club with football and cricket pitches, a pavilion and car parking area.

The northern boundary is edged by an existing drainage dyke. To the north and west of the site are the Dogsthorpe Landfill site and a Household Waste Recycling Centre. Eye village lies to the north east. Trees and shrubs bound the site to its Paston Parkway frontage. Immediately to the east of the site is a petrol filling station containing a Somerfield convenience food store and a Kentucky Fried Chicken (KFC) restaurant. The site is separated from existing residential areas by Paston Parkway and Parnwell Way.

The site is accessed via a vehicular access road leading off Eye/Peterborough Road. A footpath along the southern boundary from the roundabout provides further access to the site.

The garden centre development is currently under construction.

5 PLANNING HISTORY

| Application Number | Description | Date | Decision |
|--------------------|--|------------|-----------|
| 05/01274/OUT | Erection of garden centre building (5777sqm), plant area (5110sqm), garden centre concessions buildings (5498sqm), cafe/kiosk (465sqm), car parking, service area, improvements to service road and access to Eye Road, entrance totem sign, footway/cycleway access, recycling collection area and landscaping | 07.03.2006 | Withdrawn |
| 07/00011/OUT | Erection of garden centre comprising plant area (8915sqm), garden centre building with restaurant (8000sqm), cafe/kiosk (250sqm), car parking, landscaping, service area and recycling collection together with improvements to access road and access to Eye Road, new bus stops and associated footway/cycleway access | 31.03.2008 | Approved |
| 08/00925/WCPP | Amendment to condition C6 of planning permission 07/00011/OUT to allow the insertion of a mezzanine floor totalling 270sqm. | 18.11.2008 | Approved |
| 08/00989/REM | Reserved matters application for the appearance only of the garden centre development pursuant to outline planning application 07/00011/OUT, and alterations to the approved subdivision as per C6 of 07/00011/OUT | 30.09.2008 | Approved |
| 08/01586/REM | Reserved matters application for the landscaping only of the garden centre development pursuant to outline planning application 07/00011/OUT | | Approved |
| 08/01297/FUL | Canopy over external sales and display area for garden centre | 16.01.2009 | Approved |
| 09/00062/WCPP | Variation of Condition 5 of Planning Permission Ref: 07/00011/OUT amending the range of goods and | 05.06.2009 | Approved |

| | | | |
|--------------|--|------------|----------|
| | services permitted on site | | |
| 09/00314/ADV | Illuminated and non-illuminated, flags, traffic direction, site entrance, tenant's directory and mast advertisements | 04.06.2009 | Approved |
| 09/00444/ADV | Outdoor illuminated advertisement to business premises | 19.06.2009 | Approved |

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objections, as there is no overall increase to the retail area on site, on which the original transport assessment was based.

EXTERNAL

Senior Architectural Liaison Officer – No comments or observations to make.

Eye Parish Council – Would like a plan of the new road network proposed.

NEIGHBOURS

1 Letter of objection has been received from the planning agent working on behalf of the Queensgate Limited Partnership raising the following issues:

- The threat to the vitality and viability of the city centre, other nearby centres, as well as undermining planned investment in the city centre
- The increase scale of retail floorspace, is likely to increase the sale of goods that would more appropriately be sold in town centres
- The cumulative effect of out of centre retailing on city centre trading.

COUNCILLORS

Cllr Swift – This is a much needed facility for the city, and in today's difficult economic climate new investment should be encouraged.

7 REASONING

a) The retail impact of development

Hobbycraft have leased unit 8 (663 sq metres), however they would like a larger unit as they normally trade in units of around 1,000 sq metres. They have trialled in another location, operating a smaller unit format but have found this does not fit well with the overall logistics plans of the business, requiring manual intervention to automated stock controls and more intensive management. They would therefore like to revert to their more conventional unit size within this development, by amalgamating units 8, 9 and 10 to provide a single unit of 974 sq metres.

In favour of the application the agent argues:-

- The proposal does not create any additional retail floorspace from that originally approved under planning reference 07/00011/OUT.
- The Hobbycraft use of arts and crafts is one which falls within Schedule B of condition 5, and this tenant is committed to the scheme.
- The proposed increase in the Hobbycraft store will not take the total floorspace of uses in Schedule B over the 3,600 sq metre maximum limit.
- Whilst the proposed increase in the Hobbycraft store will take it over the 800 sq metre floorspace limit for a single unit, it is not proposed that this be a general relaxation of condition 5 for the scheme as a whole but merely a one unit exemption.

The applicant has not submitted a retail assessment under this application because there would be no increase in the total retail floorspace from that originally approved by planning application 07/00011/OUT. They also refer to the updated assessment of the health of the city centre and other retail centres submitted in January 2009 in respect of the previous Section 73 application. It is considered however that a retail assessment of this specific proposal and its present impact on the City Centre, other centres and future proposals, should be submitted to demonstrate that there would be no harm caused to the vitality and viability of any centre in accordance with Policy R4 of the Local Plan and PPS6. This retail assessment has been requested, however at the time of writing this report it is still awaited. Members will be updated of this at the Committee meeting.

8 CONCLUSIONS

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

The proposed development could be considered to be acceptable and in accordance with Policy R4 of the Local Plan, subject to the receipt of a satisfactory retail assessment, to justify that the proposed alteration to the unit size, would not unacceptably impact on the vitality and viability of any centre, and that the proposed development would not prevent or put at risk any future development which would be in accordance with the retail strategy and city centre strategy in the Local Plan.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to the receipt of an acceptable retail assessment and to the following conditions:

- C1 Notwithstanding the provisions of Class A1 of the Town & Country Planning (Use Classes) Order 1987 or any Order amending or re-enacting that Order, the approved development shall only be used as a garden centre for the retailing of products and the offering of services set out in Schedules A, B and C below and the products and services set out in Schedule D below shall not be retailed or offered:-**

Schedule A - goods and services customarily supplied by a garden centre, including the following:

- a. Horticultural products, trees, plants, bulbs, seeds, shrubs
- b. House plants and flowers of any type
- c. Garden equipment, garden tools, garden machinery and garden accessories
- d. Weedkillers, pesticides, fungicides and pest control products
- e. Fertilisers, manures, compost, peats, growbags and all plant growing products
- f. Barbecues, barbecue fuels and their accessories
- g. Lawnmowers, turf, lawncare products and equipment
- h. Garden pots, garden vases, garden planters, garden troughs and garden terracotta ware
- i. Garden ornaments
- j. Conservatories
- k. Conservatory furniture, conservatory furnishings and conservatory accessories
- l. Outdoor garden furniture
- m. Sheds, greenhouses and garden buildings
- n. Outdoor garden play equipment, garden games and garden toys
- o. Swimming pools and associated equipment
- p. Fencing, trellis and their care products
- q. Landscaping materials, stones, gravels, slabs and decking
- r. Fish, aquatics, water garden equipment and their accessories
- s. Garden lighting
- t. Garden books and garden journals

- u. Restaurant, coffee shop and children's play area
- v. Baskets, wicker work and country crafts
- w. Artificial trees, plants and flowers and cut flowers
- x. Artificial Christmas trees and Christmas decorations

Schedule B - goods and services with an aggregate floor area not exceeding 3,600 sq.m.

- a. Camping equipment and supplies
- b. Farmshop and speciality foods, natural remedies and health foods (non consulting)
- c. Pets, pet accessories, pet care and advice
- d. Hobbies, toys and crafts
- e. Gardening and outdoor clothing including sunglasses and footwear
- f. Outdoor pursuits and equipment
- g. China, glass and pottery, tiles, stoneware and ceramics
- h. Household linens and soft furnishings
- i. Bicycles, accessories and cycle clothing

Schedule C - Goods and services listed below, the combined net floor area which shall not exceed 700 sq.m. in total and where no single unit shall exceed 450 sq. m.

- a. Homeware and table top items and kitchen accessories (including small kitchen electrical items)
- b. Pictures, frames and prints
- c. Books - cookery, leisure, hobby, travel, sports and coffee table books
- d. Gifts, wrappings, greeting cards

Schedule D - goods, services or products listed below shall not be sold from the garden centre:

- a. Pharmacy products for human use
- b. Motor vehicles or their parts
- c. Computers
- d. Domestic electrical appliances other than small kitchen items sold as incidental to Schedule C, Category (a)
- e. Radios and televisions
- f. Musical instruments
- g. Carpets
- h. Dry cleaners
- i. Post Office
- j. Newsagents
- k. General grocery and convenience products other than health foods or as a farmshop as detailed in Schedule B Category (b)
- l. Fashion clothing, shoes and other fashion accessories
- m. Opticians
- n. Mobile and other telephones

There shall be no variation to the size and layout of the units as detailed on site plan GARL1002 dated 22 July 2009 without the prior written consent of the Local Planning Authority.

With the exception of that part of the garden centre denoted as 'Van Hage Garden Centre' and Unit 8 denoted as Hobbycraft on the Proposed Site Plan GARL1002, no single unit shall exceed 800sq.m

Reason: To ensure that the development does not affect the vitality or viability of nearby retail centres in accordance with policies R4 and R5 of the Peterborough Local Plan (First Replacement) 2005 and Planning Policy Statement 6 'Planning for Town Centres' (2005).

Note all other conditions of the previous planning permission remain in force.

Informative: 1. For the avoidance of doubt this planning permission relates solely to the wording (now designated condition C1 on this new planning permission) of the agreed variation of condition C5 of planning reference 07/00011/OUT and condition C1 of planning permission 09/00062/WCPP.

In the absence of an acceptable retail assessment the Head of Planning Services recommends that this application is REFUSED for the following reasons:

R1 The proposed development has failed to demonstrate that it would not unacceptably impact on the vitality and viability of any centre, and would not prevent or put at risk any future development in the retail strategy. The proposal is therefore contrary to Policy R4 which states

Planning permission will only be granted for new retail development outside the Central Retail Area, District Centres or Local Centres, where:

- a) a need for the proposed development has been demonstrated; and
- b) a sequential approach to site selection has been undertaken in accordance with Appendix VI, and it has been demonstrated that there is no suitable alternative site which is higher in the search sequence; and
- c) the site is highly accessible by a choice of means of transport; and
- d) the proposed development would not have an unacceptable impact on the vitality and viability of any centre; and
- e) the proposed development would not prevent or put at risk any future development which would be in accordance with the retail strategy and city centre strategy in this Plan.

Proposals for extensions to existing shops which do not create any new units and would provide new floorspace below 200 square metres (gross) will not be required to demonstrate need or a sequential approach unless they are for second or subsequent extensions. Proposals for uses which comprise primarily open air displays will be considered against policy R6. Proposals within villages will be considered against policy R10.

Copy to Councillors D. A. Sanders, R. J. Dobbs,

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|---|-------------------|
| PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE | AGENDA ITEM No. 6 |
| 22 SEPTEMBER 2009 | PUBLIC REPORT |

| | | |
|-----------------------------|--|-------------|
| Cabinet Member responsible: | Councillor P Croft (Cabinet Member for Strategic Planning, Growth and Human Resources) | |
| Contact Officers: | Shahin Ismail (Head of Delivery) | Tel. 452484 |
| Reporting Officer: | Peter Heath-Brown (Planning Policy Manager) | 863796 |

PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH CORE STRATEGY (PROPOSED SUBMISSION VERSION)

| | |
|---|--|
| R E C O M M E N D A T I O N S | |
| FROM : Head of Delivery | Deadline date : 12 October 2009 |
| <p>That Committee offers any comments on the draft Peterborough Core Strategy (Proposed Submission Version) before it is presented to Cabinet for approval to Council for the purposes of public consultation and submission to the Secretary of State.</p> | |

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Committee following approval of the Preferred Options version of the Peterborough Core Strategy for the purposes of public participation on 31 March 2008, 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 the Committee to comment on the draft Core Strategy (Proposed Submission version) before it is presented to Cabinet on 12 October for approval to Council for the purposes of public consultation and submission to the Secretary of State.
- 2.2 The draft Core Strategy (Proposed Submission version) is available on the Council's website <http://democracy.peterborough.gov.uk> and copies have been placed in each of the Members Group Rooms.
- 2.3 This report is for Committee to consider under its Terms of Reference No. 2.6.1.5 of Part 3 of the Constitution 'To be consulted by, and comment on, the Executive's draft proposals for Development Plan 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 for relevant Council Meeting | 2 December 2009 |
| | | Date for submission to Government Dept | Communities and Local Government - Spring 2010 |

4. **PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH CORE STRATEGY (PROPOSED SUBMISSION 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 first requirements under this new system was for all local planning authorities to submit to Government a Local Development Scheme (LDS). This is a document that sets out a schedule and programme for the preparation of all the other documents that will make up the Local Development Framework for the authority's area; initially for the first 3 years, and then to be rolled forward to cover subsequent 3 year periods.
- 4.2 Peterborough's most recent LDS was approved by Cabinet Member Decision Notice and subsequently accepted by the Secretary of State in April 2007. It demonstrates the Council's intentions to progress a number of documents at the same time, including those specifically for minerals and waste, jointly with Cambridgeshire County Council. Already the Council has adopted its Statement of Community Involvement and one Supplementary Planning Document, and has produced successive Annual Monitoring Reports. One of the next documents that the Council must produce is the Core Strategy.
- 4.3 The Core Strategy will become part of the statutory development plan when it is completed, and, as such, will be part of the Council's major policy framework. It will be one of the documents that will gradually replace the existing Peterborough Local Plan; but under the new arrangements there will not be a single 'Plan' for Peterborough, but a suite of documents that together comprise the LDF.
- 4.4 The Core Strategy will set 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. It is required to conform generally with the Regional Spatial Strategy (RSS) for the East of England (sometimes known as the East of England Plan). It must reflect the Sustainable Community Strategy for Peterborough, with consistency of vision and priorities, demonstrating how the spatial elements of that Strategy will be delivered. It must also take into account national planning advice and other key regional and local strategies and plans.
- 4.5 Although the Core Strategy will be accompanied by a key diagram which will show pictorially some of the key elements of Peterborough's development strategy, it will not have a proposals map drawn on an Ordnance Survey base. This is because the details of site boundaries (for example, the allocation of specific parcels of land for particular forms of development, or the specific boundaries of areas in which a planning policy might apply) are matters for other documents in the LDF. These other documents will follow the Core Strategy and must, themselves, be in conformity with it.
- 4.6 This demonstrates a fundamental feature of the Core Strategy; namely that it is strategic in nature, addressing the issues that are core to the future of Peterborough, and avoiding levels of detail that are more appropriate to subsequent elements of the LDF.

Public Participation on Preferred Options

- 4.7 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. On 31 March 2008, Cabinet approved a 'Preferred Options' version of the Core Strategy for public participation.
- 4.8 Consultation on that version took place over a six week period during May and June 2008. A total of 878 comments were received from individual members of the public, developers, agents, landowners, companies, parish and neighbourhood councils, adjoining local authorities, Government Departments and Agencies, registered social landlords, pressure groups and interest groups.
- 4.9 All of the comments have been considered and taken into account in preparing the next (Proposed Submission) version of the Core Strategy, which is now before the Committee. A response to each comment will appear on the Council's website after this version is approved by Council.
- 4.10 In the intervening period, further studies have been commissioned and evidence has been sourced – sometimes as a direct response to comments made and sometimes in response to new Government advice or the identification of evidence gaps. This work has included a Level 2 Strategic Floodrisk Assessment, a Water Cycle Study, an Energy Study, an Affordable Housing Financial Viability Assessment and a Resource Efficiency Viability Study. Discussions and negotiations have taken place with the prospective developers of the potential major developments on which the Core Strategy would rely.
- 4.11 In the light of all of this, officers have produced a draft Proposed Submission version. This is currently the subject of formal sustainability appraisal (incorporating strategic environmental assessment), and Habitats Regulations Assessment. The outcome of these processes will be incorporated into the document before it is recommended to Cabinet, along with any views made by this Committee.

Summary of the Recommended Proposed Submission Version

- 4.12 In this section some of the key features of the Proposed Submission version are summarised.
- 4.13 **Housing** – Peterborough needs to meet the requirement for at least 25,000 additional dwellings between 2001 and 2021, plus continuity of supply to 2026 thereafter. Taking into account what has been delivered already, and those dwellings expected to be lost through demolition and change of use, we must plan for approximately 25,500 more dwellings, 2009 to 2026.
- 4.14 It is proposed that the location for these dwellings should be broadly as follows:
- City centre – 4,300 dwellings
 - District centres – 1,300 dwellings
 - Within the urban area – 4,400 dwellings
 - Hampton – 4,100 dwellings
 - Paston Reserve/Norwood – 3,500 dwellings
 - Stanground South – 1,500 dwellings
 - Great Haddon – 5,300 dwellings
 - Key Service Centres (i.e. the villages of Eye/Eye Green and Thorney) – 600 dwellings (in total)
 - Limited Growth Villages – (i.e. the villages of Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Northborough and Wittering) – 450 dwellings (in total)
 - Small Villages (i.e. others not mentioned above) – 50 dwellings (in total)
- 4.15 The figures above include dwellings which are already under construction, have full planning permission or have outline planning permission (amounting to 9,318 dwellings). So, for example, the Hampton figure does not imply an additional 4,100 above what is

already planned; it simply reflects the outstanding commitment (plus an additional allowance to enable development on the former Orton Brickworks and elsewhere).

- 4.16 There will be two entirely new urban extensions to the existing built-up area of the city (a) extending the Paston Reserve area into Norwood, east of the line of the A1073 Peterborough-Crowland highway improvement; and (b) at Great Haddon, south and west of Hampton, with development extending towards Norman Cross and the A1(M).
- 4.17 **Employment** – the economic development strategy is based on an ‘Environment Plus’ scenario, with the potential to create more than the indicative target of 20,000 additional jobs set by the East of England Plan, and with an emphasis on job creation in the higher value-added sectors, particularly the environmental industries.
- 4.18 At least 95.5 hectares (and up to 125.5 hectares) of employment land is proposed in addition to that already identified and/or committed through planning permissions. This is expressed as a range in order to meet the minimum requirement, but allow for flexibility of choice for potential investors. The principal locations for new employment development will be in and adjoining the urban area, the city centre, Alwalton Hill, Stanground South, the Great Haddon urban extension and the Norwood urban extension. A location at Red Brick Farm (Eastern Industry) was suggested in the Preferred Options consultation document, but evidence from the latest Environment Agency Floodrisk maps and from the Peterborough Level 2 Strategic Floodrisk Assessment has highlighted significant floodrisk problems. Therefore it is not included in the Proposed Submission version. It would not be prudent to rely on this site for delivery of the Core Strategy, but if the floodrisk issues can be satisfactorily addressed, it can come back into the reckoning as a site adjoining the urban area through the subsequent preparation of the Peterborough Site Allocations DPD.
- 4.19 **Regional Freight Interchange** – The Preferred Options document raised the issue of a potential road/rail freight interchange beside the Peterborough-March railway line at Stanground (sometimes referred to as Magna Park), and invited comments. There were 53 objections to this idea, plus additional signatures gathered by way of a petition, all largely from residents of Stanground. The prospective developers of the scheme set out their arguments in favour.
- 4.20 The Magna Park proposal is large, complex and of regional significance. It is inevitable that proposals of this scale will have competing benefits and problems. The development would bring significant advantages in the form of substantial additional employment and investment into Peterborough and a transfer of long-distance freight from road to rail, with all the associated reduced traffic congestion, reduced pollution and sustainability benefits. It would accord with the East of England Plan. Issues include: pollution (noise/light/air/etc), floodrisk, biodiversity, minerals supply, traffic and transport, archaeology, impact on the landscape and impact on the amenities of nearby residents.
- 4.21 It is not the function of the Core Strategy to deal with any particular planning application, but to establish matters of strategy. On balance, it is felt that the location at Stanground is a suitable one for a regional freight interchange, and the benefits of the scheme outweigh the disadvantages. Therefore the draft Proposed Submission document includes a policy which supports the development of a regional freight interchange at this location; and itemises the main issues that would need to be addressed through a planning application. It emphasises the importance of a planning obligation to deal with matters that are not capable of being resolved on the site itself. However, in the event of the scheme not proceeding, the Core Strategy would still work, as it is capable of delivering the minimum requirements of the East of England Plan.
- 4.22 **Urban Extensions** – the key requirements for each of the new urban extensions are set out in a separate policy.
- 4.23 **Settlement Hierarchy** – there will be a hierarchy of settlements with the City of Peterborough (including the existing urban area, the City Centre, District Centres and proposed urban extensions) at the top; Key Service Centres of Eye/Eye Green and

Thorney; Limited Growth Villages of Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Northborough and Wittering; and Small Villages of Ashton, Bainton, Deeping Gate, Etton, Marholm, Maxey (including Castle End), Peakirk, Pilsgate, Southorpe, Sutton, Thornhaugh, Ufford, Upton, Wansford and Wothorpe.

- 4.24 **Housing Needs** – developments should meet the housing needs of all sectors of society. The Preferred Options document suggested that 35% of all dwellings on sites of 15 or more should be provided as affordable houses, but evidence from the viability study shows that this would have a serious effect on the viability of new residential developments and could not be supported. A target of 25% to 30% would be more appropriate. The policy therefore presents 30% as a target for the plan period as a whole (to 2026), whilst acknowledging that that this may not be achievable in some locations or at some times (for example, in the current economic climate). The affordable houses should be split as 70% affordable rented and 30% intermediate. There are requirements for Lifetime and Wheelchair homes. The text accompanying to the policy sets out a range of dwelling size (by number of bedrooms) to improve the choice of homes available, including more at the smaller and larger ends of the market – the latter, in particular, to encourage more business leaders to relocate to the area.
- 4.25 **Gypsies and Travellers** – criteria for the location of new sites for gypsies and travellers are set out, in accordance with a Government requirement.
- 4.26 **Neighbourhood Regeneration** – the strategy for the future of Peterborough is as much about regeneration of existing neighbourhoods as it is about new developments. The Neighbourhood Management approach to regeneration is re-affirmed.
- 4.27 **Environment Capital** – the Preferred Options document suggested a policy to secure improved sustainability standards (in terms of thermal efficiency, water efficiency, use of renewable energy etc) for residential and non-residential buildings in advance of national timelines. A study into the effects of such a policy on the viability of development shows that it would only be viable if the Council reduced its requirements in terms of planning obligations, or reduced its affordable housing requirements still further. In view of this, and the criticism of the preferred options draft policy (including from the Government Office), the Proposed Submission version replaces it with a less prescriptive policy, setting out the principles behind Peterborough’s aspirations to become the UK’s Environment Capital. This will fit well with the vision of the Sustainable Community Strategy.
- 4.28 **Renewable Energy** – renewable energy is encouraged in accordance with the Community Strategy aspiration to make Peterborough the UK’s Environment Capital. The proposal for an ‘area of search’ for a wind farm alongside the eastern edge of Fengate/Eastern Industry is deleted.
- 4.29 **Infrastructure** – the policy in the Preferred Options document that simply listed a selection of items of infrastructure came in for a considerable degree of criticism. It has been deleted, and replaced with a policy in the Proposed Submission version which requires development to have adequate infrastructure in place before it can proceed. Reliance will be placed on the forthcoming Peterborough Integrated Development Programme to set out the infrastructure needed to deliver the Core Strategy.
- 4.30 **Developer Contributions** – infrastructure, services and facilities which are needed as a result of developments will be funded from a standard charge approach, raised through planning obligations, and consistent with the Council’s emerging Planning Obligations Implementation Scheme.
- 4.31 **Transport** – the strategy for all transport related decisions will be delivered through the Council’s Local Transport Plan process, with key themes being highlighted.
- 4.32 **Retail** – the strategy for retail provision will be based on a hierarchy of centres, with the city centre at the top; followed by the five district centres of Bretton, Hampton, Millfield, Orton and Werrington; and local centres and key village centres. National policies will apply in

order to promote the vitality and viability of existing centres, to serve the needs of shoppers in their catchment areas, but allowing for retail development elsewhere if this can be justified. The priorities are to expand the retail offer of the city centre, improve those district centres which have lacked investment (e.g. Werrington) and provide shopping facilities to meet the needs of residents in areas of new development.

- 4.33 **The City Centre** – the city centre will be further developed with retail/leisure in North Westgate, much more housing, an improved public realm, re-use of vacant and under-used sites, and better use of the riverside, all coupled with protection and enhancement of the conservation area. More detailed proposals will be determined through a separate City Centre Area Action Plan.
- 4.34 **Urban Design and the Public Realm** – the policy sets out a full range of criteria to achieve high quality and inclusive design as part of a strategy to achieve an attractive, safe, healthy, accessible and sustainable environment throughout Peterborough.
- 4.35 **The Historic Environment** – the policy sets out a full range of criteria to protect, conserve and enhance the historic environment throughout Peterborough, through the special protection afforded to listed buildings; conservation areas; scheduled ancient monuments; non-scheduled, nationally important archaeological remains; other areas of archaeological potential or importance; buildings of local importance; and areas of historic landscape or parkland.
- 4.36 **Culture, Leisure and Tourism** – the policy encourages the development of new cultural, leisure and tourism facilities, consistent with the strategies from Cultural Services, that will help improve the range of facilities the city has to offer and meet the needs of the population, promoting the image of the city and attracting more visitors.
- 4.37 **Open Space and Green Infrastructure** – the strategy is to ensure Peterborough and its villages are provided with a range of open spaces of all types, including green infrastructure which will deliver benefits for biodiversity as well as places for recreation. A key component of this will be the Green Grid, providing a strategic network of open spaces around the city.
- 4.38 **Landscape Character** – the landscape of Peterborough will be protected and enhanced through the identification of different landscape character areas, coupled with careful control of development in the countryside.
- 4.39 **Biodiversity and Geological Conservation** – considerable emphasis will be placed on protecting and promoting biodiversity throughout Peterborough for the benefits of existing residents and future generations, whilst still enabling substantial new development to meet growth targets.
- 4.40 **Floodrisk** – locations for new development must always take the risks of flooding into account, in accordance with national policy and zones of different floodrisk probability identified through the Level 1 and Level 2 Peterborough Strategic Floodrisk Assessments.

5. CONSULTATION

- 5.1 Consultation on the Preferred Options version of the Core Strategy has been summarised above.
- 5.2 Within the Council, the route of this document is:
- Local Development Framework Scrutiny Group – 7 September 2009
 - Planning & Environmental Protection Committee – 22 September 2009
 - Corporate Management Team – 22 September 2009
 - Cabinet – 12 October 2009
 - Council - 2 December 2009

- 5.3 After the Proposed Submission version has been approved by Council, it will be published and there will be an opportunity for the public to lodge formal representations on the 'soundness' of the document. The document, and any representations made, will be submitted to the Secretary of State, who will arrange for a public examination by an independent inspector from the Planning Inspectorate.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that Committee will offer any comments on the draft document. These will be presented to Cabinet, which will take them into account in reaching a decision on recommending the Core Strategy (Proposed Submission version) to Council.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Committee is recommended to make its comments known to assist Cabinet in reaching its decision. Cabinet will be recommended to approve the Core Strategy (Proposed Submission version) because production of the Core Strategy is a statutory requirement.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The alternative options of not producing a Core Strategy or not consulting proceeding to the Proposed Submission stage were rejected, as the Council would not be fulfilling its statutory requirement.

9. IMPLICATIONS

- 9.1 The Core Strategy will have implications for all sectors of society and all wards and parishes of the local authority area. The process of sustainability appraisal, based on social, economic and environmental criteria, ensures that all potential implications are taken into account in a systematic way.
- 9.2 Legal Implications: The Council would be in breach of planning legislation if it did not comply with the new provisions.
- 9.3 Financial Implications: There are no immediate financial implications flowing from the approval of the Core Strategy (Proposed Submission). The detailed financial implications of the growth described will be assessed as individual schemes develop, and these will be incorporated into the Council's Capital and Revenue financial planning processes.

10. BACKGROUND DOCUMENTS

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

All comments submitted in response to the Peterborough Core Strategy Preferred Options consultation, available on the Council's website.

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| PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE | AGENDA ITEM No. 7 |
| 22 SEPTEMBER 2009 | PUBLIC REPORT |

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|--------------------------------|--|----------------------------|
| Cabinet Member(s) responsible: | Councillor Peter Hiller - Cabinet Member for Neighbourhoods, Housing and Community Development Councillor Piers Croft - Cabinet Member for Strategic Planning, Growth and Human Resources | |
| Contact Officer(s): | Susan Marsh, Minerals & Waste Planning Officer, Planning Services Steve Winstanley, Team Leader (Research), Strategic Growth & Development Service | Tel: 863851 Tel: 863733 |

CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS – SUBMISSION PLAN

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| <p>RECOMMENDATIONS</p> <p><i>That the Planning and Environmental Protection Committee:</i></p> <ol style="list-style-type: none"> 1. indicate to the Cabinet any views on the proposals in the Cambridgeshire and Peterborough Minerals and Waste Submission Stage Development Plan Documents, 2. indicate to the Cabinet any views on the Supplementary Planning Documents 'Location and Design of Waste Management Facilities' and 'RECAP Waste Management Design Guide', 3. recommend to Cabinet that the Core Strategy and Site Specific Proposals Development Plan Documents be endorsed for Pre-Submission consultation in February / March 2010 and Submission to the Secretary of State in July 2010 4. recommend to Cabinet that the Supplementary Planning Documents be endorsed for public consultation in February /March 2010 |
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1.0 PURPOSE OF PLAN

- 1.1 The Minerals and Waste Plan will set the framework for all minerals and waste development up to 2026 in both Cambridgeshire and Peterborough.
- 1.2 The Plan will allocate sites to ensure that adequate provision is made for the sustainable delivery of minerals needed to supply the growth agenda up to 2026.
- 1.3 The Plan will also ensure that the waste generated from existing and proposed new developments is managed in a sustainable way through a network of modern waste management facilities to secure a major change in the way we manage our waste. The Plan makes provision for a range of suitable sites for the development of an appropriate number of waste management facilities in the period up to 2026.

2.0 BACKGROUND

- 2.1 Peterborough City Council and Cambridgeshire County Council are jointly preparing The Minerals and Waste Plan which, when adopted, will replace the existing Cambridgeshire Aggregates Local Plan and the Cambridgeshire and Peterborough Waste Local Plan.

- 2.2 The preparation of the new Plan has involved significant public consultation at the following stages:
- Issues and Options (June 2005 and January 2006)
 - Preferred Options (November 2006 and October 2008)
 - Additional proposed sites (early 2009)
- 2.3 Representations received through the public consultation have been taken into account as the Plan has progressed. The Plan has now reached the submission stage as, after it has been subject to a further round of consultation, it will be submitted to the Secretary of State for approval. Arrangements for a hearing into the Plan are then triggered.
- 2.4 Once the Plan is submitted the opportunity for the Councils to make changes is limited to minor changes which can be proposed prior to the examination. The Council is, therefore, effectively endorsing the Submission Plan as the one which it seeks to adopt and implement. Following the hearing only the Inspector can make changes to the Plan, which will be done through changes proposed in the report he publishes, having tested the Plan for soundness through the examination process. The Plan will then be adopted by the Councils.
- 2.5 The Minerals and Waste Plan comprises:
- **Core Strategy:** a document setting out the strategic vision and objectives, and including a suite of development control policies to guide minerals and waste development
 - **Site Specific Proposals:** Document setting out site specific proposals for mineral and waste development and supporting site specific policies
- 2.6 Three Draft **Supplementary Planning Documents** (SPD's) have also been prepared:
- **Location and Design of Waste Management Facilities**
 - **RECAP Waste Management Design Guide**
 - **Block Fen/Langwood Fen, Mepal Master Plan**
- 2.7 The 'Draft **RECAP Waste Management Design Guide**' SPD will provide advice on the inclusion of facilities for the storage and separation of waste within new housing and commercial development.
- 2.8 The 'Draft **Design and Location of Waste Management Development**' SPD will provide potential developers of waste management development with detailed advice on the design and locational factors influencing the development of a range of waste management development. This is an update of an existing SPD that currently applies to 'major' waste management development which was adopted by the Councils in 2005.
- 2.9 The Draft **Block Fen/Langwood Fen** area is near Cambridge and does not, therefore, fall within the jurisdiction of Peterborough City Council. However, it is an area where mineral extraction (mainly sand and gravel) will be focused and where there will be significant landfill of inert waste. It will therefore make a significant contribution to achieving the objectives of the Minerals and Waste Plan and the SPD sets out in detail the intended phasing and other issues to take into account in the ongoing mineral extraction and landfill operations in the area.
- 2.10 These SPD's will be appended to policies in the Core Strategy and it is intended that they be consulted on at the same time as the pre-submission consultation takes place on the DPD's and are adopted at the same time as the adoption of the Core Strategy document. However, the public and other consultees will be able to comment on all aspects of the draft SPD's and not merely on their soundness – as is the case with the DPD's.

The draft submission stage DPD's and SPD's will be available to view electronically on the Council's website at <http://democracy.peterborough.gov.uk>. Copies have also been placed in the Members Group Rooms.

2.11 Member consideration of the draft Submission Plans and SPD's will take place at the following meetings:

- LDF Scrutiny 7 September
- Planning & Environmental Protection Committee 22 September
- CMT 22 September
- Cabinet 12th October
- Council 2nd December

2.12 A similar process is being followed in parallel by Cambridgeshire County Council.

2.13 A full Council resolution will be sought by both Councils (PCC 2nd December / CCC 13th October) to authorise officers to publish the Development Plan Documents (ie the Core Strategy and Site Specific Proposals Documents) for pre-submission consultation and then for formal submission to the Secretary of State for approval.

2.14 The procedure for the Supplementary Planning Documents is not the same as they are not policy documents. These documents will, however, be consulted on at the same time after being approved by Cabinet, even though they will not be adopted until the Minerals and Waste Core Strategy is adopted.

3.0 MINERALS

Sand and Gravel

3.1 Cambridgeshire and Peterborough are required to provide a minimum of 2.8 million tonnes of sand and gravel per annum throughout the Plan period. To allow some flexibility it is proposed that the Mineral Planning Authorities (MPAs) plan for the provision of 3 million tonnes per annum (mtpa) for sand and gravel. This equates to 60 million tonnes of sand and gravel over the Plan period.

3.2 In order to secure a supply of material across the geographical area of Cambridgeshire and Peterborough, the Plan area is divided into 3 sub-areas which together will supply 3 million tonnes per annum of sand and gravel per annum over the Plan period:

- 0.75 mtpa from the Northern Zone, i.e. Peterborough and north Fenland District
- 0.85 mtpa from the Central / Southern Zone (excluding the Earith / Mepal Area)
- 1.4 mtpa from the Earith / Mepal Zone (from 2010 onwards)

In total, in Cambridgeshire and Peterborough, it is proposed that 45 million tonnes be allocated, 22 million tonnes of which will be worked during the period to 2026.

3.3 The following allocations for sand and gravel extraction are proposed in Peterborough:

- **Maxey Quarry** – southern and eastern extension
- **Pode Hole Quarry** – southern and western extensions
- **Kings Delph, Whittlesey** – southern side of A605 Whittlesey Road. This site is located close to Peterborough to serve its long term growth needs but is predominantly in Cambridgeshire.

Note: Sufficient provision is being made in the Plan area for sand and gravel. In Peterborough this is being achieved by extensions to existing sites.

Limestone

- 3.4 Limestone only exists in a small geographical area to the north-west of Peterborough and is the only 'crushed rock' in the East of England Region. There are sufficient reserves in the existing sites to meet the Regional apportionment for the Plan area of 300,000 tonnes per annum. However, if no further sites are identified this reserve will be exhausted by the end of the Plan period and limestone working in this area will cease unless new sites can be found. The MPA's have not been able to identify any suitable site as allocations for future limestone extraction because of environmental constraints and the need to ensure safe and suitable access. However, circumstances may change over the Plan period, so a criteria based policy has been included in the Plan which would allow a new site to come forward if it meets the tests in the policy.

Note: Limestone is only found in a small area in Peterborough. It has not been possible to identify new allocations (for access and environmental reasons). There is currently sufficient reserves to meet the Regional apportionment but if no further sites are identified then reserves will be exhausted by 2026. Policy provision is, therefore, being made for new sites to come forward provided criteria are met.

There is no change from Preferred Options 2 in that there is no allocation of new sites although at that time it was considered that the regional apportionment of 300,000 tonnes per annum could not be met. A recent re-evaluation of reserves has indicated that there is just sufficient mineral to meet the volumes required up to the end of the Plan period.

Sand and gravel and engineering clay borrow pits

- 3.5 The Plan proposes that the supply for sand and gravel will normally be drawn from permitted or allocated sites, and in the case of engineering clay this is best extracted from existing mineral or landfill sites in preference to new greenfield sites. However, it is recognised that where major infrastructure proposals come forward (such as major road schemes) and there is a source of material in the immediate area borrowpits can be more sustainable option, due to their proximity to the infrastructure scheme and ability to reduce environmental and amenity impacts. The only borrow pits proposed are related to the A14 upgrade due to the exceptional volumes of mineral required and these are all outside the Peterborough area.

Note: There are no borrow pits proposed in Peterborough. This is a change from Preferred Options 2 where a sand and gravel borrow pit was proposed at Middle West Farm, Thorney to serve the improvements works to the A1073. However, these road improvements works are well underway and it is clear that mineral for these works has been sourced from existing sites. The works are likely to be completed in the next 6 months or so and a borrow pit is not required.

Other Minerals

- 3.6 An allocation for brick clay (and also for sand and gravel) is proposed Kings Delph, Whittlesey to secure long-term reserves for the brickworks. Part of this site may fall within Peterborough.
- 3.7 A small allocation for chalk marl is proposed at Barrington Quarry, Barrington in Cambridgeshire.

Note: Whilst there may be a small part of Kings Delph site in Peterborough no other sites are proposed for 'other minerals' in Peterborough. This is the same as Preferred Options 2.

Mineral Safeguarding Areas (MSAs)

- 3.8 Government guidance in Minerals Planning Statement 1 (MPS1) requires the identification of Mineral Safeguarding Areas to ensure that workable mineral deposits are adequately considered in all land-use planning decisions, as they are a finite resource and to ensure that potential resources are not sterilised by other land uses without due consideration. Mineral Safeguarding Areas are required for all minerals including sand and gravel, brick clay, chalk and limestone, and should identify the extent of the resource which is considered to be of current or future economic importance.
- 3.9 The Plan identifies Mineral Safeguarding Areas using information held by the British Geological Society. This has been refined following consultation with the minerals industry (who hold additional geological data), and local planning authorities within and adjoining the Plan area.
- 3.10 Mineral Safeguarding Areas will need to be identified on the Proposals Map of the Peterborough Development Plan. This will ensure that developers and other relevant parties are aware of the presence of economic and potentially workable mineral resources, and that resources are not needlessly sterilised and are taken into account in any major development proposals.
- 3.11 It is important to note that although MSAs are being identified there is no presumption that land within these areas will be worked for the extraction of minerals.

Note: The Mineral Safeguarding Maps (see Site Specific Proposals Appendix D) show the distribution of sand and gravel, limestone and brick clay in the Peterborough area. This has not changed since Preferred Options 2. In Peterborough the MSA's do not include areas that were already allocated in the Peterborough Local Plan (First Replacement) for development although it is likely to be a factor to take into account in the designation of new development areas.

4.0 WASTE MANAGEMENT

Scale of waste arising

- 4.1 Forecasts for the amount of waste to be managed to 2026 are set out below.

| Waste Type | Quantity 2006 (tonnes) | Quantity 2011 (tonnes) | Quantity 2016 (tonnes) | Quantity 2021 (tonnes) | Quantity 2026 (tonnes) | Total quantity managed 2006-2026 |
|-------------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|----------------------------------|
| C&D/Inert Waste | 2,748,000 | 2,833,000 | 2,944,000 | 3,030,000 | 3,111,000 | 61,540,000 |
| Municipal Waste | 433,000 | 513,000 | 541,000 | 570,000 | 598,000 | 11,233,000 |
| Commercial & Industrial Waste | 1,166,000 | 1,326,000 | 1,531,000 | 1,777,000 | 2,053,000 | 32,752,000 |
| Hazardous Waste | 44,000 | 45,000 | 49,000 | 49,000 | 49,000 | 995,000 |
| Agricultural | 328,000 | 243,000 | 181,000 | 181,000 | 181,000 | 4,542,000 |
| Imported non-hazardous for disposal | 484,000 | 308,000 | 166,000 | 166,000 | 166,000 | 5,086,000 |
| Total | 5,203,000 | 5,268,000 | 5,412,000 | 5,773,000 | 6,158,000 | 116,148,000 |

Importation of Waste from London

- 4.2 The Plan has made provision for Cambridgeshire and Peterborough to have sufficient waste management and landfill capacity to enable the disposal of the amount of residual waste from London that has been apportioned through the Regional Spatial Strategy with the amount reducing after 2015. The total amount of 'London waste' over the Plan period is 5.1 million tonnes (out of a total of 116,148,000 tonnes i.e. approx less than 5%). The waste will be pre-treated and will require disposal.

Note: The amount of residual waste to be imported from London that we are required to make provision for disposal has not changed since Preferred Options 2.

Provision of new waste management facilities

- 4.3 After taking into account existing and planned facilities and their capacities (including the Peterborough Renewable Energy Limited energy park proposal), the need for additional waste management facilities required by 2026 has been established for the Plan area. This is based on typical facility sizes and in practice fewer larger facilities or more smaller facilities may be built.

| Indicative Number of Additional Facilities | | | |
|--|----------------------|------------------------|-----------|
| Materials Recycling Facility | In Vessel Composting | Inert Waste Processing | Treatment |
| 12 | 1 | 12 | 0 |

- 4.4 In addition, the waste management authorities in Cambridgeshire and Peterborough as part of their ongoing strategies to manage municipal waste more sustainably, have indicated the need to extend (replacement in some cases) the network of Household Recycling Centres across the Plan Area. In Peterborough, it is intended to develop a modern household recycling facility to replace Dogsthorpe to serve the north and east of the city, with an additional facility to serve the south and west of the city.
- 4.5 The spatial strategy for the provision of new facilities is to secure a network of waste resource and recovery facilities which will take into account existing and allocated sites. In order to help determine the best location for facilities consultants Jacobs were appointed to assist by using their model 'netwaste'. This model bring together the geographical spread of waste arising and the local road network, in order to identify optimum area of search within which facilities should be located. This has been related to detailed site assessments of potential waste management sites, which takes into account a range of constraints and other factors, and allocations have been identified.
- 4.6 In line with government guidance flexibility regarding potential uses will be retained and uses are not prescribed for sites, although a list of suitable options for each sites are given.
- 4.7 A number of allocations have been made for built waste management development in Peterborough:
- **Storeys Bar Road**
 - **Hampton**
 - **Dogsthorpe**
 - **West of Peterborough**

Note: These sites have remained the same since Preferred Options 2. However, the extent of the Storeys Bar Road site has virtually doubled to reflect the current energy park proposal and the boundary of the Dogsthorpe site has been modified as a result of the land take by the A1073 improvement scheme. The 'West of Peterborough' area of search is likely to be progressed through the overall plan for the Great Haddon development.

Location of Household Recycling Centres

- 4.8 The Plan identifies a need for an additional Household Recycling Centre in Peterborough to serve the southern part of the city. The northern part will either continue to be served by Dogsthorpe or by a replacement facility.

Note: The same principles apply as at Preferred Options 2. However, it is anticipated that the household recycling centre to serve the southern part of the city may be accommodated at the 'West of Peterborough' site.

Hazardous Waste

- 4.9 It has been forecast by consultant Jacobs that over the Plan period around 995,000 tonnes of hazardous waste will need to be managed. It is proposed that Cambridgeshire and Peterborough continue to contribute to the management of hazardous waste by making appropriate provision for expansion and replacement of existing facilities.
- 4.10 In terms of hazardous waste that needs disposal to landfill, it is proposed that Cambridgeshire and Peterborough will continue to dispose of its general hazardous waste at the East Northants Resource Facility at Kings Cliffe, Northamptonshire immediately outside the Plan area. No need has been identified for an additional facility of this type in Cambridgeshire and Peterborough.
- 4.11 With regard to stable non-reactive hazardous waste (which is largely accounted for by soils and asbestos) arising from construction and demolition, some additional provision has been identified. This type of waste is disposed of in separate contained landfill cells, so can be accommodated at dedicated sites or can be integrated into an existing site with the capability to accommodate hazardous and non-hazardous waste landfill cells.

To contribute to the management of this waste stream, a site allocation has been made at:

- **Thornhaugh 1 quarry.**

Note: no change from Preferred Options 2

Landfill

- 4.12 Even after recycling there will still be a need for landfill. The forecast need for the Plan period is set out below:

| YEAR | Inert | Non-hazardous |
|------|------------|---------------|
| 2011 | -1,221,000 | 9,173,000 |
| 2016 | -4,296,000 | 6,251,000 |
| 2021 | -7,013,000 | 4,192,000 |
| 2026 | -9,605,000 | 2,124,000 |

- 4.13 **Additional inert landfill** will be required as there is a shortfall of around 9.6 million cubic metres. Allocations for additional inert landfill are, therefore, proposed. In Peterborough these are at:

- **Cross Leys**
- **Thornhaugh 2**
- **Thornhaugh 2 b**
- **Cooks Hole**

- 4.14 With regard to **non-hazardous landfill**, the existing void is forecast to meet the need over the period to 2026. However, in the event that recycling and recovery facilities do not come on stream as fast as anticipated then there may be a small shortfall of non-hazardous landfill at the end of the Plan period. The Plan suggests that if this requirement is demonstrated through the Councils annual monitoring work, new additional non-hazardous landfill capacity should be located in the broad location of the Whittlesey Brickpits, Whittlesey. This area meets the Environment Agency's technical criteria for the location of non-hazardous landfill (Regulatory Guidance Note 3: Groundwater Protection - Locational Aspects of Landfills) and may also offer the opportunity to sustainably transport waste by rail.
- 4.15 The Plan also proposes that exceptionally some small scale proposals may be considered favourably where it is demonstrated that supplementary landfill engineering is required in order to address land stability and / or to address existing or potential pollution of the environment involving supplementary landfill.

Note: There is a change in the way that waste disposal requirements have been calculated since Preferred Options 2 as previously there was a mix of two scenarios going forward because of the different municipal waste solutions selected by Cambridgeshire and Peterborough. These scenarios have been merged and account has also been taken of the possible impact of the PREL energy park on disposal requirements (which has resulted in a reduction in void for non hazardous waste disposal).

5.0 SUSTAINABILITY APPRAISAL

- 5.1 The preparation of the Minerals and Waste Plan is subject to a full Sustainability Appraisal (SA) which has been taken into account in the preparation of the submission stage documents.

6.0 HABITATS REGULATION ASSESSMENT

- 6.1 A Habitats Regulations Assessment (including a full Appropriate Assessment) (HRA) has been carried out on the Minerals and Waste Plan. This work follows on from the initial screening and scoping assessments produced previously, which were published as part of the Preferred Options 2 consultation in 2008. Consultants RPS, who have taken the documents through a full Appropriate Assessment, including an in-combination assessment of the proposals, have carried out this further work. They have assessed the content of the plans to ensure there is no potential impact on the integrity of European Sites (namely those sites classified as Special Protection Areas, Special Areas of Conservation, and Ramsar sites). This has resulted in some minor amendments to the Plan, to ensure that it passes the HRA and does not cause any harm to the integrity of a European site, either alone or in combination with other plans or projects. This work has ensured that Articles 6(3) and (4) of the Habitats Directive are satisfied and meet the requirements set out in part VIA of the UK Habitats Regulations.
- 6.2 In Peterborough sites subject to particular scrutiny have included Pode Hole Quarry, Dogsthorpe and Storeys Bar Road.

Note: Further SA and the HRA has taken place since Preferred Options 2. The sites under most scrutiny in Peterborough include the proposed extensions to Pode Hole Quarry due to proximity to the Nene Washes. Additional hydrological evidence in relation to the Pode Hole proposal has been received and addressed the HRA concern. Pode Hole remains allocated. Also of concern was the number of proposed waste management sites indicated at Preferred Options 2 stage as being suitable for energy from waste uses. The HRA raised concerns about the in-combination effects of additional site proposals beyond those at planning application stage at Storeys Bar Road (PREL) and Fourth Drove, Fengate (PCC waste management proposal). As a result the site proposal at Dogsthorpe no longer makes provision for an energy from waste use. The energy from waste proposal at Kings Dyke Brickpits, Whittlesey would only be acceptable if it can be demonstrated to lead to

improvements in air quality and not lead to an adverse impact on the integrity of the European Sites (Nene Washes).

7.0 CLIMATE CHANGE

- 7.1 The key objectives of the Plan include encouraging operational practices and restoration proposals that will minimise or help to address climate change. In practice this has meant that climate change is incorporated into many of the policies and proposals of the Plan. This includes major proposals such as those in the Earith / Mepal area where more sustainable flood management and large scale habitat creation (which also acts as a carbon sink) is being sought, in association with minerals and waste development.
- 7.2 There is also a new policy specifically relating to Climate Change (Policy CS20 in the Core Strategy), which will require all minerals and waste management proposals to take account of climate changes for the lifetime of the development, by minimising greenhouse gas emissions and by incorporating measures to allow flexibility for future adaptation.

8.0 COMMUNITY INVOLVEMENT

- 8.1 Public consultation on the Minerals and Waste Plan documents will take place in for a six week period in February / March 2010.
- 8.2 The Minerals and Waste **Core Strategy** and **Site Specific Proposals** are termed development plan documents and as such the pre submission consultation must conform to the requirements new Regulation 27 (Town and Country Planning (Local Development) (England) Regulations 2004 as amended). Before a council submits a development plan document to the Secretary of State, it must publish and make available the documents it proposes to submit.
- 8.3 The development plan document is published in order for representations (**relating to issues of soundness**) to be made. These must then be taken into account at the examination. Consultation with various bodies, residents and businesses should have taken place during the plan preparation process, i.e. during the Issues and Options and Preferred Options stages.
- 8.4 The underlying premise should be that the plan is considered sound by the Council at the time it is published.
- 8.5 At the point before the plan is published, a full council resolution will be sought by both Councils to authorise officers to both publish and subsequently submit the development plan document to the Secretary of State. The timetable for this is set out in paragraph 2.11 above.
- 8.6 The three **Supplementary Planning Documents** will be consulted upon at the same time, though persons wishing to make representations on these documents will be not be restricted to making comments solely relating to 'soundness'. The comments on these documents will be used to amend the SPD's where appropriate.
- 8.7 It is intended that these documents will be advertised and then submitted to the Secretary of State to be put forward for approval at the same time as the Minerals and Waste Core Strategy.
- 8.8 Public consultation will conform to the Council's adopted Statement of Community Involvement.

9.0 CONCLUSIONS

- 9.1 The growth agenda over the coming years will place significant demands on Peterborough and Cambridgeshire, both in terms of mineral extraction and the provision of new waste management facilities to deliver sustainable waste management across the Plan area.
- 9.2 Allocations have been made to meet forecast needs for minerals and for waste management development. Inevitably some will give rise to concerns about potential impacts on the environment and local communities. The planning policies and proposals included within the suite of documents which form the Minerals and Waste Plan aim to minimise any adverse effects.
- 9.3 The draft Submission Mineral and Waste Plan will be considered by Members over the coming months, moving towards Full Council on 2nd December when members will be asked to endorse the Plan for public consultation in February / March 2010 and submission to the Secretary of State in July 2010.
- 9.4 Following Submission of the Plan, arrangements will need to be put in place for the Plan to be considered before an independent Planning Inspector. It is anticipated that the hearing for the Minerals and Waste Core Strategy will be held in November 2010, with adoption in June 2011. The hearing into the Site Specific Proposals Plan will then follow.

10. ANTICIPATED OUTCOMES

- 10.1 It is anticipated that the Committee will support the Submission Stage DPD's and advise Cabinet that these documents should be published for pre-submission consultation in February/March 2010. Also the Committee will also accept the content of the two SPD's for public consultation in February/March 2010. This position will be reported to Cabinet on 12th October, following which a Decision Notice will be issued.

11. REASONS FOR RECOMMENDATIONS

- 11.1 To progress the development plan documents in line with the agreed targets and milestones set out in the Peterborough Local Development Scheme 2007-2010. (Revised April 2007).

12. ALTERNATIVE OPTIONS CONSIDERED

- 12.1 The implications of not progressing the documents would be to potentially hinder the planning and delivery of strategic resources required for Peterborough's and Cambridgeshire growth agendas. The Minerals and Waste Plan is vital in ensuring that sufficient construction materials can be made available to support the long term growth agenda in this area; and that sustainable waste management facilities needed to manage the areas waste arisings can be provided for new and existing communities. The Plan covers the period is 2006 to 2026.
- 12.2 The ability to meet the Local Development Scheme targets brings financial benefits to both authorities in the form of Planning Development Grant monies.

13. IMPLICATIONS

- 13.1 The City Council is committed to the production of these documents as indicated in the Peterborough Local Development Scheme 2004-2007, approved by Government Office East in April 2007.
- 13.2 The documents plan for a Peterborough's sustainable future, making provision for minerals used in development and for waste facilities to manage the City's forecast waste growth.

13.3 The financial implications of producing the reports are covered within Service existing budgets.

14. SUPPORTING DOCUMENTS

14.1 Supporting Development Plan Documents from the Preferred Options 2 stage can be found at <http://consult.peterborough.gov.uk/portal>

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