

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 7 FEBRUARY 2012

1.30 PM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

- | | | |
|-----------|--|----------------|
| 1. | Apologies for Absence | |
| 2. | Declarations of Interest | |
| 3. | Members' Declaration of intention to make representations as Ward Councillor | |
| 4. | Minutes of the Meeting held on 10 January 2012 | 1 - 8 |
| 5. | Development Control and Enforcement Matters | |
| 5.1 | 11/01740/FUL - Railworld, Land North of Cubbitt Way, Woodston, Peterborough | 9 - 16 |
| 5.2 | 11/01572/FUL - Land at Former Bretton Woods Community School, Flaxland, Bretton, Peterborough | 17 - 30 |
| 5.3 | 11/01676/FUL - Garages to the Rear of 287 Welland Road, Dogsthorpe, Peterborough | 31 - 46 |
| 5.4 | 11/01752/FUL - Garages to the Rear of 90 Hallfields Lane, Gunthorpe, Peterborough | 47 - 60 |
| 5.5 | 11/02017/OTH - East Northants Resource Management Facility, Kings Cliffe, Northamptonshire | 61 - 72 |



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 as soon as possible.

Committee Members:

Councillors: North (Chairman), Serluca (Vice Chairman), Casey, Hiller, Simons, Stokes, Todd, Lane, Harrington and Martin

Substitutes: Councillors: Winslade, Ash and Shabbir

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – gemma.george@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: 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, Transport and Engineering 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 Town Hall, Peterborough on 10 January 2012

Members Present:

Councillors – North (Chairman), Serluca (Vice Chairman), Casey, Hiller, Simons, Stokes, Todd, Harrington and Ash

Officers Present:

Nick Harding, Group Manager, Development Management
Julie Smith, Highway Control Manager
Carrie Denness, Principal Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Lane and Martin.

Councillor Ash was in attendance as a substitute.

2. Declarations of Interest

5.1 Councillor Harrington declared that he had a personal prejudicial interest in the item.

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

Councillor Harrington declared that he would be making representation as Ward Councillor on item 5.1, Land to the North of the Village Hall, Guntons Road, Newborough, Peterborough.

4. Minutes of the Meetings held on:

4.1 22 November 2011

4.2 6 December 2011

The minutes of the meetings were approved as true and accurate records subject to the following amendment:

The minutes from 6 December 2011, page 20 should read:

RESOLVED: (6 for, 3 against) to refuse the application, as per officer recommendation.

5. Development Control and Enforcement Matters

Councillor Harrington left the meeting.

5.1 11/00885/FUL – Development of 18 dwellings, associated access and parking at land to the north of the Village Hall, Guntons Road, Newborough, Peterborough

The proposal was to construct 18 dwellings, made up of 6 x 4-bed houses, 2 x 3-bed houses, 9 x 2-bed houses and 1 x 2-bed bungalow. The houses would be varying two and two and a half storey, and a mix of detached, semi-detached and terraced. The access road would be directly off Gunton's Road and would run to the south of the existing development on Harris Close. The access into Harris Close would be closed and a connection put in from the new access road. Because of the need to secure this closure of the access, a change to the 'red line' of the application had been made and a further period of neighbour consultation undertaken.

The proposal was a redesign of an original 13 unit scheme and it was noted that the scheme had commenced, the permission had been implemented and as such could not expire. Plots 4-8 and Plot 11 were unchanged from the previously approved scheme. It was also noted that the closure of Harris Close was an integral part of the previously approved development and also of the Harris Close development.

The item had been considered by Members of the Planning and Environmental Protection Committee on 8 November and 6 December 2011. Members had resolved to defer the item at the 8 November Committee in order to consider the financial appraisal submitted to the Local Planning Authority by the Developer. It had also been suggested by Members that discussions should take place between the Parish Council and the Developer regarding giving up some of the garden from Plots 9-11 for use by the Parish Hall. This, it was considered, could be a compromise that could be agreed if it was confirmed that no Section 106 could be reasonably secured. However, no such discussion had been entered into. The matter had been deferred again at the 6 December 2011 meeting. This was as a result of Members careful consideration of the financial appraisal. Members considered that the Developer was in a financial position to make a contribution towards the application site and therefore once again deferred the item to allow Planning Officers the opportunity to discuss this further with the Developer directly.

A meeting had been held between the Head of Planning, Transport and Engineering and the Developer's Agent. At the meeting the Agent had agreed to make a contribution of £15k towards the provision of new or improved community facilities (to be defined in agreement with the Parish Council) within the village. It was proposed that the sum would be payable on first occupation of the 15th dwelling and that any money unspent after 36 months should be returned. The contribution was to be made by the Applicant on the basis of a goodwill gesture to the community, as the submitted financial appraisal had made it clear that the site was not profitable to develop.

The Planning Officer addressed the Committee and gave an overview of the proposal. The recommendation was one of approval.

Councillor David Harrington, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Fundamentally, nothing had changed since the application had originally come before the Committee;
- The proposals did not address the Policies set out in the Core Strategy, nor did it address those guidelines set out in National Planning Policy;

- The Applicant's financial statement, that had been previously presented, had not left the Committee convinced of the proposals viability;
- As Ward Councillor, Councillor Harrington was not completely satisfied with the current offer of £15k;
- The decisions previously made with regards to the S106 contributions were questionable and not in line with Policy. Going forward, decisions of this nature would not be good for the city as a whole;
- It was unfortunate that the Applicant had not contacted the Parish Council to discuss issues further;
- Going forward, if S106 contributions were not be provided then development, especially rural development, would become unsustainable;
- If the potential £90k had been received, it would have gone a long way towards much needed infrastructure and the sustainability of local schools;
- The £15k contribution would go to the Parish Council.

Mr Sam Metson, the Agent, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- It was hoped that the Committee would be happy with the S106 proposals put forward;
- Following discussions, it had been agreed that a contribution of up £15k would be provided to fund a specific infrastructure (or infrastructures) requirement in the village. This was to be identified by the City Council and agreed with the Applicant;
- The provision of the contribution would send the scheme further into the red, however the Applicant was committed to developing the site;
- The viability assessment that had been submitted was robust;
- It was disappointing that the Ward Councillor had still raised concerns at the proposals;
- It was not the responsibility of the Applicant to make up any existing infrastructure deficit in the village of Newborough;
- Permission had been given previously for 13 dwellings on the site and development had commenced, but had since remained stagnant;
- If permission was granted, it would be in the Applicant's best interest to commence development as soon as possible in order to obtain a return on their investment;
- Throughout the process, there had not been a specific infrastructure deficit identified which may prevent the development coming forward.

The Planning Officer addressed the Committee in response to issues raised by the speakers. It was advised that discussions undertaken between Officers and the Applicant had been open and transparent and the financial appraisal that had been submitted by the Applicant had been thoroughly examined by the Council's S106 Officer leading to the conclusion that the development was not economically viable. It had also been identified that the cost of an appeal process, and the delay of a planning decision, would equate to £15k, hence the proposed contribution amount.

It was further advised that, in the Planning Officer's own view, if the Committee were minded not to accept the contribution of £15k, then the offer could be withdrawn completely.

Members discussed the application and concerns were expressed that the development may take up to three years to complete. In this instance, Members questioned whether it would be possible to impose interest on the £15k. The Planning

Officer advised that the imposition of interest would be possible but any additional proposals to those outlined in the application would have to be acceptable with the Applicant.

Members expressed further concern at the lack of S106 monies being proposed for the development and in response the Planning Officer advised that the Applicant had submitted the evidence that had confirmed that the development would not make a positive return and therefore no S106 contribution had been proposed in the first instance. It was for the Committee to consider whether the amount of £15k, which had subsequently been agreed, was acceptable.

After further debate, it was commented that the contribution level was low, however, the overall benefits to the village of the development would outweigh those incurred if the proposal was not accepted. It was further commented that going forward, S106 contributions needed to be more robust. A motion was put forward and seconded to approve the application. The motion was carried by 7 votes, with 1 voting against.

RESOLVED: (7 for, 1 against) to approve the application, as per Officer recommendation, subject to:

1. The conditions numbered C1 to C8 as detailed in the committee report

Reasons for decision:

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

- The site lay within the village of Newborough which was designated as a 'Limited Rural Growth Settlement';
- The scale, density and design of the development were in keeping with the surrounding built form and village setting;
- The site was served with an acceptable access and appropriate parking provision was made within the site
- The proposal would not result in any adverse impact on the amenity of the occupiers of neighbouring dwellings; and
- The proposal made a satisfactory and justified financial contribution towards the provision of new or improved community facilities.

Hence the proposal was in accordance with policies H10, H15, H16, LNE9 and T10 of the Adopted Peterborough Local Plan (First Replacement) 2005, policies CS1, CS2, CS8, CS10, CS14 and CS16 of the Adopted Peterborough Core Strategy DPD 2011 and planning policy statements PPS1, PPS3 and PPS25.

Councillor Harrington re-joined the meeting.

5.2 11/01808/FUL – Change of use from residential to mixed use as a residential and teaching establishment for Arabic and religious instruction on weekdays only (retrospective) at 9 Exeter Road, Millfield, Peterborough

The application sought permission to use part of the dwelling house as a teaching establishment for Arabic and religious instruction on weekdays only. This was a retrospective application as the use commenced in May 2010. The use operated Monday (including Bank Holidays) to Friday providing two sessions between 4.00 pm

and 5.00 pm and 5.30 pm to 6.30 pm. The maximum number of children attending each session would be ten.

The application site contained a two storey detached dwelling which had been extended with a two storey side extension and single storey rear extension. To the rear was an enclosed garden which abutted the rear gardens to properties in Cecil Road and Dogsthorpe Road. The site was close to the entrance of the street on the north side of Exeter Road and the immediate vicinity was comprised of an established residential character comprising predominantly two storey detached and semi detached properties with in curtilage parking provision. There was space to the front of the property for two vehicles to park clear of the public highway.

The Planning Officer addressed the Committee and gave an overview of the proposal. Members were advised that the main issues for consideration were the impact on the character of the area and the residential amenity of the neighbouring properties and the highway implications. The recommendation was one of refusal as it was considered that the nature and scale of the proposal would have a detrimental impact on the predominantly residential character of the area. The proposal would also result in a number of people waiting to pick up and drop off their children, this in turn would cause a highway hazard.

Members were advised that the application followed on from the refusal of a similar scheme where the proposal had been for 15 children to be in attendance at the property at any one time.

Members' attention was drawn to additional information contained within the update report. An additional letter of representation had been received from Councillor Nadeem in support of the application and amended reasons for refusal R1 and R2 were detailed.

The Planning Officer further advised that an additional letter of representation had been received immediately prior to the commencement of the meeting from the occupiers at number 45 Exeter Road. The letter was in support of the application and stated that their daughter attended the school and they travelled to and from on foot, not by car.

Councillor John Shearman, Ward Councillor, addressed the Committee on behalf of the Applicant and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- There had been a great deal of confusion on the part of the Applicant and his wife following the refusal of the first application;
- The application was supported by Councillor Nadeem, Ward Councillor;
- The previous application had failed on a number of grounds, including numbers attending and traffic volumes created;
- At the Applicant's request, and on his behalf, Councillor Shearman had contacted the Planning Department;
- It had been advised by the Planning Department that the application would be more likely to succeed if the numbers attending did not exceed ten at any one time, that there were no additional teachers paid or working on the premises other than the Applicant's wife, that there was a substantial gap in time between the two classes and that the Applicant could establish that the majority of pupils would arrive on foot;

- The application from Mr Ali met all of the requested criteria and a further agreement had been prepared between the parents and the Applicant stating a number of conditions, one of which being that the children would walk to and from the class;
- Parents had tended to drive to and from the class previously, however, since the submission of the new application the parents had agreed to walk to and from the class everyday;
- Councillor Shearman had undertaken two surveys between 3.45pm and 6.30pm on Thursday December 15 and Friday January 6. On both days there were numerous traffic movements logged however on both occasions no cars stopped at 9 Exeter Road to drop off or pick up children;
- It was clear that the Applicant and the parents were honouring the conditions laid down by the Planning Officer;
- Assurances had been given from the Applicant that they would do their utmost to ensure that the conditions laid down in the agreement continued to be adhered to;
- The local residents who had made representation against the application had done so mainly on the grounds of additional traffic levels.

Councillor Pam Kreling, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- Exeter Road was a residential street and should remain so;
- No commercialism should be introduced to the area;
- There was no call for the teaching establishment as the area was already served by a Madrasa, which was located along the same road;
- The Madrasa was open six days a week, including Saturdays, so there were plenty of opportunities for the local children to attend;
- The Madrasa at number 41 already caused multiple problems, including parking and noise issues;
- The proposed teaching establishment would most likely attract people from further afield and therefore they would need to use their cars;
- The Officer who had monitored the location had stated in the report that the majority of children arrived by car;
- The increase in car movements would be unacceptable in the area;
- With the existing Madrasa, the proposal would create a significant adverse impact on the amenity of the occupants of neighbouring properties;
- The proposed use would increase the number of vehicles waiting on the adjacent public highway, this would create a highway safety hazard;
- How could the Applicant be sure that parents would not start driving again if the proposal was approved?

Mr Makhtar Ali, the Applicant, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The proposal was not for a business, it was for a voluntary family run organisation with no fees involved;
- With regards to the traffic, a contract could be drawn up between the Applicant and the Planning Department to ensure that people only travelled on foot ;
- The vast majority of the children would be coming from Exeter Road and a few children from Cecil Road.

The Highways Officer addressed the Committee in response to issues raised by speakers. It was advised that a traffic survey had previously been undertaken and twenty six children had been observed going into the premises, a high number of those had arrived and departed by vehicle.

Members commented that although the education facility was not a commercial facility, it was being run like one and keeping the numbers of children down to ten in perpetuity could prove to be an issue. It was further commented that although parents may start out with good intentions and walk their children to school, this would not be the case once the bad weather set in. It was acknowledged that a vast amount of work had been undertaken by the Applicant and Councillor Shearman to conform to the requirements needed for the approval, however, it was considered that the proposal would ultimately have a significant impact on the amenity of local residents and would see an increase in parking issues, leading to highway hazards. A motion was put forward and seconded to refuse the application. The motion was carried unanimously.

RESOLVED: (Unanimously) to refuse the application, as per officer recommendation and:

1. The reasons R1 and R2 as detailed in the update report.

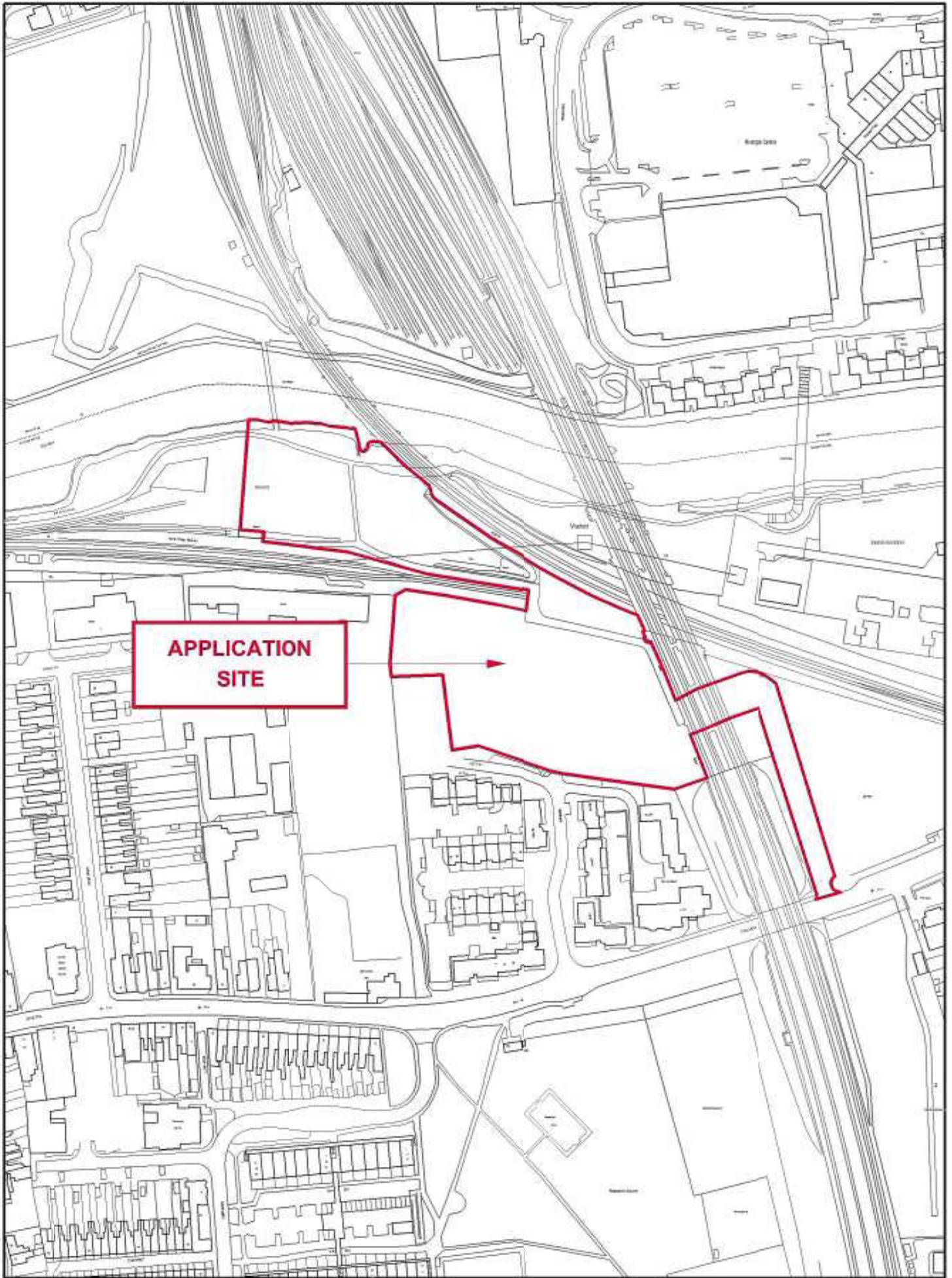
Reasons for decision:

The proposal was considered unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The proposed use of the dwelling for teaching/religious instruction would materially change the residential character of the immediate area, particularly when taken with the existing Madrasa in Exeter Road, and would have a significant adverse impact on the amenity of the occupiers of neighbouring properties; and
- The proposed use would result in an increased number of vehicles waiting on the adjacent public highway which would impede the free flow of vehicular traffic to the detriment of users of the public highway and create a highway safety hazard.

13.30 – 15.07
Chairman

This page is intentionally left blank



S106 AGREEMENT

Scale Date 23/1/2012 Name AH Department Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

11/01740/FUL: USE OF CAR PARK FOR CAR BOOT MARKET AT RAILWORLD EXHIBITION CENTRE CAR PARK AT LAND NORTH OF CUBITT WAY, WOODSTON, PETERBOROUGH

VALID: 16 NOVEMBER 2011

APPLICANT: RAILWORLD

AGENT: BIDWELLS

REFERRED BY: HEAD OF PLANNING, TRANSPORT & ENGINEERING SERVICES

REASON: IN VIEW OF NEIGHBOURS CONCERNS

DEPARTURE: NO

CASE OFFICER: AMANDA MCSHERRY

TELEPHONE: 01733 454416

E-MAIL: amanda.mcsherry@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact on neighbouring sites
- Access to the site and highway issues
- Impact on the Public Right of Way

The Head Planning, Transport and Engineering 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 relevant policies are listed below with the key policies highlighted.

Peterborough Core Strategy DPD (2011)

CS14 Transport: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a danger to highways safety.

Peterborough Local Plan (First Replacement) 2005

Policy T2 Development affecting footpaths and public rights of way: Planning permission will only be granted for development that affects a footpath or public right of way if the route is satisfactorily incorporated into the development or diverted.

Material Planning Considerations

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

National Planning Policies

National Planning Policy Framework (NPPF) Consultation Draft (2011)

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (2005)

Supplement to Planning Policy Statement 1 (PPS1): Planning and Climate Change (2007)

Planning Policy Guidance 13 (PPG13): Transport (2011)

3 DESCRIPTION OF PROPOSAL

This application originally sought full planning permission for the use of the Railworld exhibition car parks (Land north of Cubitt Way, approximately 1.998ha/4.94 acres) for car boot sales on Thursdays 5pm – 9pm (April to September) and Sundays and Bank Holidays 6am – 4pm (all year round).

However, following consultation feedback the proposal has been amended. The amendments proposed are:-

- The revised opening hours are 7.30am – 4pm Sundays and Bank Holidays, with opening to public at 9am (all year round), and Thursdays 4pm – 9pm, with opening to public at 5pm (April to September)
- The means of access to the site from Oundle Road via the Railway arches only, apart from high sided trading vehicles which are unable to pass under the railway arches.
- The introduction of buffer zones within the site where no activities will take place on the southern and western boundaries, which are adjacent to residential sites
- The marking out of the Public Right of Way route on site, to ensure it remains unobstructed and available for use when markets are being held
- No pedestrian access to the site from Cubitt Way when markets are taking place.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is accessed from Oundle Road through the adjacent public car park and under the railway viaduct. It comprises a large piece of open land, West Fair Meadow, which is a fair ground and car park, and also the smaller car park area adjacent to the railworld exhibition centre. The site is located to the east of the Pleasure Fair Meadow public car park and the Railway viaduct. It is positioned to the north of the residential apartments in Cubitt Way. There is a public right of way that runs east to west through the site. There is also an access on the southern boundary of the site which gives access on to Cubitt Way.

5 PLANNING HISTORY

No recent relevant planning history.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Transport and Engineering – No objection – The principle of car boot sales on this site is acceptable provided vehicles connected with the car boot sale do not enter or leave the site via Cubitt Way. All vehicles must use the existing access to Pleasure Fair car park.

Rights of Way Officer - No objection – The public right of way must remain open and free of obstruction at all times. The proposal to provide a 2m wide corridor of cones at 25m intervals across the site is acceptable.

Conservation Officer - No objection – The proposal does not directly affect the Railway viaduct heritage asset. Each of the arches currently used has steel barriers to restrict access by high sided vehicles thereby eliminating the risk of collision.

EXTERNAL

Police Architectural Liaison Officer – No objection – This may even be considered a benefit to the site to attract people to an isolated site, which due to its remote location has historically suffered with

problems of anti-social behaviour. There appears to be sufficient car parking, however if this site and the POSH ground were to hold car boot sales at the same time there may be a conflict.

NEIGHBOURS

A petition has been received with 30 signatures raising objection on the grounds of:-

- Dirt and litter left behind
- Smell and litter from mobile food operators
- Noise
- If planning permission is granted this could lead to further activities
- Hundreds of cars will come in and out of Cubitt Way, which will restrict access for residents, as it does on match days.
- Parking will be restricted for our visitors

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

- Noise and disturbance for adjacent residents unacceptable particularly early in the morning
- Litter
- There is a lack of refuse bins on the site, and regular cleaning/maintenance of the area
- The site is already populated by rats, this will make it worse
- Crime and security problems
- Youths congregate
- Smells nuisance from food outlets
- Loss of privacy for windows facing the site. Residents will be prevented from sitting out and enjoying their balcony spaces when the car boot is taking place
- Cubitt Way is not a suitable vehicular access for this type of use, particularly as resident's park along it narrowing the carriageway, making it difficult for two vehicles to pass. There is only one car parking space per flat in the development, so those with two cars have to park on the road.
- Parking problems on Cubitt Way
- People may park on residential streets to avoid car parking charges
- Dangerous junction
- Extra Traffic
- Turning problems
- Unacceptable size/scale
- Inadequate consultation
- Intensified use
- Opening hours
- Residents already suffer from problems with access and parking when the car park is used in association with football matches
- Reduce property values
- Emergency services access inhibited for residents of Cubitt Way if this is the main access to car boot development
- Fire hazard
- Needs a health and safety risk assessment
- The site is currently a natural habitat for rabbits, the noise, litter and dirt will change this
- No details of layout of stalls
- The management of traffic flows to and from the car park when it is used on match days is extremely poor causing residents to be stuck for 30mins while trying to access or leave their properties by car.
- Contrary to Core Strategy and other policies
- The site is unsuitable for this use
- There is a covenant on Cubitt Way that allows access only for residents and vehicular access to the adjacent land in connection with the Pleasure Fair only. Therefore Cubitt Way should not be being used for football match traffic or car boot sales.

A petition of support has been received from the applicant with 90 signatures from traders and shoppers of the existing car boot.

COUNCILLORS

No comments received

7 REASONING

a) Introduction

The purpose of this planning application is to enable the continuity of the long standing car boot sale which is held in the grounds of the Peterborough United football stadium every Sunday morning. It will need to relocate from this site on commencement of the redevelopment and replacement of the Moy's End football Stand. The car boot at the football stadium currently has a temporary planning consent until 31st Dec 2012, or until commencement of the new football stand whichever is the earliest.

b) The impact on neighbouring sites

The application site covers a large area of ground and is bounded to the south and west by residential apartments. The occupiers of these residential properties have raised concerns particularly in respect of the impact of early morning noise and disturbance and the impact of traffic using Cubitt Way on their residential amenity.

Cubitt Way is not to be used by vehicles, other than trading vehicles which would be too tall to pass under the railway arches, and the pedestrian access route will be closed during the car boot markets. This is recommended to be a condition of any given planning consent, therefore the concerns about disturbance from vehicles/pedestrians using this route have been overcome.

The applicant has, similar to the planning permission at the football ground, agreed to impose a buffer zone of 10m on the southern boundary of the site and 20m on the western boundary of the site in which no activities will take place to minimise the impact of activity on adjacent residents.

The early morning set up times and opening to the public and the potential to generate noise and disturbance for the amenity of residents was recognised. It is therefore suggested that to overcome these concerns that the proposed hours be amended from those originally applied for to the set up time for traders from 7.30am on Sundays/Bank Holidays with the public arriving from 9am. The proposed hours on Thursdays of 5pm to 9pm April to September are considered acceptable.

It is considered that the prevention of use of Cubitt Way and the reduced opening hours would address Officers concerns about the potential harmful impact on the amenity of adjacent residents to that of an acceptable level.

In terms of noise and smells, our Pollution Control Officers do not consider the relationship between the proposed car boot sales and the neighbouring residential property to be unacceptable in these respects. The applicant has indicated that the layout of stalls on site will be arranged to minimise as far as possible the impact on neighbours, with the northern part of the site being utilised in the main, moving progressively southwards as required. It is therefore proposed that any hot food outlets would be positioned in the car park area beside the exhibition centre building, therefore not adversely impacting on residents.

The affect on property values is not a material planning consideration that can be taken into consideration in the determination of this planning application.

It is therefore considered that the proposed development could co-exist with the adjacent residential properties without unacceptably impacting upon their residential amenity.

c) Access to the site and highway issues

The main vehicular access to the site will be through the railway viaduct between Pleasure Fair Meadow and West Far Meadow. The Local Highway Authority raises no objections provided the vehicle access for all vehicles is through the viaduct from the adjacent public car park and not through Cubitt Way, other than high sided trading vehicles which due to their height are unable to pass through the railway arches.

The main pedestrian access to the site will be through the railway viaduct between Pleasure Fair Meadow and West Far Meadow. The informal pedestrian access over Railworld's private land between Cubitt Way and Railworld Walk will be closed during the hours of the car boot.

It is considered that there would be sufficient car parking provision for visitors to the site in the adjacent 360 space Pleasure Fair Meadow car park. This car park is conveniently located directly adjacent to the car boot entrance therefore it is anticipated the majority of visitors will choose to park in this car park rather than try to park in surrounding residential areas.

It is therefore considered that the use of the Railworld car parks for car boot sales on Sunday/Bank Holidays and Thursday evenings April to September would not result in any highway safety issues or car parking problems. The proposal is considered to be in accordance with Policy CS14 of the Core Strategy.

d) Impact on the Public Right of Way

There is a public right of way that crosses the application site following an east to west direction. The applicant has agreed that on each market day to mark out the line of the right of way with a 2m corridor, by placing pairs of cones 2m apart at 25m intervals including the nodes marking the changes in direction of the right of way. This will allow anyone wishing to use the right of way to cross over the site to do so without been inhibited by stalls or vehicles. This is considered to be acceptable solution to allow the right of way to remain open free of obstruction for those who wish to pass and re-pass, in accordance with Policy T2 of the Local Plan (First Replacement) 2005.

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:

- It is considered that the use of the site for car boot sales would not unacceptably impact on the amenity of neighbouring properties, provided the hours of operation are restricted, a buffer zone is provided and access is taken through the railway arches and not Cubitt Way.
- It is not considered that there would be any highway safety or car parking issues associated with the proposal. This is in accordance with Policy CS14 of the Core Strategy DPD 2011.
- Subject to the public right of way being unobstructed and marked out with cones during markets, the proposal is considered to be in accordance with Policy T2 of the Peterborough Local Plan (First Replacement) 2005.

9 RECOMMENDATION

The Head Planning, Transport and Engineering Services recommends that this application is APPROVED subject to the following conditions:

C1 The use hereby permitted shall be discontinued on or before 7th August 2013.

Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C2 Vehicle access to the site shall be from Oundle Road via the adjacent public car park and under the railway viaduct. Only high sided trading vehicles that are unable to pass under the railway arches may be permitted to enter and leave the site by the vehicle access from

Cubitt Way. The vehicle access to Cubitt Way shall thereafter be closed and secured to vehicular traffic when the markets are in operation.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C3 The open air market hereby approved shall not operate outside the hours of 07:30 and 16:00 on Sundays and Bank Holiday Mondays when it shall not be open to the public before 09:00 am; and the hours of 16:00 and 21:00 when it shall not be open to the public before 17:00 on Thursdays during the months of April to September only. The market shall not operate on any other days.**

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C4 No refrigerated lorries shall be allowed on site on the days that the market will be operating.**

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C5 No amplified or other music shall be played on the site on market days.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

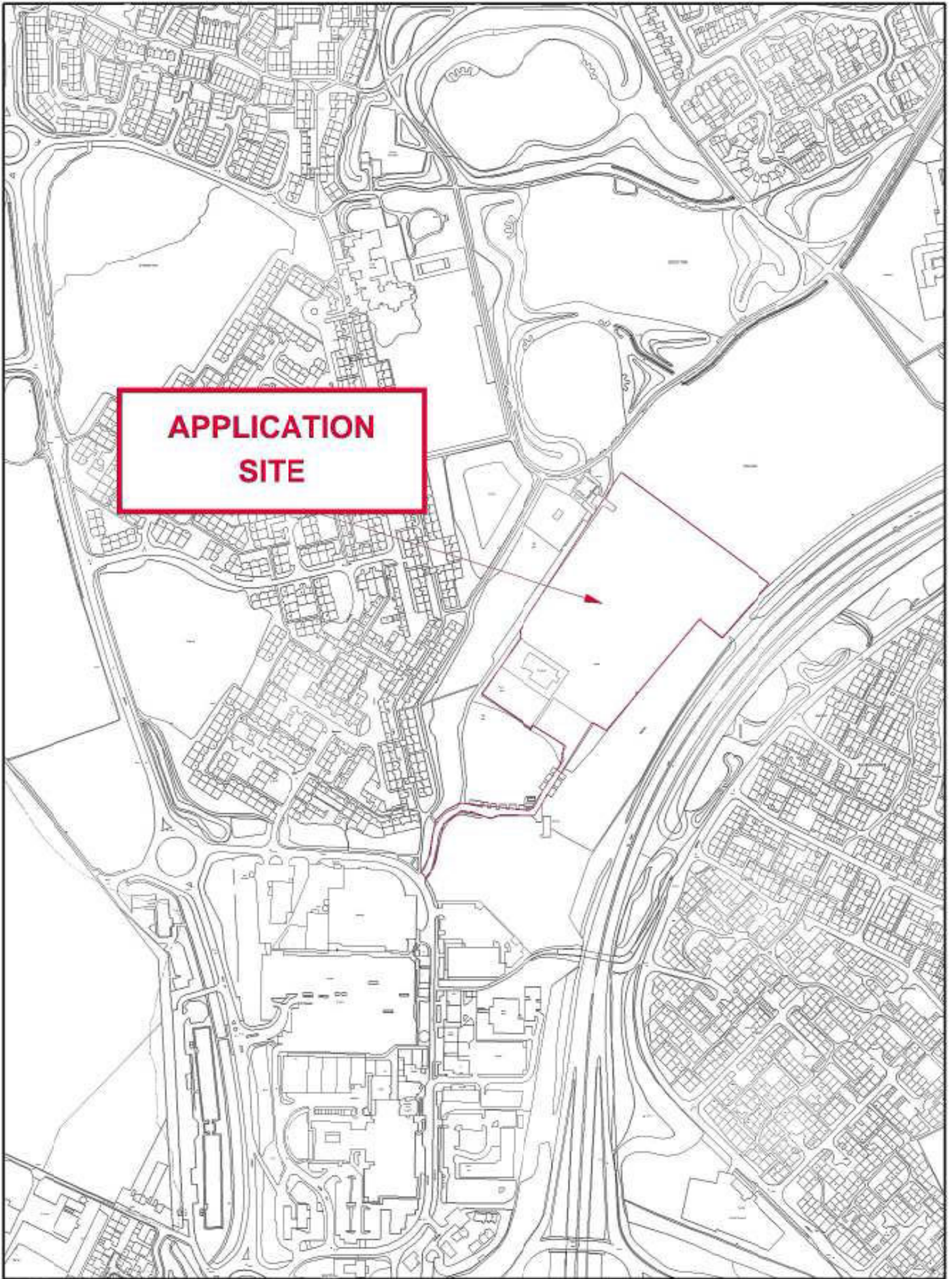
- C6 A plan showing a 20m Buffer Zone on the western boundary and 10m buffer zone on the southern boundary shall be submitted to and agreed in writing with the Local Planning Authority. This buffer zone shall be marked out and set up each week before the market begins. Nothing shall be kept, stored or parked within the buffer zone during the period of market operation. Details of the buffer boundary treatment shall be agreed in writing with the Local Planning Authority within one month of the date of this permission.**

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Saved Policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

- C7 On each market day the Public Right of Way that crosses the site shall be marked out by a 2m wide corridor, by placing pairs of cones 2m apart at maximum 25m intervals including the nodes marking the changes in direction of the right of way.**

Reason: In order to maintain the public right of way in accordance with Saved Policy T2 of the Adopted Peterborough Local Plan (First Replacement).

Copy to Councillors Benton, Lee, Serluca



LOCATION PLAN 11/01572/FUL
Land at Fomer Bretton Woods Community School Flaxland

Scale NTS **Date** 23/1/2012 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236

PCC GIS



This page is intentionally left blank

11/01572/FUL: CONSTRUCTION OF PERMANENT RUGBY CLUBHOUSE WITH CAR PARKING AND TENNIS COURTS TO REPLACE TEMPORARY FACILITIES, LAND AT FORMER BRETTON WOODS COMMUNITY SCHOOL FLAXLAND BRETTON PETERBOROUGH

VALID: 1 NOVEMBER 2011

APPLICANT: MOORE STEEL DEVELOPMENTS ON BEHALF OF MR A MOORE

AGENT: DAVID SHAW

REFERRED BY: CLLR MARTIN AND PARISH COUNCIL

REASON: ACCESS, NOISE, IMPACT ON WOODLAND, PRINCIPLE OF USE OF PARK

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:

- The principle of development
- Highway impacts
- Parking
- Design
- Neighbour amenity
- Landscaping
- Ecology
- Re-instatement of tennis courts

The Head of Planning, Transport and Engineering Services recommends that, subject to it being demonstrated that the necessary junction improvements are deliverable, 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

Peterborough Core Strategy DPD (2011)

CS10- Environment Capital

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

CS14 Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and improve quality of life for people.

CS16 Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS18 Culture, Leisure and Tourism

Development of new cultural, leisure and tourism facilities will be encouraged particularly in the city centre.

CS21 Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

Peterborough Local Plan (First Replacement) (2005)

T8 Connections to the Existing Highway Network

Permission subject to the access being onto a highway whose design/function is appropriate for the level of traffic which would be using it.

T9 Cycle Parking Requirements (Outside the City Centre)

High quality off street cycle parking to be provided in accordance with the identified standards

T10 Car and Cycle Parking Requirements (Outside of the City Centre)

Parking should be provided in accordance with the identified standards.

LNE10 Detailed Elements of Landscape Schemes

A landscaping scheme suitable for the nature of the development should be proposed.

U1 Water Supply, Sewerage Disposal and Surface Water Drainage

Development will only be permitted if adequate capacity or will be provided without detriment to the environment prior to occupation.

Material Planning Considerations

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

National Planning Policies

Planning Policy Statement 1 – Securing Sustainable Development seeks good quality development

Planning Policy Guidance 17 – Planning for Open Space, Sport and Recreation seeks the provision of good quality facilities, and states that floodlighting and other impacts on neighbour amenity should be considered.

Planning Policy Guidance 24 – Planning and Noise. The impact of noise can be a material planning consideration, and conditions can be used to control noisy activities where necessary. Gives technical guidance on noise levels which are likely to be acceptable.

Regional Policy

There are no relevant policies in the Regional Spatial Strategy.

3 DESCRIPTION OF PROPOSAL

The proposal is to redevelop the area currently occupied by the parking, tennis courts and marquee, and incorporate a further 2800sq m or so of adjacent land into the developed area. The proposal includes:

- Provision of 100 car parking spaces as well as 11 disabled parking spaces, parking for 3 coaches and allowance for cycles and motorcycles
- A new, solid construction, club house set slightly further away from the dwellings, to include changing rooms and support offices, a kitchen, bar and function room, and upstairs a further bar area and lounge
- Banked seating along the north elevation of the club house, overlooking the pitches
- Floodlighting around the main pitch (the one closest to the clubhouse)
- A new foul drainage connection
- A small grounds maintenance store
- A new security fence around the site perimeter

- Reinstatement of four tennis courts (these are currently underneath the temporary marquee club house).

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is close to the Bretton Centre, and is accessed from Bretton Way along Flaxland to the north of the Local Centre, and then along a narrow unadopted road which leads to the park, a scout hut, and the former Bretton Woods School site. This access road is about 5.5m wide.

The area used by the rugby club is the southern part of Bretton Park. It is leased out by the City Council (although it is understood that there is currently no lease in place) and has been used by the rugby club for several years. The site currently includes a car park with about 64 spaces, an unused area which is laid out as four tennis courts, and a temporary structure, effectively a large marquee, which is laid out over a further four tennis courts and which is used as a club house and for holding functions. Together these areas cover about 5730 square metres. The pitches are beyond this. The area is immediately adjacent to a County Wildlife Site and the park is surrounded by a wooded area known as Highlees Spinney. There are dwellings within 50m of the site.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
08/01239/FUL	Erection of temporary sports club house including catering, bar and changing facilities	10/06/2009	Consent
10/00835/WCPP	Removal of condition C1 of planning permission 08/01239/FUL dated 09/06/09 - (Erection of temporary sports club house including catering, bar and changing facilities) - to allow for a further year before reinstatement	31/08/2010	Consent
11/00121/FUL	Construction of permanent rugby clubhouse with car parking and tennis courts to replace temporary facilities	24/03/2011	Withdrawn

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Local Highway Authority

No objection, subject to conditions including a requirement to improve the junction of the site access with Flaxland. There is a frequent bus service along Flaxland, and it is considered that the junction should be improved so that coaches could manoeuvre into the access road without encroaching on the opposite lane of Flaxland.

Landscape Officer

No objection. An assessment of the work necessary to install the foul drain is required, as this will run through the tree belt. This, and a Method Statement, have been submitted. These are acceptable and a condition should be imposed requiring that the excavation work through the woodland is carried out in accordance with the Method Statement.

Wildlife Officer

No objection. The results of the bat survey, which show that limited use of the flood lighting will not have any detrimental impact, are accepted. A condition is recommended to control use of the flood lighting so that there will be no detrimental impact on the bats. A condition is also recommended to require that works to the trees are not carried out in the bird nesting season. Bat and bird boxes are recommended as mitigation for the disturbance, and the applicant is encouraged to provide some interpretation material around the County Wildlife Site for public information.

Pollution Team

No objection. There have been noise complaints in the past but none since the applicants re-set their levels and bought new equipment. Conditions recommended in order to control noise, light pollution.

Strategic Property

No objection. Some matters will be controlled through the lease as well as by planning condition, such as provision of the tennis courts and the hours of functions.

The fence line matches the existing and matches the area to be granted under the lease.

The fencing should be appropriately coloured.

EXTERNAL

Parish Council

Concerns on the following grounds, and request that the application be referred to Committee:

- a) The 1.5m path around the edge is insufficient and should be no less than 2m
- b) The boundary fence is shown incorrectly as it is up against the road side when in fact it is at least 2m from the road edge
- c) There is an insufficient detail in the traffic plan to show the effect the traffic would have on a busy match day
- d) The plan does not recognise that the club is surrounded by a Nature Reserve. Highlees Spinney is part of an ancient woodland and the club may wish to mitigate this in the development of the building
- e) The revised plan seems to have reduced the size of the disabled toilets on both floors; they now seem to be smaller and insufficient. The original proposal should be the one that should be agreed to and not the revised plan.
- f) The tennis courts should be made up to the original standard before they can be used.

Highways Agency

No objection, subject to conditions. The information submitted has shown that there will be no detrimental impact on the A47, however conditions are required to control daytime activities which might lead to unacceptable traffic levels, and to secure details of the floodlighting so that it will not cause a hazard to drivers on the A47.

Sport England

No objection. Sport England seeks to ensure that there is no overall loss of sporting facilities, taking into account both the quantity and quality of provision. This proposal satisfies the Sport England policy, as it would provide permanent ancillary facilities to support the playing field use, without adversely affecting the quantity or quality of pitches.

Sport England also pass on comments from the Rugby Football Union (RFU) regarding the internal layout of the building. The RFU has commented that the changing facilities are not in accordance with their normal criteria. (This cannot be used as a planning reason to object to the application; it is purely informative).

Sport England has requested that the tennis courts are made available for use prior to the completion of the club house. The provision of tennis courts will compensate for the loss of tennis courts at the time of the temporary consent.

Natural England

No objection. This proposal does not appear to affect any statutorily protected sites or landscapes or have significant impact on the conservation of soils, not is the proposal EIA development.

Wildlife Trust

No objection. The re-submitted application has considered the impacts on the County Wildlife Site (CWS) in terms of lighting, increased traffic and installation of a drainage pipe. It is however disappointing that the application does not acknowledge the presence of the CWS.

The proposals can be carried out without significant negative impacts on the CWS. However there will be some effect and possible need for future maintenance of the pipeline, and a contribution is suggested towards the ongoing maintenance of the CWS.

The Wildlife Trust would like to ensure that the Rugby Club is aware of the importance of the CWS and its value for wildlife.

Police Architectural Liaison Officer

No objection, however the following should be considered/conditioned:

- a) There is no lighting proposed for the car parking areas. Column lighting (not bollard lighting) should be provided to illuminate the parking areas and access doors.

- b) Details of the cycle stands should be provided to ensure that secure cycle parking provision is made.
- c) This venue may be considered a Crowded Place as far as Counter Terrorism Security Advice is concerned. Site security and control between public and private areas should be provided to a high standard, including management practices to include regular security inspections.

NEIGHBOURS

Representations have been received from one household making the following comments:

- a) Several applications have been received for similar things, deadlines have been missed or applications withdrawn. Will there be an investigation – is the applicant attempting to play the system by continuing use of a temporary premises
- b) The continual use is detrimental to the community as there is a deteriorating noisy scruffy building in a slowly declining site – is this a breach of condition?
- c) Some form of control should be used to ensure construction completion or a penalty for failure to meet the planning deadline, before any favourable decision is made

COUNCILLORS

Cllr Martin has referred the application to Committee and made the following comments:

- a) Narrow access to the site – if the club developed the access would be inadequate for number of people attending. Plans for the redevelopment of the Bretton Woods school site would be compromised by any development increasing traffic.
- b) Local residents have complained about and had problems with noise not just on match days but also when the site is used for social functions. The site is too close to housing to be a permanent fixture.
- c) The site is adjacent to ancient woodland and there have been problems in the form of litter thrown from the site.
- d) The proposed development is not on land that formerly belonged to Bretton Woods School, but is part of Bretton Park that the school was allowed to use for sports. The area remained publicly accessible until it was fenced off by the rugby club for their private use. When Peterborough Development Corporation handed over the parks and green spaces they placed a covenant on all those areas prohibiting any further development taking place. Bretton Park is an important part of our heritage from the PDC and once part of it has been parcelled off the floodgates will be open for further piecemeal development until we have nothing left.

7 REASONING

a) The principle of development

Bretton Park is intended for recreational use, and there is no reason in principle why part of it should not be used for a rugby club. The area would be leased to the rugby club by the City Council, and certain aspects of use would be controlled through the lease.

Comments have been made about the existing but currently unused tennis courts. As part of the development it is proposed to bring these back into use (this could also be secured through the Lease between the Club and PCC); this is supported by Sport England. The Parish Council has commented that the courts should be made up to the original standard.

A condition is recommended requiring that the courts are brought back into public use within a certain period of time, to allow for the temporary building to be removed from site after the Club have moved their equipment and activities into the new building.

The site is within easy reach of the City Cycle network, and the Bretton Centre where there are bus connections to various areas around the City.

The principle of development is in accordance with Policy CS18.

b) Highways Impacts

The site is accessed off Bretton Way, along Flaxland. Flaxland also serves a new Aldi store, and may in due course be the main access to housing development on the Bretton Woods School site.

There is an extant resolution to grant Outline planning consent for up to 150 dwellings on the School site; the land is currently the responsibility of the City Council, Growth and Regeneration team. During the process of the withdrawn application, the Local Highway Authority (LHA) and the Highways Agency requested a Transport Assessment. Information about traffic generation has been submitted, although not a formal Transport Assessment (TA). Following discussion, it has been agreed that a formal TA need not be submitted as this application is materially different as it includes fewer parking spaces. Neither the Highways Agency nor the LHA object on the grounds of capacity.

This assessment is based on travel to and from the site taking place outside peak hours. It is considered that a condition should be imposed restricting non-ancillary events (eg the building could be let out for conferences) during peak hours as no assessment on peak hour traffic impact has been submitted.

The Highways Agency has also expressed a concern about the floodlighting causing glare to drivers on the A47. Due to the presence of the woodland this is unlikely, and the measures necessary to control impact on bats (see section g below) should help to direct light away from the A47.

Tracking plans have been submitted, showing coaches and refuse collection vehicles accessing the site via the access road. There is a pinch point at the junction with Flaxland and the LHA has requested amendments to the junction so that it is wide enough for a coach and a car to pass, and for a coach to manoeuvre round the junction safely. The access road is not within the area that would be leased to the club, but it is understood that they would be granted a right of way over it.

A condition is recommended to secure the junction improvements prior to the new building being brought into use.

The LHA has also requested conditions to control impacts on the highway during construction.

Subject to the conditions set out above, Officers consider that the Highway impacts of the development are acceptable.

c) Vehicle parking

The applicant has stated that cycle parking will be available in the building, but this is not shown on the submitted plans. It is not certain whether satisfactory cycle parking can be provided within the building, and in any case this should only be for staff and home players, as visitors would need cycle parking to be in an obvious, publicly accessible place.

There is sufficient space outside the building for public cycle parking to be provided, and therefore a condition is recommended requiring the provision of suitable parking, in accordance with details to be agreed.

The layout plans show 103 car parking spaces, of which 11 are allocated for disabled parking, with additional adjacent areas which are not shown as laid out for parking but could be used for overspill or informal parking for about 21 vehicles. A landscaping condition is recommended, to ensure suitable landscaping generally, and also treatment of these areas so that they cannot be converted to parking spaces without consideration of the impacts.

Space is set aside for motorcycle parking.

The adopted Local Plan policy does not give a parking standard for this kind of development. The traffic impact assessment has been carried out on the basis of an “unusually busy” scenario generating 111 cars; therefore 103 spaces is not unreasonable. There are also three places marked out for coach parking, as visiting teams will sometimes come by coach.

The plans show two stands, with a total of 370 seats and 12 wheelchair spaces. Two locations for “additional stands” are indicated, however it is considered that should the club expand to the extent that these additional stands are required then the traffic and parking impacts of the expansion should be considered. It is therefore recommended that a condition is imposed to exclude the two indicated additional stands from this consent.

In respect of vehicle parking for rugby matches, the proposal is considered to be in accordance with Policies T9 and T10 of the Local Plan.

The site is currently used for occasional events (eg wedding parties), and it is likely that the new building, as it would offer better facilities, would also be so used. Information has been submitted which shows that the car parking would be adequate for the slightly different travel patterns associated with, for example, an evening wedding party.

Overall, it is considered that the proposed vehicle parking is acceptable and in accordance with Saved Policies T9 and T10 of the Local Plan.

d) Design of the Building

The building would be mainly single storey, with a central two storey element. It would be about 25m long and 15-18m deep. The length of the building would be across the site forming a visual barrier between the car park and the pitch area.

The two storey part would have circulation areas and toilets, with a bar/lounge upstairs and kitchen and bar downstairs. The single storey elements would be the function room on one side and the changing rooms on the other. To the long north elevation of the building would be the stands, which would be about as high as the two storey part of the building (7.5m) with lightweight roofs over them to protect spectators from inclement weather. The sides and rear of the stands, where not against the wall of the building, would be clad

A comment has been made regarding the provision of disabled toilets and lift inside the building, as the submitted plans do not allow for disabled access to the upstairs area. The applicant has commented that equivalent facilities are provided downstairs, but the plans show a bar upstairs with a view over the pitch, and a lounge area, which facilities are not available downstairs. It is common for sports clubs to have hospitality events in areas such as upstairs bars with views over the pitch, and disabled people should not be prevented from accessing this area. Therefore a condition is recommended requiring the provision of a lift, and a disabled toilet upstairs.

Overall the proposal is considered to be in accordance with Policy CS16 of the Core Strategy.

e) Impact on Visual and Residential Amenity

There will be little impact on visual amenity from outside the park, as the park is set within woodland. The design of the building is appropriate and subject to the approval of suitable materials it will not have any detrimental impact on visual amenity.

The banked seating will face north across the park and will be generally visible. Although this is not an intrinsically attractive feature, it is a reasonable addition to the area and will not appear out of place.

The new fence is shown on the plans along the boundary of the area to be leased, as confirmed by Strategic Property, with the exception of a turning head adjacent to the main Park Pavilion (this is not in the area to be leased). It is recommended that a condition is imposed requiring that the fence does not enclose the turning head.

The existing fence line is not all marked by permanent fencing, some of it is marked by temporary fencing which is failing in places close to the woodland. Subject to approval of the fencing and the colour, the new fence is acceptable.

The main impact on residents and users of the park will be noise, both from playing activities and from evening functions.

Noise during matches will be mostly vocal, with shouts from players and spectators. This will not take place at night time, and is not an unreasonable type of noise to have emanating from a park/playing field. The tree belt will help to screen nearby residents from this noise and it is not considered necessary to control this.

The applicant has not stated that a public address system will be used, nevertheless a condition is recommended to control this potential noise source should the club decide to install one.

The most likely source of noise disturbance is use of the function room and bar for evening functions. There is a history of noise complaints from nearby residents. The proposed building, being of solid construction rather than a marquee-type structure, will contain noise much better, but in order to ensure that there is no disturbance to residents some conditions are recommended.

It is recommended that a time restriction is put in place, requiring that the building is not used for functions after 11pm at night. All amplified music and similar equipment should be turned off at this time.

It is recommended that an overall noise limit is imposed. In order that this can more easily be kept to, a further condition is recommended requiring a scheme of noise mitigation – this could include for example air-conditioning, so that windows do not have to be opened to regulate the internal temperature, insulation, and a lobby to provide a noise buffer. Any plant such as air conditioning would make its own noise, but this would be controlled by the overall noise restriction.

A further condition is recommended to secure details of any extraction equipment that might be necessary for the kitchen, to ensure that noise and smells from this source are controlled.

These conditions will ensure that the development is in accordance with the Amenity requirements of Core Strategy Policy CS16.

f) Landscaping

The site is surrounded by Highlees Spinney, and it will be necessary for the new foul drainage connection to be run through the woodland. Information has been submitted to show that this can be carried out by suitable methods to avoid damage to trees. A condition is recommended to require compliance with the Arboricultural Method Statement.

g) Ecology and Impact on the County Wildlife Site

The application does not refer explicitly to the County Wildlife Site (CWS). However there is information submitted regarding the trees and the local wildlife, therefore the impact on the CWS can be assessed.

As the bat population appear to be using the woodland for commuting and foraging, it is concluded that the proposed development (in particular the floodlighting) would not have any detrimental impact on the bats. Use of the floodlighting would not have any detrimental impact on bats if it is restricted to short, early-evening periods in winter when bats are hibernating, however the Club may wish to use the lighting for evening training sessions. In order to control the impact when bats are active, a lighting plan will be required to show that lux levels are controlled to below 2 lux adjacent to the woodland. A condition is recommended to secure these details.

The Wildlife Trust has requested a contribution towards maintenance of the adjacent County Wildlife Site. It is not considered that this can reasonably be imposed on the applicant, however conditions will be imposed to ensure that use of the site, particularly relating to floodlighting and the new foul drain, will not have any unacceptable impact.

The applicant has been approached, following comments from the Wildlife Trust, to see if they would be willing to support some information boards or other similar features. They have indicated that they would, but this is not a planning matter so any agreement will have to take place outside the planning process.

h) Sustainability

The applicant has not submitted any information on how the development will contribute towards the City Council's Environment Capital aspiration. Policy CS10 requires this contribution from developments of more than 100 square metres; the proposed Clubhouse has a floor area of about 1120 sq m. As no site-specific information has been submitted, a condition requiring a 10% improvement in carbon emissions above the requirements of the Building Regulations is recommended.

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:

- a) The principle of having a rugby club on part of the Park is acceptable as it is a use that is compatible with the open space/recreational use of the park
- b) Adequate access and parking can be provided
- c) The design of the building is appropriate to the use and location
- d) Impact on the amenity of nearby residents can be adequately controlled by conditions relating to noise, lighting and hours of use
- e) It has no significant impact on the adjacent County Wildlife Site
- f) There is no significant impact on important trees

The proposal is therefore in accordance with Policies CS14, CS16, CS18 and CS21 of the adopted Peterborough Core Strategy DPD and Saved Policies T8, T9, T10, LNE10 and U1 of the Peterborough Local Plan 2005 (First Replacement).

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to the imposition of 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 Section 91 of the Town and Country Planning Act 1990 (as amended).

- C2 No development shall take place until details of the materials to be used in the external surfaces of the building, the fencing and the stands, have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

- C3 Development shall not begin until details of the improvements to the junction between the proposed access road and the highway (Flaxland) have been submitted to and approved in writing by the Local Planning Authority; and the buildings shall not be brought into use until that junction has been amended in accordance with the approved details.**

The improvements shall include the realignment of the kerb line to provide an over-run area for the coaches, and the relocation of the footpath and cycleway crossing of the access road including the realignment for the routes to access this crossing.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Peterborough Core Strategy and Saved Policies T4 and T8 of the Peterborough Local Plan (First Replacement).

- C4 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 prior to the commencement of the development.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy.

- C5 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy.

- C6 Prior to first occupation of the approved clubhouse, parking for 40 cycles shall be provided in accordance with details to be agreed in writing with the Local Planning Authority.**

Reason: To encourage travel by non-car modes in accordance with Policy T9 of the Peterborough Local Plan 2005.

- C7 Lighting is to be provided to the car park area before occupation of new club house, in accordance with details to be submitted to and agreed in writing by the Local Highway Authority.**

Reason: In the interests of amenity, highway and community safety in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD.

- C8 Prior to first occupation of the approved clubhouse, a lift between the ground and first floors, and a first-floor toilet suitable for use by disabled persons, shall be provided and available for use.**

Reason: In order to ensure equality of access for all persons, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

- C9 The development shall be constructed so that it achieves a Target Emission Ratio of at least 10% better than building regulations at the time of building regulation approval being sought.**
Reason: To support Peterborough City Council's Environment Capital agenda in accordance with Policy CS10 of the Peterborough Core Strategy DPD.
- C10 The approved car parking provision, with associated turning, loading and circulation areas, shall be available for use no later than first occupation of the new clubhouse.**
Reason: In order to ensure that sufficient car parking is available in accordance with Policies T9 and 10 of the Peterborough Local Plan 2005 (First Replacement).
- C11 Prior to the commencement of development, a noise abatement scheme (consisting of physical and management measures) shall be submitted to the Local Planning Authority and approved in writing. Development shall thereafter proceed in accordance with the approved details.**
Reason: To ensure that noise created by activities within the building will be contained within the building, in the interests of the amenities of occupiers of nearby dwellings in accordance with Policy CS16 of the Peterborough Core Strategy DPD.
- C12 All ventilation of steam and cooking fumes to the atmosphere shall be suitably filtered to avoid nuisance from smell, grease or smoke. Details of the nature and location of such filtration equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details before the first occupation of the clubhouse.**
Reason: In order to protect and safeguard the amenity of the area, in accordance with Planning Policy Guidance Notes (PPG23 Planning and Pollution Control and PPG24 Planning and Noise) and Policy CS16 of the Peterborough Core Strategy DPD.
- C13 The existing temporary facilities shall be removed from the site within three months of the first occupation of the new clubhouse.**
Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.
- C14 The tennis courts shall be made good and brought into public use no later than four months after removal of the temporary facilities.**
Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD, and to provide additional sports facilities, in accordance with Policy CS18 of the Peterborough Core Strategy DPD.
- C15 The works within and adjacent to the woodland, as shown on the approved plans, shall be carried out in accordance with the approved Arboricultural Method Statement.**
Reason: To ensure proper planning for tree protection where underground infrastructure is to be installed, in accordance with Policies U1, LNE9 and LNE10 of the Peterborough Local Plan 2005 (First Replacement).
- C16 Prior to first occupation of the new clubhouse, bat boxes and bird boxes shall be provided in locations and in accordance with details to be agreed with the Local Planning Authority.**
Reason: In order to mitigate for the disturbance to wildlife caused by the Development, in accordance with Policy CS21 of the Peterborough Core Strategy DPD.
- C17 Prior to the commencement of development, details of the landscaping of the site, and a timetable for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include planting, signage, hard surfacing materials, measures to prevent parking on areas other than approved parking spaces, boundary treatments and the appearance of the grounds maintenance store.**
Reason: In the interests of the amenity of the area in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.
- C18 The total noise generated from the site shall not exceed these limits:**

The $L_{Aeq,5min}$ level measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{Aeq,5min}$ level measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

The $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD and PPG 24 – Planning and Noise.

C19 No external public address system shall be installed or operated without the written consent of the Local Planning Authority.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD and PPG 24 – Planning and Noise.

C20 No functions shall be held or amplified music be played between 11pm and 7am the next morning.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD and PPG 24 – Planning and Noise.

C21 The site shall not be used for any non-sport related activity during the hours of 7am – 6pm Monday to Friday.

Reason: The traffic assessment submitted with the application did not assess the impact that such activity may have on peak hour flows. Such assessment would be necessary before this activity could take place, in order to ensure that there was no detrimental impact on the Highway network, as required by Policy CS14 of the Peterborough Core Strategy DPD.

C22 The floodlighting shall not be installed until details have been submitted to and agreed in writing by the Local Planning Authority. The details shall include:

Siting and height of the columns

Type and appearance of lamps

Light levels across and adjacent to the site

A management programme including the times of operation of the floodlighting.

The floodlighting shall not be operated other than in accordance with the approved details.

Reason: In the interests of amenity and of protecting the wildlife using the adjacent woodland, in accordance with Policies CS16 and CS21 of the adopted Peterborough Core Strategy DPD; and to ensure that light does not affect users of the adjacent Highway network, in the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

C23 Notwithstanding the approved plans, the additional stands indicated on the plans shall not be constructed and are not approved under this consent.

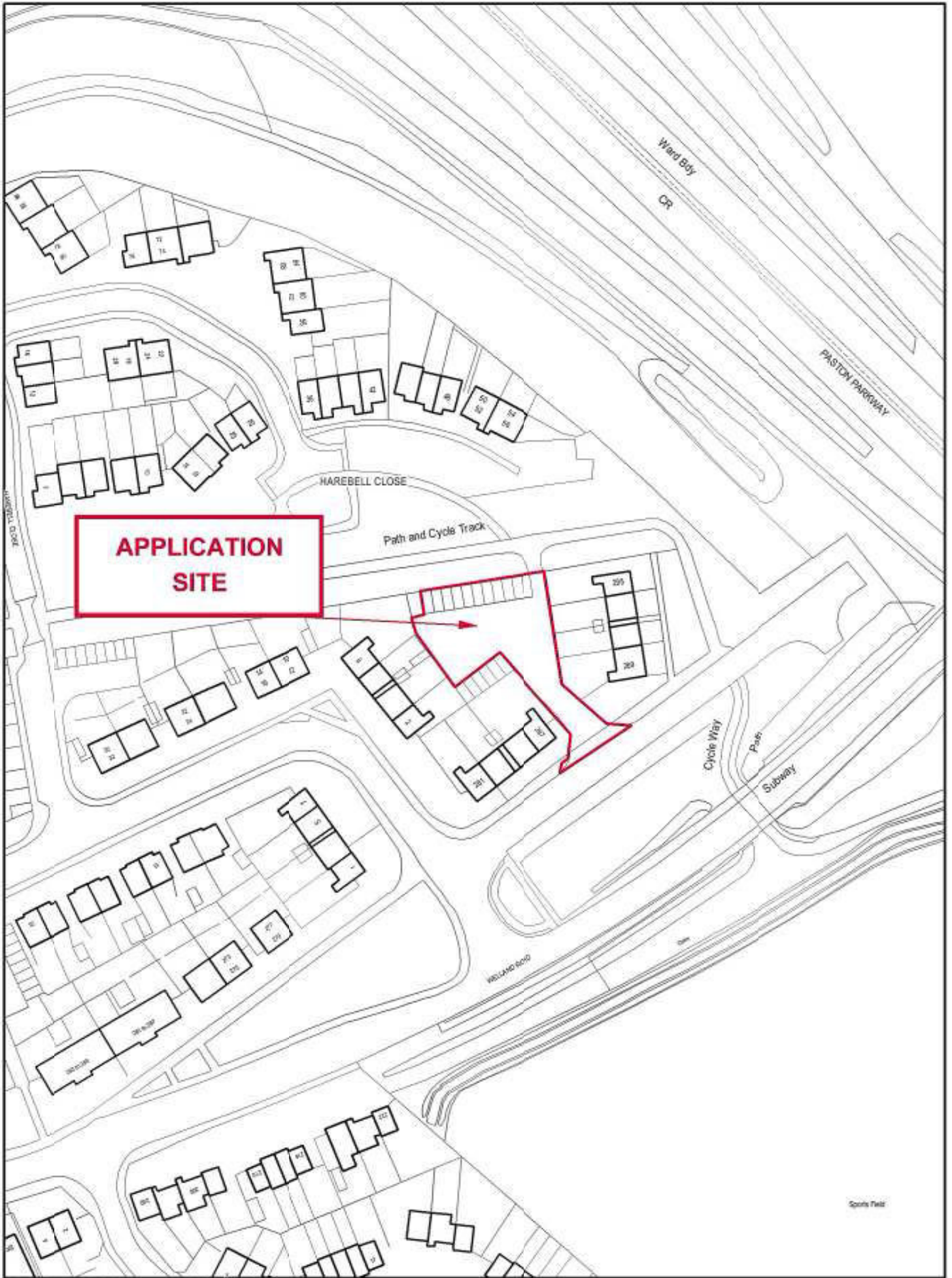
Reason: In order to ensure that, should the club develop to the extent that more than the approved 382 seats are required, the associated traffic and parking impacts can be properly assessed in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

C24 Notwithstanding the approved plans, the boundary fence shall not enclose the turning head adjacent to the main Pavilion building.

Reason: In order that vehicles can turn safely to leave the Park in a forward gear, in the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

Copy to Councillors P Nash MBE, S Martin, W Fitzgerald

This page is intentionally left blank



LOCATION PLAN **11/01676/FUL**
 Garages to the Rear of 287 Welland Road

Scale NTS **Date** 23/1/2012 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236

PCC GIS



This page is intentionally left blank

11/01676/FUL: CONSTRUCTION OF THREE AFFORDABLE DWELLINGS FOR RENT INCLUDING ASSOCIATED EXTERNAL WORKS, PARKING AND ACCESS IMPROVEMENTS AT GARAGES TO REAR OF 287 WELLAND ROAD, DOGSTHORPE

VALID: 22ND NOVEMBER 2011

APPLICANT: CROSS KEYS HOMES

AGENT: THE DESIGN PARTNERSHIP (ELY) LTD

REFERRED BY: CLLR MINERS

REASON: LOCAL OBJECTION

DEPARTURE: NO

CASE OFFICER: MATT THOMSON

TELEPHONE: 01733 453478

E-MAIL: matt.thomson@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development;
- Design and visual amenity;
- Impact to neighbouring residents
- Amenity of future occupiers
- Highway Implications

The Head of Planning, Transport and Engineering 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.

Peterborough Core Strategy DPD (2011)

CS2 Spatial Strategy for the Location of Residential Development: The spatial strategy makes provision for housing growth at a wide variety of places across the local authority area, but with a distinct emphasis on locations within and adjoining the urban area of the city. These are generally the most sustainable and help to maximise the use of previously developed land. The spatial strategy proposes that approximately 4,400 additional dwellings (including 1,634 dwellings already committed) will be provided from the existing built-up area of the city of Peterborough, outside the city and district centres. The figure is based on evidence from capacity work, in particular the Peterborough Strategic Housing Land Availability Assessment. Dwellings will be delivered from mixed-use schemes as well as wholly residential developments. In order to make the most efficient use of land, net residential densities will be expected to average approximately 50 dwellings per hectare, but the Council will seek a range of densities and dwelling types and sizes, in accordance with policy CS8.

CS8 Meeting Housing Needs: The strategy will be to secure a wide choice of high quality new homes that meet the needs of all members of the community, widening the range of property sizes available in response to future needs and demand, providing houses that will help to encourage employees to live locally rather than commute into Peterborough from elsewhere, and supporting the economic development strategy of this Core Strategy. Developers will be encouraged to bring forward proposals for housing which will provide a mix of housing types and size that will meet the identified need for Peterborough in order to secure mixed communities.

CS10 Environmental Capital: All development proposals of one dwelling or more, and other non-dwelling proposals concerning 100 square metres or more, should explicitly demonstrate what contribution the development will make to the Environment Capital agenda over and above that which would be required by the Building Regulations in force at the time, other development plan policies or any other consents as required through regional and national legislation.

CS13 Developer Contributions to Infrastructure Provision: Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge. Subject to arrangements as set out in a separate Planning Obligations Implementation Scheme SPD, contributions received via this standard charge may be assembled into pools at an authority-wide level and to the relevant Neighbourhood Management Area (as described in policy CS6).

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: new development should respond appropriately to the particular character of the site and its surroundings, using innovative design solutions where appropriate; make the most efficient use of land; enhance local distinctiveness through the size and arrangement of development plots, the position, orientation, proportion, scale and massing of buildings and the arrangement of spaces between them; and make use of appropriate materials and architectural features.

Peterborough Local Plan (First Replacement)(2005)

H7 Housing Development on Unallocated Sites: Within the Urban Area residential development on any site not allocated, including by infilling, redevelopment, and change of use of existing buildings, will be permitted where the site is not allocated for any other purpose, is not within a defined Employment Area, is, or will be, well related to existing or proposed services and facilities necessary to meet residential needs, including public transport. Further, development should make efficient use of the site or building in terms of density and layout, it should respect the character of the surrounding area, provide good quality living conditions for residents, be acceptable in terms of highway safety and traffic flow, should not unacceptably constrain development of adjoining land for an allocated or permitted use and should not result in loss of open space of recreational or amenity value or potential.

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

DA11 Security: Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.

LNE9 Landscaping implications of Development Proposals: Planning permission will not be granted for development unless it makes adequate provision as far as is reasonably practicable commensurate with the development proposed, for the retention and protection of trees and other natural features that make a positive contribution to the quality of the local environment, and it makes adequate provision for landscaping of the site as an integral part of the development.

National Policy

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, livable and mixed communities with good access to jobs and key services for all members of the community.

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

Planning Policy Statement (PPS) 3: Housing

Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed' Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

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; and
- 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.

Planning Obligations Implementation Scheme – The Peterborough Planning Obligations Implementation Scheme (POIS) Supplementary Planning Document (SPD) was adopted on 8th February 2010 Prior to adoption, the POIS was the subject of a 6 week public consultation period between March and April 2009. The POIS sets out the Council's approach to the negotiation of planning obligations in association with the grant of planning permission. A planning obligation is a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended).

Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for

appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council's policies: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city's growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured 'wish-lists', instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area's economic performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The late 2009 review adds to the programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from the East of England Development Agency (EEDA) and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such as the emerging City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

3 DESCRIPTION OF PROPOSAL

The Applicant seeks consent to demolish the existing 17 garages in a parking court and erect three two-storey terraced affordable dwellings for rent with associated parking. Also, part of the proposal includes the formation of a rear access to No.8 Furze Ride and the removal of an existing access from the garage court to the East-West footpath that runs along the North of the site. A new 1.8m metal railing fence would be installed along the Northern boundary.

The dwellings stand at 4.8m to eaves and 7.5m to ridge. Each dwelling would have its own dedicated rear garden space, two off street parking spaces, garden shed and bin store.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is a garage court consisting of 17 flat roof garages with metal doors, accessed from the South-East and is surrounded by residential gardens to the East, South and West, with a non-adopted footpath running East-West to the immediate North. The site is covered in hard standing; there are no trees within the site however a number surround the site. The site boundary is formed by a combination of a 2m high brick walling or the rear wall of the garages themselves.

5 PLANNING HISTORY

None relevant

INTERNAL

Landscape Officer – No Objection – The tree assessment concludes that there should be no adverse affect on trees.

Building Control Surveyor – No Objection

Section 106 Officer – No Objection - Recognising the current national funding constraints in relation to the delivery of Affordable Housing and the commitment by Peterborough City Council to deliver Affordable Housing in the adopted Core Strategy, in addition to acknowledging that each proposal is in receipt of between £4,440 - £5,000 Social Housing Grant per person, I recommend that, given the circumstances outlined in the viability submissions, the Council accept that the delivery of the three dwellings will be constrained by viability issues. Accordingly, given the circumstances outlined above I recommend that on this occasion the offer by Cross Keys Homes to make a POIS contribution of £1,000 per dwelling is accepted.

Highways – No Objection – Whilst the access is substandard, it is an existing access that serves 17 garages, therefore recommends conditions with respect to provision and retention of parking, temporary facilities for contractors, Wheel Wash and associated informatives.

Archaeology Services – No objection - The proposed development is unlikely to impact on important archaeological remains.

Police Architectural Liaison Officer - No objection - I would support this application as the potential for future crime on garage sites such as these is high. Supports the omission of the cut through.

Housing Services – No Objections - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed. Although this application is below this threshold, the applicant is a Housing Association and will provide all units as affordable homes.

The Applicant has proposed the tenure of the affordable homes to be rented. Although it has not been specified whether the units will be social rent or affordable rent, they will meet the housing needs of applicants on the Peterborough Housing Register.

The mix of affordable house types which has been proposed (3 x 2 bed houses) is acceptable and does meet housing need as evidenced by the Peterborough Strategic Housing Market Assessment (update 2010).

The applicant has proposed that the units will all meet Lifetime Homes standard, in line with the council's ambition to increase the supply of lifetime homes.

The applicant has proposed that all units will meet the Homes & Communities Agency's quality and design standards and Level 3 of the Code for Sustainable Homes which is acceptable.

EXTERNAL**NEIGHBOURS**

Three letters of objection have been received from neighbours raising the following points;

- Poor access
- Loss of existing local facility
- Parking problems
- Extra traffic
- Trees
- No bin collection point
- Proximity to property

- Overlooks/loss of privacy
- Overshadow/loss of light
- Loss of outlook

The letters of representation were submitted on behalf of the objectors by Cllr Miners and MP Stewart Jackson.

7 REASONING

a) Policy context and the principle of development

The site of application is within the urban area of the city, therefore the principle of development can be considered.

b) Design and Layout

Welland Road and Furze Ride are characterised by semi-detached and terraced dwellings in a linear format set back from the road. The proposal would replicate this layout orientated North-South at an obscure angle to properties on Furze Ride to the East.

Materials proposed are red facing bricks and black interlocking tiles with recessed UPVC windows and bespoke porches; the area is characterised by red brick and brown ridge tiles therefore a condition requesting material samples should be attached.

Solar panels and meter boxes are referred to on the submitted drawings however are not indicated on the submitted plans; a condition requesting details of any external details not indicated on the submitted drawing should also be attached.

There would be limited views of the proposal from Welland Road and Furze Ride; however the proposal would be visible from the footpath to the North. It is considered the scheme would be of an appropriate form, scale and layout consistent with the prevailing context of the area, and is not considered to detract from the character or appearance of the street scene. The proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), PPS1 (2005) and PPS3 (2010).

c) Impact to neighbouring Amenity

The distance between the nearest proposed dwelling and properties on Furze Ride is 18m. A distance of 21 metres is a generally accepted distance in planning between directly facing primary windows. Given that the proposed scheme is set at an angle to Furze Ride the principle windows would not be directly facing, therefore a distance of 18 metres at the proposed angle is accepted. A letter of objection raises issue with overlooking into bathroom windows; as these are not primary windows and given the distances aforementioned the relationship between the proposal and existing properties is accepted.

Letters of objection have raised issue with the proximity of the side elevation of Plot 1 to neighbouring properties in terms of visual amenity and impact of outlook. The distance between Plot 1 and No's 285 and 287 Welland Road would be 14 metres. Whilst it is recognised there will be a loss of view from these properties, a distance of 14 metres is a distance which is widely accepted in planning between primary windows and side elevations with no facing, primary windows. As the first floor side facing window to plot 1 is shown as 'to be obscured', serving a landing, a condition shall be attached ensuring the level of obscurity. It is considered the proposal would not result in a loss of outlook which would demonstrably harm the living conditions of existing occupiers and is accepted.

As the area is already used for the parking of vehicles, noises associated with vehicle movements, such as the starting of engines, doors opening and closing and road noise from traffic movements are not considered to materially harm neighbour amenity. It is considered the proposal would in fact reduce any noise associated from traffic movements by reducing the number of parking spaces from 17 garages to 6 car parking spaces. It should also be noted that the proposal is for a residential development in a residential area to the proposal is a compatible land use.

The proposal is not considered to result in a demonstrable loss of light, privacy or outlook to neighbour occupiers and is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

d) Amenity of future occupiers

Each dwelling will have a dedicated rear amenity space and garden shed, and the dwellings have been designed to accord to Lifetime Homes Standards and Code for Sustainable Homes Level 3, for example this includes the adaptability to install a lift at a later date and minimum room sizes.

Plot 1 will have a garden depth of only 6m at the narrowest point to 9m at its widest. However the garden is 11m wide and is west facing. The Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson) highlights that the trees which surround the site, even at a fully matured height, would not result in a level of overshadowing which would demonstrably harm the living conditions of future occupiers. Further, as the proposed properties are located within a short walking distance to a playing field with a dedicated play area, located due East, the awkward shaped garden to Plot 1 is not considered to adversely impact the amenity of future occupiers.

The proposal is considered to accord with Policy CS8 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) (2005).

e) Highway Safety

Highways have responded with no objections subject to the provision of conditions. The scheme provides 2 off street parking spaces per dwelling with a depth of 6 metres between the edge of parking space and rear wall to No's 289, 291, 293 and 295 Welland Road which would allow safe and sufficient manoeuvrability to allow vehicles to enter and leave the site in a forward gear.

A letter of objection has raised issue with movements of refuse collection and delivery lorries. Any delivery lorries could reasonably reverse into the site given the width of the junction between No. 287 and 289 and it is not a highway requirement to provide turning areas for commercial vehicles in small private drive developments. In the event that Furze Ride turnaround is blocked, the refuse vehicles could turn in the access in the same way it currently does.

A Parking Survey was undertaken Tuesday 27th, Wednesday 28th and Thursday 29th September 2011 at 18:00hrs, 18:30hrs and 14:00hrs respectively. This survey was to establish the intensity of use of the parking court; from the information submitted only 6 garages are rented from Numbers 2, 3, 4, 5, 6 and 7 Furze Ride, 11 others are vacant. It can be argued that the site is underused and appropriate parking could be accommodated on plot to the front of properties on Furze Ride; as some of these properties are owned by Cross Keys Homes, Cross Keys Homes will be responsible for providing alternative parking. There is opportunity for on street parking for existing users without causing a highway safety hazard; Highways have not objected.

A letter of comments from No. 293 Welland Road advises they use a garage. Cross Keys Homes confirmed this is correct and have commented stating 'anyone renting these garages will be notified by means of a notice to Quit, allowing them 7 days to bring the keys back, this is stated in the each garage tenancy'.

The proposed scheme would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies T8, T9 and T10 of the Peterborough Local Plan (First Replacement) (2005).

f) Crime

The Police Architectural Liaison Officer (PALO) has responded with comments, raising concern with the site boundary to Plot 3 advising the step between the 1.2m high railings to 1.8m high close board fence should be angled at 45 degrees to avoid the lower railings being used as a foot hold to jump over the higher fence. Drawing CK-538-PO1 Rev B has been submitted to illustrate this.

The PALO advised the Applicant to close the informal access between the garage court and East-West footpath. This has been incorporated into the scheme and a 1.8m metal railing fence is proposed along the Northern Boundary. By replacing the existing brick wall with railings this will reduce a feeling of enclosure for users on the footpath; the railings provide a sense of depth and openness, and will also increase surveillance of the footpath. Also, by replacing the existing wall with railings reduces potential for graffiti.

A lighting column has been shown as to be incorporated into the scheme. It is considered lighting is required given its secluded location and distance from Welland road; however details shall be conditioned to be agreed with the PALO and Environmental Health Officer to ensure it does not become a nuisance to neighbouring properties.

The scheme is considered to address vulnerability to crime; it will provide improved natural surveillance to public areas and entry points to private property and proposes appropriate landscape design, such as planting in front of ground floor, front windows. The scheme is in accordance with Policy DA11 of the Peterborough Local Plan (First Replacement) (2005).

g) **Trees**

The Landscape Officer has raised no objections based on the submitted Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson)

The Arboricultural Survey identifies that an Oak adjacent to the East-West footpath is the only tree with a good condition; all other trees surrounding the site (Eucalyptus, Ash, Sycamore, Apple & Goat Willow) are either of a reasonable or poor condition due to overzealous maintenance or inappropriate location. The access would be within the Root Protection area (RPA) of an Ash and Sycamore, which are located within the rear gardens of No. 289 and 291, however this is an existing relationship. Plot 3 is located outside the RPA of the Oak (identified as a good specimen) but the new access to No. 8 and railings would be located within less than 1 metre of the trunk of the Oak. The proposed railings are to be erected in the exact same position as the existing garages and their foundations, therefore the development would not demonstrably harm the tree.

A scheme for the protection of trees and mitigation/removal where appropriate forms part of the Arboricultural Survey, therefore as agreed and advised by the Landscape Officer a condition should be attached reflecting the advice in the method statement form part of the pre-commencement works on site.

Letters of objection have raised issue of the foundations with respect to trees, or trees which attach to existing boundary walls; as these trees have not been identified as worthy of protection by a tree preservation order any issues relating to trees would be a civil matter between the Owner and undertaker.

The scheme is considered to accord with Policy LNE9 of the Peterborough Local Plan (First Replacement) (2005).

h) **S106**

The S106 contribution required by the Planning Obligations and Implementations Scheme (POIS) has been agreed by the Applicants. Subject to the granting of Planning Permission a S106 contribution of £3,000 will be sought and a 2% Monitoring Fee of £60 also applies.

A section 106 obligation has been submitted to the Council.

i) **Other Issues**

Crime Figures – Comments received queried why the crime figures did not accompany the submitted application. To confirm the Police Architectural Liaison Officer (PALO) reviews National and Local crime figures which are publicly available as part of the initial research into any such application. The figures do not form the basis of comments received, however provide a recent history of crime in the area.

Joining Existing infrastructure – It is unlikely that the development will cause any significant disruption to utility supplies during construction.

Flood Risk – Reviewing the Environment Agency website the Application site does not fall within a Flood Risk Zone; any drainage system and surface run off will need to accord with percolation tests covered by building regulations at the Building Control process.

Construction Noise and Traffic – As the site is within a residential area a standard condition should be attached outlining hours of construction. Any health and safety aspects would be the responsibility of the undertaker/site foreman.

Boundary Fences – This is a civil matter between the owner and any third party. A note to applicant shall be attached reflecting this.

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 principle of the development on the site is considered acceptable in accordance with Planning Policy Statement 3 and Policy H7 of the Adopted Peterborough Local Plan (First Replacement).
- The development would provide 3 affordable dwellings which will contribute towards the provision and range of housing available to meet housing needs in accordance with Policy CS8 of the Adopted Peterborough Core Strategy DPD.
- The proposed layout would afford the future occupiers with an appropriate level of residential amenity in accordance with Policy H16 of the Adopted Peterborough Local Plan (First Replacement) (2005).
- The development by reason of its design, layout, scale and height would not result in a sufficiently detrimental impact on the residential character of the area or the amenities of the occupiers of existing neighbouring dwellings.
- Sufficient access, parking and turning provision will be provided within the development in accordance with Policy CS14 of the Adopted Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) (2005).

9 RECOMMENDATION

The Head of Planning, Engineering and Transport Services recommends that this application is APPROVED 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 neighbourhood infrastructure needs of the area, the Head of Planning, Transport and Engineering Services be authorised to grant planning permission 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 Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 Notwithstanding the submitted information, prior to the commencement of the development of the buildings hereby approved above foundation level, the following shall be submitted to and approved in writing by the Local Planning Authority:

- 1) Samples of the materials to be used in the construction of the external surfaces of the building (including the finish, colours, specification for windows, canopies, rain water goods etc).**
- 2) Details of the design, location and type of solar panels, air source heat pumps and garden sheds (as indicated on the submitted plans).**

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall thereafter be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C3 The hard landscaping as shown on drawing number CK-0545-P01 Rev B shall be implemented in accordance with the approved details prior to the first occupation of the dwellings.**

Reason: To ensure a satisfactory finish to the development in the interests of visual amenity in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C4 Notwithstanding the submitted information, and within one month of the commencement of development, a scheme of soft landscaping for the site (excluding rear gardens) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the timetable contained within the approved implementation programme.**

The scheme shall include the following details:

- Planting plans including retained trees, species, numbers, size and density of planting;**
- An implementation programme;**
- A landscape management plan including the long term design objectives, management responsibilities and maintenance schedules.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) (2005) and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C5 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced unless otherwise agreed in writing by the Local Planning Authority. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) (2005) and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C6 Notwithstanding the submitted information, and within one month from the commencement of the development all external lighting details including the design of the lighting columns, their locations and LUX levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out on site in accordance with the approved details prior to the first occupation of the part of the site to which they relate.**

Reason: In the interests of residential amenity, highway and community safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

- C7 Notwithstanding the submitted information the development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:**

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives

for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

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

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

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23

- C8** Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with PPS23.

- C9** On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards in accordance with PPS23.

- C10** If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with PPS23 Planning and Pollution Control.

- C11** Prior to the occupation of any dwelling the parking and turning area serving that dwelling, as shown on the approved plan (Site Layout Proposals CK-538-P01 B) shall be laid out and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the residential use of the dwellings.

Reason: In the interest of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD

- C12** Prior to the occupation of the dwellings hereby approved the access road/driveway to the development shall be constructed in accordance with the approved plan ref: CK-538-P01 B and subsequently be retained as such in perpetuity.

Reason: In the interests of highway safety and in accordance with Policy CS14 of the Adopted Peterborough Core Strategy DPD.

- C13** Prior to the commencement of the development hereby approved a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details unless otherwise approved in writing with the Local Planning Authority:

1. Wheel washing facilities capable of cleaning the wheels, body and underside of vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
2. A scheme of working hours for construction and delivery;
3. A noise management plan including a scheme for the monitoring of construction noise;
4. A scheme for the control of dust arising from building and site works;
5. Details of the proposed boundary treatments to be erected to the northern, southern and western site boundaries following the demolition of the garage blocks. These boundaries shall be flanked with a treatment that provides appropriate security and privacy to neighbouring occupiers for the duration of the construction period and prior to the erection of the permanent boundary treatments approved under condition 3 of this planning permission.

The measures agreed and contained within the CMP shall be implemented throughout the construction period.

Reason: In the interests of the amenity of the area and highway safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

- C14** The three dwellings hereby approved shall be Affordable Units in accordance with the definition set out in Annex B of PPS 3.

Reason: In order to secure satisfactory development and in accordance with policy CS8 of the Adopted Peterborough Core Strategy DPD and because if the dwellings were open market units, the viability of the scheme would be such that it could possibly be able to afford a greater S106 contribution in accordance with Policy CS13 of the adopted Peterborough Core Strategy DPD.

- C15** On completion of the dwellings hereby approved but prior to its first use, a final statement, based upon the details in the Design and Access statement submitted in support of this application, confirming how the dwellings achieves an overall energy efficiency of 10% above the Building Regulation Standards against which it has been assessed, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to demonstrate an energy saving in accordance with the requirements of Policy CS10 of the adopted Peterborough Core Strategy DPD.

- C16** Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), planning permission will be required for extensions, outbuildings and dormer windows.

Reason: In order to protect the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C 17** Prior to commencement of development details of a small wheel wash system (i.e. portable pressure washer) to clean the wheels and chassis of construction vehicles

entering and existing the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with those details.

Reason: In the interests of Highway Safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

C 18 The vehicular access to Welland Road hereby approved shall be un gated.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

C 19 Notwithstanding approved plan CK-538-PO1 Rev B hereby approved the first floor side (South) window serving landing to Plot 1 shall be glazed with obscure glass (of not less than level 5 obscurity), and shall be top opening only. A revised plan illustrating the top opening window shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the obscure glazing and windows shall be implemented in accordance with these details and retained in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011)

C 20 Tree protection methods and proposed landscaping works shall be implemented and undertaken in accordance with the submitted Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson).

Reason: To be in accordance with Policy LNE9 of the Peterborough Local Plan (First Replacement) (2005).

Notes to applicant relating to this decision:

- 1 Building Regulation approval is required for this development. For further information contact the Building Control Section on 01733 453422 or email buildingcontrol@peterborough.gov.uk.
- 2 This permission should be read in conjunction with the Planning Obligation under Section 106 of the Town and Country Planning Act 1990 in the form of a unilateral undertaking by Cross Keys Homes Ltd in favour of the City Council of Peterborough dated (TBC) 2012.
- 3 The Council's Environmental & Public Protection Service has powers to control noise and disturbance during building works. Normal and reasonable working hours for building sites are considered to be from 8.00 a.m. to 6.00 p.m. Monday to Friday, from 8.00 a.m. to 1.00 p.m. on Saturday and not at all on Sunday. If any activities take place on the site beyond these times, which give rise to noise audible outside the site, the Council is likely to take action requiring these activities to cease. For further information contact the Environmental and Public Protection Services Division on 01733 453571 or email eppsadmin@peterborough.gov.uk.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 6 If your proposal requires an address, it is imperative that you contact the Highway Infrastructure Group who are the Naming and Numbering Authority for the Peterborough Area. This includes the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.

Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.

Please contact the Technical Support Team Manager, Highway Infrastructure Group on 01733 453461 for details of the procedure or email highwayssection@peterborough.gov.uk.

If the S106 has not been completed within 2 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 a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) which state:

Policy CS12

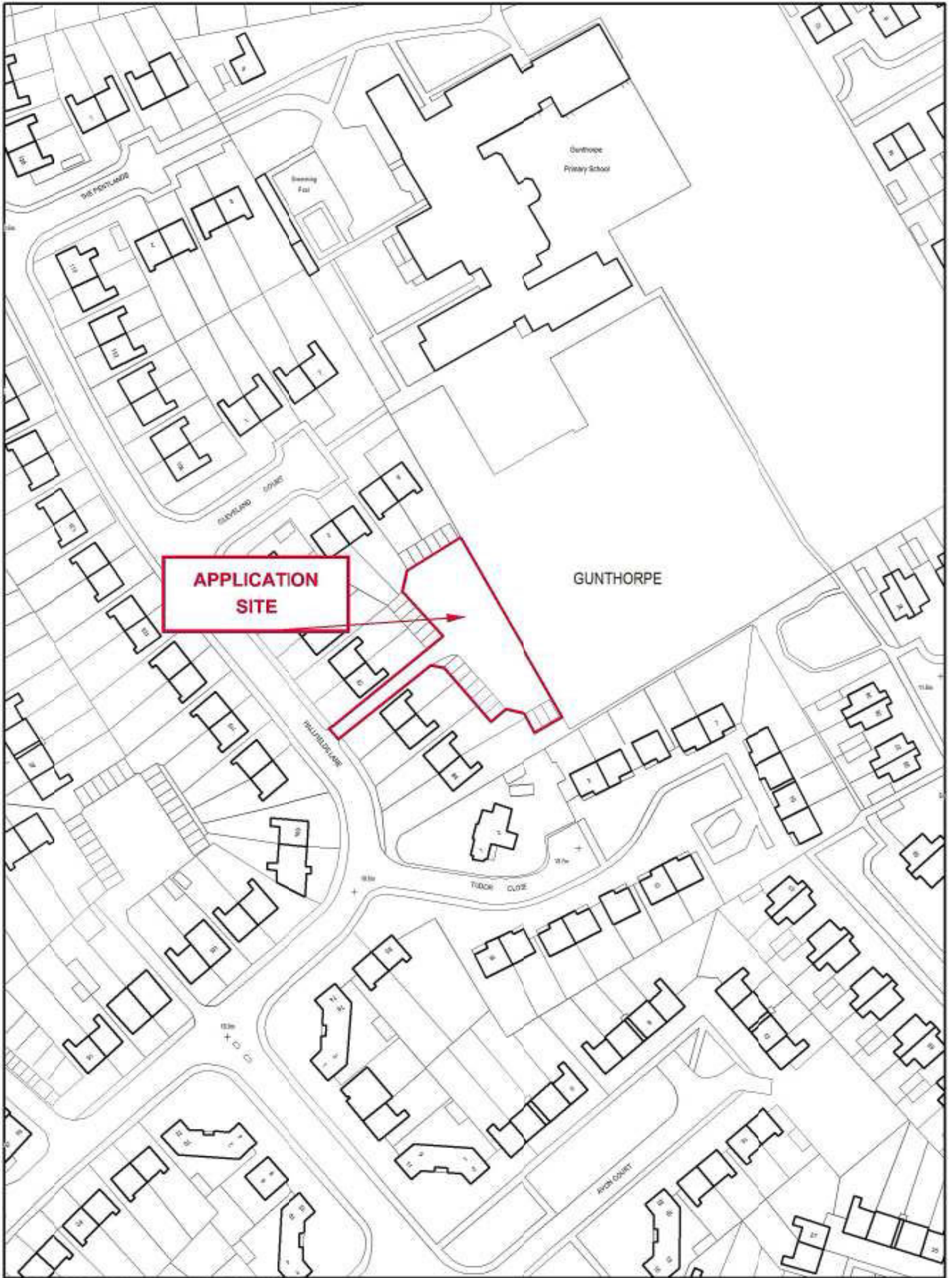
New development should be supported by, and have good access to, infrastructure.

Planning permission will only be granted if it can be demonstrated that there is or will be sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development and mitigate the impact of that development on existing community interests within environmental limits. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle.

Policy CS13

Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge.

Copy to Councillors A J Miners, C M Saltmarsh, C D Ash



LOCATION PLAN 11/01752/FUL
 Garages to the Rear of 90 Hallfields Lane

Scale NTS **Date** 23/1/2012 **Name** AH **Department** Planning Services

© Crown copyright and database right 2011. Ordnance Survey. 100024236.

PCC GIS



This page is intentionally left blank

11/01752/FUL: DEMOLITION OF FOUR BLOCKS OF GARAGES AND CONSTRUCTION OF FOUR AFFORDABLE DWELLINGS FOR RENT INCLUDING ASSOCIATED EXTERNAL WORKS, PARKING AND ACCESS IMPROVEMENTS AT GARAGES TO THE REAR OF 90 HALLFIELDS LANE, GUNTHORPE.

VALID: 22 NOVEMBER 2011

APPLICANT: CROSS KEYS HOMES

AGENT: THE DESIGN PARTNERSHIP (ELY) Ltd.

REFERRED BY: COUCILLOR SIMONS AND COUNCILLOR DAY

REASON: IMPACT OF THE DEVELOPMENT ON NEIGHBOUR AMENITY, INCREASED CONGESTION AND INADEQUATE ACCESS TO ACCOMMODATE FIRE AND RESCUE SERVICES

DEPARTURE: NO

CASE OFFICER: MISS AMANDA McSHERRY

TELEPHONE: 01733-454416

E-MAIL: amanda.mcsherry@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Principle of the development
- Design and impact of the development on the character of the area
- Residential amenity
- Impact of the development on neighbour amenity
- Highway implications
- Other issues

The Head of Planning, Transport and Engineering 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

Peterborough Core Strategy DPD (2011)

CS2- Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 000 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS8- Meeting Housing Needs

Promotes a mix of houses types including the provision of 30% affordable dwellings of which 70% should be social rented and 30% intermediate housing.

CS10 Environment Capital: Development proposals should make a clear contribution to Peterborough's aspirations to become Environment Capital.

CS12 Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

CS13 Development Contributions to Infrastructure Provision

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

CS14 Transport: New development should reduce the need to travel and support sustainable transport modes.

CS16 Urban Design and the Public Realm: New development should respond appropriately to the character of the site and its surroundings.

CS21 Biodiversity and Geological Conservation: Development should seek to conserve, enhance and promote the biodiversity and geological interest of the area.

CS22 Flood Risk: Development should employ sustainable drainage systems (SUDS) to manage surface water run-off where technically feasible and appropriate.

Peterborough Local Plan (First Replacement) (2005)

H7 Housing Development on Unallocated Sites

Residential development on unallocated site will be permitted provided the specified criteria can be met.

H16 Residential Design and Amenity

Permission will only be granted for residential development (including change of use) where adequate amenity for the residential is provided for.

DA6 Tandem, Backland and Piecemeal Development

Permission only if development of an appropriate scale/density, is accessible, would not harm the character of the area, neighbour amenity, would not prejudice wider development.

T9 Cycle Parking Requirements: Development should accord with Local Plan standards.

T10 Car and Motorcycle Parking Requirements: Development should accord with Local Plan standards.

T11 Motorists with Mobility Difficulties: Development should make appropriate provision for motorists with mobility difficulties.

LNE9 Landscaping Implications of Development Proposals: Adequate provision should be made for the retention and protection of trees/other natural features and make provision for new landscaping.

Peterborough Planning Obligations Implementation Scheme SPD (2010)

National Planning Policy

National Planning Policy Framework (NPPF) Consultation Draft (2011)

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development (2005)

Planning Policy Statement 3 (PPS3) Housing (2010)

3 DESCRIPTION OF PROPOSAL

Permission is sought to demolish the existing four blocks of 22 garages located on the site and construct four two storey dwellings. It is proposed that the dwellings are constructed as one pair of two bedroom semi detached dwellings and one pair of three bedroom semi detached dwellings. The dwellings are offered for affordable rent by Cross key Homes.

It is proposed that the dwellings are constructed of brick and tile with a gable roof occupying a footprint of approximately 10.5 m (w) x 8m (l) and rising to a height of approximately 7.9m. Two tandem style on

plot parking spaces are proposed to serve each dwelling. Each dwelling will be provided with an enclosed area of rear amenity space. A bin collection point to serve all four dwellings will be provided adjacent to the north side of the access road.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is presently occupied by four blocks of 22 garages. The site is hard surfaced and level. Existing vehicular access is off Hallfields Lane.

The character to the north, south and west of the site is residential comprising two storey semi detached development of a uniform pattern and scale. Gunthorpe Primary School and associated playing fields are located to the north east of the site.

There is an existing tree located to the south east corner of the site.

5 PLANNING HISTORY

No planning history.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objection to the principle of the development. The site is currently occupied by 22 garages and it is recognised that the proposal for 4 dwellings would not result in the intensification of the use of the site, hence the existing access arrangement is accepted.

It is noted that Enterprise Peterborough has confirmed that on refuse collection days they will enter the site to collect refuse. Due to the lack of on site turning provision the refuse truck will not be able to turn and leave the site in forward gear which will result in the truck reversing back onto the public highway, to the detriment on highway safety. The Local Highway Authority therefore considers that the development is contrary to Policy CS14 of the Adopted Peterborough Core Strategy DPD.

Landscape Officer – No objection. There are no trees on the site or adjacent to the site worthy of Tree Preservation Order.

Archaeology - No objection. The development is unlikely to impact on any archaeological remains of importance.

Pollution Control Team – No objection. Given the previous use of the site recommend conditions requiring further contamination investigation and a proposed remediation scheme (if required).

EXTERNAL

Senior Architectural Liaison Officer – No objection. Crime on this site has been low compared to other similar garage sites however it is recognised that the potential for crime on the site is reasonably high. The proposals address the site's vulnerability to crime.

Waste management – No objection. Provided that the access is a minimum of 3.1 m wide, an indemnity agreement is signed by the applicant and no trees or shrubs are allowed to overhang the access Enterprise will collect waste directly from the site.

Cambridgeshire Fire and Rescue –No objection. Provided that the access is a minimum of 3.1m wide and kept free from obstruction a fire appliance can access the site.

NEIGHBOURS

Letters of objection have been received from 3 local residents raising the following issues:

- Loss of privacy/overlooking of gardens and into bedroom windows.

- Creation of a cramped development located too close to existing dwellings.
- Reduction of light into existing properties.
- Consider that the site would be more suitable for a development of bungalows.
- Increased noise and disturbance from the new residents and during the construction of the development.
- Impact of the development on the security of existing neighbouring dwellings both during and post construction.
- Loss of outlook.
- Poor design of development.

COUNCILLORS

Cllr Simons has objected to the development on the following grounds:

- Impact on the amenities of neighbouring dwellings in terms of overlooking and loss of privacy.
- The impact of extra vehicles to the area would result in increased congestion which is already of concern.
- The extra buildings and vehicles would present Cambridgeshire Fire and Rescue Service with problems as the existing access is inadequate.

Cllr Sue Day has advised that she supports the above concerns.

MEMBERS OF PARLIAMENT

Stewart Jackson MP has objected to the development on the following grounds:

- The development would result in an over intensive use of the site.
- Impact on the amenities of the occupiers of neighbouring dwellings in terms of overlooking and loss of privacy.
- Difficult access/egress into the site, particularly given its location on the bend of a busy residential street.
- The access is inadequate to cater for fire appliances.

7 REASONING

a) Principle of the development

The application site constitutes unallocated brownfield land located within the Urban Area. The proposal is for 4 affordable dwellings (affordable rent) which is in accordance with Policy CS8 of the Adopted Peterborough Core Strategy and will contribute towards the range of properties available to meet housing needs. The development would also bring the site back into productive use and less vulnerable to anti social behaviour and crime.

It is therefore considered that in principle residential development could be supported on the site in accordance with PPS3 and Policy H7 of the Adopted Peterborough Local Plan (First Replacement) 2005 subject to the applicant demonstrating that a suitable design, layout, access and parking provision can be achieved.

b) Design, layout and impact of the development on the character of the area

The application site is located within a residential area, primarily characterised by two storey semi detached properties of a similar design, scale and appearance. It is considered that the design of the proposed dwellings in terms of appearance, scale and height is consistent with the character of the built form within the site vicinity. The development can be accommodated within the site, allowing for sufficient circulation space and separation between the proposed dwellings and existing neighbouring development.

The application site is set approximately 32 metres back from Hallfields Lane. Taking account of the proposed location of the dwellings and the length and width of the access into the site the dwellings would not be visible when viewed from Hallfields Lane. It is not therefore considered that the

development would be out of keeping with the existing built form within the site vicinity or result in a significantly detrimental impact on the character of the area.

It is recommended that a condition requiring the submission of samples for agreement with the Local Planning Authority is imposed on the decision to ensure that a suitable finish to the development is secured.

It is therefore considered that the development is in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD and Policy DA6 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The Police Architectural Liaison Officer has not objected to the development. The proposed internal layout of the properties and the positioning of the dwellings in relation to each other provides a degree of natural surveillance to the proposed car parking areas. The proposed boundary treatments are considered appropriate. It is recommended that a condition is imposed on the decision requiring the submission of a lighting scheme for agreement with the Local Planning Authority. It is therefore considered that the layout proposed has made adequate consideration towards vulnerability to crime and is in therefore in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD.

The applicant has advised that the dwellings will be constructed to meet the Code for Sustainable Homes Level 3. Solar panels and air source heat pumps have been indicated for provision on the submitted plans, the details of which are recommended for agreement via condition. It is also recommended that a condition is imposed on the decision that requires the applicant to demonstrate post construction how the dwellings achieve an overall energy efficiency of 10% above the Building Regulations against which it is being assessed. It is therefore considered that the application has demonstrated due regard to the requirements of Policy CS10 of the Adopted Peterborough Core Strategy.

c) Residential amenity

The proposed dwellings will be provided with rear gardens ranging in depth from approximately 10.8m to 14.5m. Although Plot 4's garden is irregular in shape it is considered that each dwelling will be provided with a sufficient and usable area of rear amenity space.

Sufficient circulation space across the site and separation space between the two pairs of proposed dwellings, and between the existing neighbouring dwellings, has been provided.

It is therefore considered that the layout would provide the future occupiers with an acceptable level of residential amenity in accordance with Policy H16 of the Adopted Peterborough Local Plan (First Replacement) 2005.

d) Impact of the development on neighbour amenity

It is noted that the occupiers of 3 neighbouring dwellings have objected to the development. One of the principle concerns raised is that the dwellings will result in the loss of privacy/overlooking of existing dwellings. Although not adopted Policy the Local Planning Authority usually seeks a direct back to back separation distance of approximately 21m between new development and existing properties.

Approximately 22m separation distance will be provided between the back of plot 1 and the first floor windows contained within the rear elevation of number 6 Cleveland Court and approximately 22.6m between the back of plot 2 and the first floor windows contained within the rear elevation of number 8 Cleveland Court. Given this level of separation it is not considered that the proposed dwellings would result in an unacceptable loss of privacy or overlooking into these windows. It is noted that number 6 Cleveland Court has been extended at ground floor level so the separation distance here has been reduced. However, given that this is single storey development the position of the roof will obscure direct views into any rear windows when viewed from the proposed dwellings and will be further screened by the proposed 2.1m high boundary treatment.

The separation distances between the side of the proposed dwellings and neighbouring dwellings to the west ranges from approximately 16m (between plots 3 and 4 and 88 and 90 Hallfields Lane) to 18.2m (between plots 1 and 2 and numbers 92 and 94 Hallfields Lane). Plots 3 and 4 do not have any first floor

side windows hence will not give rise to any overlooking or loss of privacy. Plot 1 has a first floor landing window. However given that this is not a habitable room the proposed separation distances are acceptable.

The separation distance to the rear of plots 3 and 4 exceeds 28m hence the proposed dwellings will not cause any loss of privacy/overlooking to the existing dwellings to the rear.

The proposed dwellings are well set back from the common boundaries with the existing neighbouring developments and taking account of separation distances will not result in an unacceptable impact on neighbour amenity in terms of overbearing/overshadow or loss of outlook.

It is therefore considered that the development would not result in a significantly detrimental impact on the amenity of the occupiers of existing neighbouring properties. The proposal is therefore in accordance with Policy CS16 of the Adopted Peterborough Local Plan (First Replacement) 2005.

e) Highway Implications

The Local Highways Authority (LHA) has not objected to the development on the grounds of the access, parking or turning provision proposed. The site is presently occupied by 22 garages and it is recognised that the trips data generated by the authorised use is greater than that, that will be generated by the proposed 4 dwellings. The existing access ranges from approximately 3m at the junction with Hallfields Lane to 3.4m at the head of the development site. It is proposed that the access at the head of the junction is widened so that a minimum of 3.1m is provided to ensure that access can be gained by refuse vehicles and fire appliances (see section f below). Therefore whilst the existing access is narrower than would usually be required to serve a new development of this nature the LHA is unable to require this standard given that the development will use the existing access which has been constructed to cater for higher traffic movements.

Two parking spaces and turning areas have been provided to serve each dwelling. It is recognised that the Adopted Peterborough Local Plan Parking Standards only require the provision of one car parking space to serve two bedroom dwellings, however, given the context of the site it is considered that the provision of an extra space to plots 3 and 4 is acceptable as it will prevent the future occupiers from parking on the street.

The applicant has submitted a car parking survey with the application that demonstrates that the site is not presently being used for car parking. Of the 22 garages only 2 are currently rented and it is unclear whether this is for use as a car parking space or general storage. It appears that many of the properties that neighbour the site have either converted their front garden to an on plot parking space or are parking on street. As the garages are not presently being used for car parking it is not considered that the loss of the garages would result in a proliferation of cars being displaced to parking on street in unsafe locations. It is noted that the LHA has not reported problems with on street parking in this location (other than at school drop off/pick up times) or objected to the development on the loss of the existing car parking provision.

The development will not therefore result in any adverse impact on the adjacent highway network and is in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The LHA has objected to the proposal as no on site turning area has been provided for refuse vehicles to turn when collecting waste from the development. However, Enterprise Peterborough (the City Council's waste contractor) has indicated that it would reverse up the access from the highway provided that the access is of a minimum width of 3.1 m. The LHA consider that this manoeuvre is dangerous. The Council's Adopted Waste Policy indicates that bin collection points can be located within the site by a distance of up to 25m from the highway (this being the maximum drag distance allowed). If a bin collection point was provided at 25m distance from the dwellings it would result in the provision of a collection point within the access road. This would not be acceptable as it would reduce the width of the access and result in an obstruction (albeit temporary) in the event that access was required by a fire appliance for example. In addition the waste collection crew have indicated that the store would be set further back within the site then they would be willing to collect on foot, given the number of bins for collection (8 on dual collection days). The only alternative remaining, that would avoid the need for

access into the site by the refuse truck, would be for residents to present their bins direct to the highway on collection days. However, this would result in residents having to pull their bins much further than 25m for collection which is contrary to the Council's Adopted Waste Policy and the Building Regulation requirements. The LHA has also indicated that they would object to the additional bins being placed in the footway on collection days as this would obstruct the footway and in their view result in pedestrians being forced into the highway, to the detriment of highway safety.

There is a clear need for compromise. It is considered that the best solution for the future residents and the waste collection team is if waste is collected directly from the site thereby avoiding any requirement for either the future residents or the collection team to drag the bins further than necessary on collection days. This will also prevent the proliferation of bins being left in unsuitable locations or any subsequent waste management issues. This will however require the refuse vehicle to reverse off the highway in to the access.

f) Other Issues

Waste Collection

A bin collection point has been provided within the application site. Enterprise has confirmed that as the access road will be a minimum of 3.1m wide at the narrowest point they will collect refuse from the site. This is on the basis that the applicant, Cross Key Homes, have agreed to sign a vehicle disclaimer, indemnifying Enterprise from any damage caused as a result of accessing the site to collect refuse. The properties to either side of the access are within Cross Keys Homes ownership and they have also confirmed that they will ensure that no trees or shrubs overhang the access.

Access for Fire Appliances

It is noted that concerns have been raised about the narrow access into the site and whether a fire appliance could access the development if required. Cambridgeshire Fire and Rescue has confirmed that they do not object to the development. Provided that the access is a minimum of 3.1 m wide and with no obstruction they will be able to access the site in an emergency.

S106 Obligation

In accordance with the Planning Obligations Implementation Scheme a S106 Contribution of £4,000 plus monitoring fee towards the neighbourhood infrastructure associated with the development has been agreed with the applicant. The amount has been reduced in light of the economic viability information submitted by the applicant. The applicant has indicated a willingness to complete a Unilateral Undertaking for the sum sought and a draft has been prepared in conjunction with this planning application.

Flood Risk

Reviewing the Environment Agency website the Application site does not fall within a Flood Risk Zone; any drainage system and surface run off will need to accord with percolation tests covered by building regulations at the Building Control process.

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 principle of the development on the site is considered acceptable in accordance with Planning Policy Statement 3 and Policy H7 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- The development will provide 4 affordable dwellings which will contribute towards the provision and range of housing available to meet housing needs in accordance with Policy CS8 of the Adopted Peterborough Core Strategy DPD.
- The proposed layout will afford the future occupiers with an appropriate level of residential amenity in accordance with Policy H16 of the Adopted Peterborough Local Plan (First Replacement) 2005.
- The development by reason of its design, layout, scale and height would not result in a sufficiently detrimental impact on the residential character of the area or the amenities of the occupiers of existing neighbouring dwellings.

-Sufficient access, parking and turning provision will be provided within the development in accordance with Policy CS14 of the Adopted Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED 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 neighbourhood infrastructure needs of the area, the Head of Planning Services be authorised to grant planning permission 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 Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 Notwithstanding the submitted information, prior to the commencement of the development of the buildings hereby approved above foundation level, the following shall be submitted to and approved in writing by the Local Planning Authority:

1) Samples of the materials to be used in the construction of the external surfaces of the building (including the finish, colours, specification for windows, canopies, rain water goods etc).

2) Details of the design, location and type of solar panels and air source heat pumps (as indicated on the submitted plans).

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall thereafter be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C3 The hard landscaping as shown on drawing number CK-0545-P01 Rev B shall be implemented in accordance with the approved details prior to the first occupation of the dwellings.

Reason: To ensure a satisfactory finish to the development in the interests of visual amenity in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C4 Notwithstanding the submitted information, and within one month of the commencement of development, a scheme of soft landscaping for the site (excluding rear gardens) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the timetable contained within the approved implementation programme.

The scheme shall include the following details:

- Planting plans including retained trees, species, numbers, size and density of planting;**
- An implementation programme;**
- A landscape management plan including the long term design objectives, management responsibilities and maintenance schedules.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) 2005 and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C5** Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced unless otherwise agreed in writing by the Local Planning Authority. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) 2005 and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C6** Notwithstanding the submitted information, and within one month from the commencement of the development all external lighting details including the design of the lighting columns, their locations and LUX levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out on site in accordance with the approved details prior to the first occupation of the part of the site to which they relate.

Reason: In the interests of residential amenity, highway and community safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

- C7** Notwithstanding the submitted information the development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

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

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

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

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23

- C8** Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with PPS23.

- C9 On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.**

Reason: To provide verification that the required remediation has been carried out to the required standards in accordance with PPS23.

- C10 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.**

Reason: To ensure all contamination within the site is dealt with in accordance with PPS23 Planning and Pollution Control.

- C11 Prior to the occupation of any dwelling the parking and turning area serving that dwelling, as shown on the approved plan (Site Layout Proposals CK-545-P01 B) shall be laid out and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the residential use of the dwellings.**

Reason: In the interest of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD

- C12 Prior to the occupation of the dwellings hereby approved the access road/driveway to the development shall be constructed in accordance with the approved plan ref: CK-545-P01 B and subsequently be retained as such in perpetuity.**

Reason: In the interests of highway safety and in accordance with Policy CS14 of the Adopted Peterborough Core Strategy DPD.

- C13 Prior to the commencement of the development hereby approved a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details unless otherwise approved in writing with the Local Planning Authority:**

- 1. Wheel washing facilities capable of cleaning the wheels, body and underside of vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;**
- 2. A scheme of working hours for construction and delivery;**
- 3. A noise management plan including a scheme for the monitoring of construction noise;**
- 4. A scheme for the control of dust arising from building and site works;**
- 5. Details of the proposed boundary treatments to be erected to the northern, southern and western site boundaries following the demolition of the garage blocks. These boundaries shall be flanked with a treatment that provides appropriate security and privacy to neighbouring occupiers for the duration of the construction period and prior to the erection of the permanent boundary treatments approved under condition 3 of this planning permission.**

The measures agreed and contained within the CMP shall be implemented throughout the construction period.

Reason: In the interests of the amenity of the area and highway safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

C 14 The "approach" to the principal entrance to the buildings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C15 The four dwellings hereby approved shall be Affordable Units in accordance with the definition set out in Annex B of PPS 3.

Reason: In order to secure satisfactory development and in accordance with policy CS8 of the Adopted Peterborough Core Strategy DPD and because if the dwellings were open market units, the viability of the scheme would be such that it could possibly be able to afford a greater S106 contribution in accordance with Policy CS13 of the adopted Peterborough Core Strategy DPD.

C16 On completion of the dwellings hereby approved but prior to its first use, a final statement, based upon the details in the Design and Access statement submitted in support of this application, confirming how the dwellings achieves an overall energy efficiency of 10% above the Building Regulation Standards against which it has been assessed, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to demonstrate an energy saving in accordance with the requirements of Policy CS10 of the adopted Peterborough Core Strategy DPD.

Notes to applicant relating to this decision:

- 1 Building Regulation approval is required for this development. For further information contact the Building Control Section on 01733 453422 or email buildingcontrol@peterborough.gov.uk.
- 2 This permission should be read in conjunction with the Planning Obligation under Section 106 of the Town and Country Planning Act 1990 in the form of a unilateral undertaking by Cross Keys Homes Ltd in favour of the City Council of Peterborough dated (TBC) 2012.
- 3 The Council's Environmental & Public Protection Service has powers to control noise and disturbance during building works. Normal and reasonable working hours for building sites are considered to be from 8.00 a.m. to 6.00 p.m. Monday to Friday, from 8.00 a.m. to 1.00 p.m. on Saturday and not at all on Sunday. If any activities take place on the site beyond these times, which give rise to noise audible outside the site, the Council is likely to take action requiring these activities to cease. For further information contact the Environmental and Public Protection Services Division on 01733 453571 or email eppsadmin@peterborough.gov.uk.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 6 If your proposal requires an address, it is imperative that you contact the Highway Infrastructure Group who are the Naming and Numbering Authority for the Peterborough Area. This includes the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.

Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.

Please contact the Technical Support Team Manager, Highway Infrastructure Group on 01733 453461 for details of the procedure or email highwayssection@peterborough.gov.uk.

If the S106 has not been completed within 2 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 a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) which state:

Policy CS12

New development should be supported by, and have good access to, infrastructure.

Planning permission will only be granted if it can be demonstrated that there is or will be sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development and mitigate the impact of that development on existing community interests within environmental limits. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle.

Policy CS13

Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge.

Copy to Councillors D C Day, G Simons, S Day

CONSULTATION BY AUGEAN PLC REGARDING ITS INTENTION TO SUBMIT APPLICATIONS TO THE INFRASTRUCTURE PLANNING COMMISSION FOR AN EXTENSION OF TIME FOR THE EXISTING LANDFILL OPERATION FOR DISPOSAL OF HAZARDOUS AND LOW LEVEL RADIOACTIVE WASTE, NEW FACILITY FOR THE DISPOSAL OF SUCH WASTES, EXTENSION OF TIME AND CAPACITY FOR THE EXISTING SOIL TREATMENT FACILITY AND ASSOCIATED DEVELOPMENT.

CASE OFFICER: Theresa Nicholl
TELEPHONE: 01733 454442
E-MAIL: Theresa.Nicholl@peterborough.gov.uk

1 SUMMARY OF THE PROPOSAL/BACKGROUND

The City Council has been consulted by Augean PLC with regard to applications they intend to submit to the Infrastructure Planning Commission (IPC) in respect of East Northants Resource Management Facility (ENRMF) at Kings Cliffe, Northamptonshire. The location of the site is shown on the plan at **Appendix A**. Presently, therefore, the proposals are at a pre-application stage but all of the information about the proposals is in the public realm and is available for inspection on the Augean website at www.augeanplc.com. The proposals are to be determined by the IPC because they will constitute national significant infrastructure projects for hazardous waste facilities.

The site currently has permission to landfill with hazardous waste and low level radioactive waste. Both waste streams are strictly controlled through permits issued by the Environment Agency. The permit for the low level waste allows acceptance of solid wastes of not more than 200Bq/g. This means that the waste contains very small levels of radioactivity and in this case it is the bottom 5% of the range of low level radioactive wastes. The waste that will be disposed of will come from the clean up of decommissioned nuclear industry sites such as building rubble and from non-nuclear sources such as hospitals. There is also permission for a soil recycling facility which can take 100,000 tonnes per annum of imported contaminated soil enabling the clean up of this soil on site through washing or treating with chemicals. This facility is not for LLW. The cleaned up soil is put into the landfill area. The total current permitted imports to the site are 250,000 tonnes of waste per annum. Further detail on the permissions is set out below.

On 20 January 2012, a meeting organised by the IPC was held and attended by the Local Authorities directly affected by the proposal (named 'B' authorities), namely Northamptonshire County Council and East Northamptonshire, and representatives of neighbouring authorities (named 'A' authorities) including Peterborough. Officers together with Cllr Hiller and Cllr Holdich attended on behalf of Peterborough. The purpose of the meeting was to explain the application process, not to discuss the merits of the scheme. Further information about this is given below.

In summary, Augean intends to submit applications for the following development:-

- A time extension of approximately 3 years to complete landfilling of the consented landfill by the end of December 2016 with an associated time extension to the end of December 2016 for the life of the soil treatment and recycling facility and an increase in the throughput of the soil treatment and recycling facility to 150,000tpa.
- The extension of the life of the soil treatment and recycling facility located in the north west of the site to December 2026.
- The construction of new landfill void to the west of the current landfill which will provide approximately 10 years of life for a period up to 2026. The new void is within the boundary of the extant planning consent. This will be created by removing top and sub soil, overburden and clays, storing some of this for re-use in restoration of the site, exporting some to Thornhaugh 1 for use there and selling any surplus.
- Filling of the landfill void with hazardous waste and low level radioactive waste (LLW) with an activity up to 200Bq/g at a direct input rate up to 150,000tpa.

- A limit on the total waste input to the East Northants RMF site of 250,000tpa. (as existing)
- The extraction and stockpiling of clay and overburden to provide material for use in the construction and operation of an engineered containment system at the site, the exportation of clay for use in engineering the nearby Augean Thornhaugh Landfill Site and for general sale.
- The continuation of the operation of the gas flare and pumping station present at the site.
- The restoration of the site to woodland and grassland following the completion of landfilling.

A site plan setting out the proposals is provided at **Appendix B**.

The site has a history of mineral and waste development, the most recent and relevant of which is as follows:-

EN/05/1264C – planning permission granted for hazardous waste landfill and associated operations – permits the importation of up to 249,999 tonnes of hazardous and inert waste to the site per annum – July 2006.

EN/06/01517/CRA – installation and operation of gas flare and a surface water pumping station in the north west of the site – September 2006

07/00048/WAS and 07/01838/NCC – installation and operation of soil treatment facility. The consented throughput is 100,000 tonnes per annum.

09/00053/WAS – landfill disposal of low level radioactive waste in phases 4B, 5A and 5B of the permitted hazardous waste landfill – this proposal was allowed on appeal by the Secretary of State who recovered the appeal from the Planning Inspector who held a Public Inquiry into the appeal. A legal challenge through the Court by opponents of the scheme was not successful. The permission was recently implemented with the first consignment of Low Level Waste being brought into the site for disposal.

2 PLANNING POLICY

The meeting held with the IPC confirmed an important distinction in law between how the IPC can consider applications as opposed to how local authorities consider proposals. National policy statements take precedence over development plan policy when the IPC determines an application. They do not need to take into account Section 38(6) of the Town and Country Planning Act that states development must be determined in accordance with the development plan unless material considerations indicate otherwise. For the IPC, national policy will take precedence and development plans constitute material considerations. However, the IPC will want to know how local authorities see the proposal in terms of fitting with their own policies.

National Policy (taking precedence)

National Policy Statement for hazardous waste (draft 2011) – The Government concludes (paragraph 3.4.14) that there is a need for nationally significant hazardous waste landfill and that the IPC should start its assessment of applications for infrastructure covered by this NPS on the basis that need has been demonstrated.

Planning Policy Statements and Guidance including;

- PPS 1 Delivering Sustainable Development
- Supplement to PPS 1 on Climate Change
- PPS 4 Planning for Sustainable Economic Growth
- PPS 7 Sustainable development in rural areas
- PPS 9 Biodiversity and Geological Conservation
- PPS 10 Planning for Sustainable Waste Management
- PPS 23 Planning and Pollution Control
- PPG 24 Planning and Noise
- PPS 25 Development and Flood Risk
- Supplement to PPS 25

Other national policy documents which may be taken into account might include:-

Policy for the Long Term Management of Solid Low Level Radioactive Waste in the UK March 2007
UK Strategy for the Management of Solid Low Level Radioactive Waste from the Nuclear Industry August 2010
Strategy for the management of solid low level radioactive waste from the non-nuclear industry in the UK – consultation document December 2010.

Cambridgeshire and Peterborough Development Plan Policies that will be treated as material considerations

The Core Strategy DPD adopted May 2010
Locations for Waste Development adopted March 2011
Control and Management of Development adopted June 2011
Proposals map
Development and Implementation Principles Supplementary Planning Document

(The above will not be exhaustive)

The Cambridgeshire and Peterborough Waste Development Framework is not directly relevant to the proposal because the proposal is in Northamptonshire. However, with regard to any response this Authority might have to the proposal, the impact upon the ability of PCC to deliver any of its adopted policies, particularly in terms of waste, should be rightly assessed and reported back in the response to this consultation.

The Cambridgeshire and Peterborough Minerals and Waste DPD Core Strategy was adopted in July 2011.

No new hazardous waste facilities are allocated within Peterborough. Policy CS19 of the Core Strategy states that where there is a demonstrated need for additional stable non-reactive hazardous waste landfill capacity, limited extensions will be made within existing landfill sites (*in the case of Peterborough at Thornhaugh 1*) and where there is a demonstrated need for additional hazardous waste management facilities within Cambridgeshire and Peterborough, proposals will be considered in the context of this Core Strategy and the wider Development Plan.

Paragraph 7.60 (the pre-amble to policy CS19) states that “with a major landfill site accepting a wide range of hazardous waste at Kings Cliffe in Northamptonshire, which is immediately outside the Plan area, and the small amounts of hazardous waste arising within Cambridgeshire and Peterborough, it is not considered appropriate to make an allocation for a general hazardous waste landfill.”

In other words whilst Peterborough is able to deal with a limited range of hazardous waste, the adopted policy has assumed a certain amount of reliance upon there being the Kings Cliffe facility so near to Cambridgeshire and Peterborough which can accept waste streams not currently provided for within our Plan area. It is considered therefore, that the proposal does not conflict with the Minerals and Waste Core Strategy or indeed other Peterborough development plan policies.

3 EVALUATION OF THE PROPOSAL AND DOCUMENTS FOR CONSULTATION

The proposals are set out in brief above. Augean has clarified the proposals in respect of the soil treatment facility in that the proposals will include the retention of the existing facility until 2026, an increase in input into this facility from 100,000 tonnes per annum to 150,000tpa. The current permission allows several treatment operations on the one facility involving more than one plant – the facility will not be moved other than to re-orientate it to fit with the landfill phasing. This means that the soil treatment site located to the northwest corner of the site would remain and is capable of treating soil through the application of different processes e.g. bioremediation and washing. The total tonnage of landfill waste is proposed to be limited to 150,000 per annum. However, the applicant proposes a total cap on inputs to 250,000 tpa, to allow flexibility between landfill inputs and soil recycling inputs depending upon the market. This total limit would be the same as currently permitted.

The consultation documents have been posted on Augean PLC's website. The documents do not constitute the entirety of the applications that will be submitted to the IPC but nevertheless sets out the approach to be taken within the required Environmental Assessment and provision of some of the technical reports produced to date. The consultation currently taking place until the end of January 2012 include reports on ecology, noise and transport. These will be finalised and become part of the Environmental Assessment that is mandatory for submission with the proposed applications.

The Company held a consultation event last year from May to July 2011 and these documents are also viewable. The City Council issued a response to a Scoping Opinion (what and Environmental Assessment would need to contain) last year and this is provided at **Appendix C**. The applicant has taken the comments made by the City Council into account in its latest consultation documents and has stated that the landscape character assessments to be undertaken will be taken to a 6 kilometre radius from the boundary of the site. The Transport Assessment has evaluated the impact of traffic upon the A47 as requested.

Unfortunately, it was not known at the time of the May consultation that it would form part of the formal pre-application procedures that have to be undertaken before an application is to be submitted to the IPC, as at the time the application was due to be submitted to the County Council. This is not the fault of the applicant but has happened because of change in legislation. This point was raised with the IPC at the meeting held with them on 19th January.

Turning to the consultation documents that will form part of the environmental assessments, the technical reports have been produced by suitably qualified persons and appear to have been undertaken in a robust fashion in accordance with industry best practice. They cover the topic areas set out in the Scoping Opinion. From a planning point of view there was nothing contained within these technical reports that caused concern due to illogical methodology or reasoning applied or that would cause conflict with the City Council's adopted planning policies.

The terminology used in some of the reports in terms of quantifying the affects is confusing for example "no unacceptable impact" and "no significant adverse effects"; the methodology and terminology for measuring effects should be consistent throughout the Environmental Assessment in accordance with Schedule 4 of the Environmental Assessment Regulations 2011 and industry best practice. Confusion can arise where different experts are compiling topic chapters and the methodology/terminology has not been agreed at the outset. This should be clear in the application submission to be made to the IPC. Even if not all of the technical reports may not be readily understandable by the general public, the scale of any impacts and the level of mitigation needed to overcome these impacts where needed should be apparent to any interested party.

The term "low level radioactive waste" (defined above) is an emotive one and has resulted in genuine concerns amongst some of the local population with regards to health and safety issues. However, it has to be borne in mind that despite the significant opposition to the previous proposal, the Secretary of State found no planning reasons to refuse the application. The principle of this site accepting hazardous and low level waste has therefore been accepted. The Government has also strongly indicated in its 2011 draft National Policy Statement for Hazardous Waste that the need for such facilities should be taken as accepted. Given that this is the case, the likely main considerations for these proposals will be the largely localised impacts that the proposed extension to the site and the use of the site until 2026 may have. These matters must be addressed in the Environmental Assessment.

Based on the consultations undertaken by Augean to date, in my opinion, the applicant is addressing these matters in the correct manner and to date there are no objections to the work so far undertaken. If Members consider that other issues to those set out in the Scoping Opinion (Appendix C) should be considered, these views should be reported back to the applicant at this stage. The IPC confirmed that once the application is accepted as valid by them, there will be little scope to make any substantive changes to it.

4 IPC PROCESS

The process for consideration and determination of the application is prescribed and the timetabling for each stage of the process is rigid. A summary table of the process and timescales is provided at **Appendix D**.

In terms of the City Council's future ability to comment on the proposal, the key stages are as follows:-

- Once the application is submitted, the IPC has 28 days to decide whether it is valid or not. Within that time period the local authority has a maximum of 14 days to comment on whether it considers that the applicant has followed the right procedures and carried out the consultation/completed the application how the company said it would at the outset of the pre-application process.
- Once the application is accepted as valid, the "Examination Stage" begins. The IPC has a maximum of 6 months to complete this stage. This includes the following:-
 - A preliminary meeting is held. Interested parties (which will include the City Council) may attend to express their views about how the application should be examined – this is about process and not the content of the application.

Within 4-6 weeks of the preliminary meeting being held, local authorities will be invited to submit a "Local Impact Report." This report will come from the Local Authority as statutory consultee and should contain any views the authority has about how the proposal will impact their area – as it is understood, this could be in physical terms or in terms of policy. During this stage it will be open for any individual or group to register as an interested party (*note: under the legislation, Councillors are not precluded as registering and commenting as an individual aside from the statutory response to be made by PCC*).

Topic or "open floor" meetings are likely to be held where it will be open to the authority to decide if it needs to attend. The IPC did, however, make it clear that in the main the process is a written procedure and our comments should be put in writing.

- After 6 months the examination period ends, and the IPC then has 3 months in which to issue the decision – this might be determined by an individual Commissioner or a panel of Commissioners.
- Once the decision is issued there is 6 weeks for any legal challenge to be put forward.

5 RECOMMENDATION

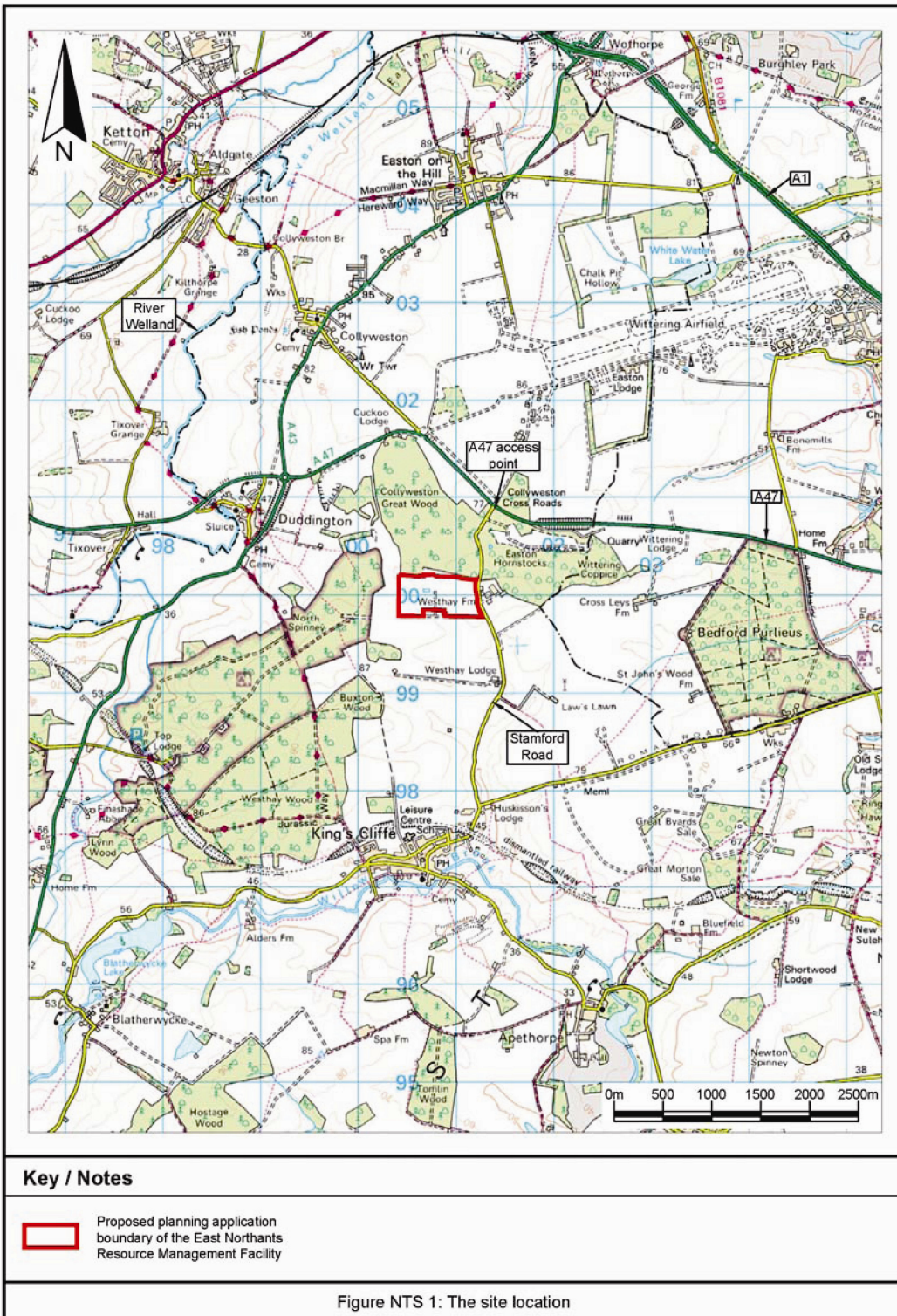
1. That no objections to the proposed application are raised in principle, because this has already been tested on appeal and in the Courts with regard the existing planning permission, the facility complements the facilities provided in Peterborough which is recognised in the Cambridgeshire and Peterborough Minerals and Waste Core Strategy and the government has indicated that need for such a facility should be taken as accepted.
2. That PCC reserves the right to comment further on the detail once the complete applications are viewable and accepted by the IPC (although we recognise that substantive changes will not be able to be made)
3. That concern is raised over the variance of terminology used in the technical reports and that the methodology contained within the Environmental Statement should set uniformity in terms of how scale of impact and possibly mitigation is expressed within the document. This aspect should be clear enough for the majority of interested persons to understand.
4. With regard to the 14 day window to comments on whether the application should be valid, that Members delegate this response to the Head of Service for Planning and Transportation
5. With regard to the submission of other comments to the IPC or attendance of any meetings Members decide whether they wish further reports to come back to the P and EP Committee (taking into account deadlines set by the IPC) or whether Members wish to delegate further responses to the Head of Service, perhaps in consultation with the Portfolio Holder (Cllr Hiller) and nearest ward Members to Kings Cliffe (Cllrs Holdich and Lamb)
6. That Members endorse the dissemination of information on this proposal to the public via officers creating a web page giving updates and information on the procedure and that local Members might disseminate information verbally to their Parishes and constituents.

Further information:

The Peterborough City Council officer contacts are Theresa Nicholl (01733 454442) and Alan Jones (01733 863881)

The IPC website contains guidance and all the information on other projects being dealt with by the IPC
www.independent.gov.uk/infrastructure

Note: The IPC has an open information policy in that all submissions and notes of meetings and telephone conversations etc are published on their website.



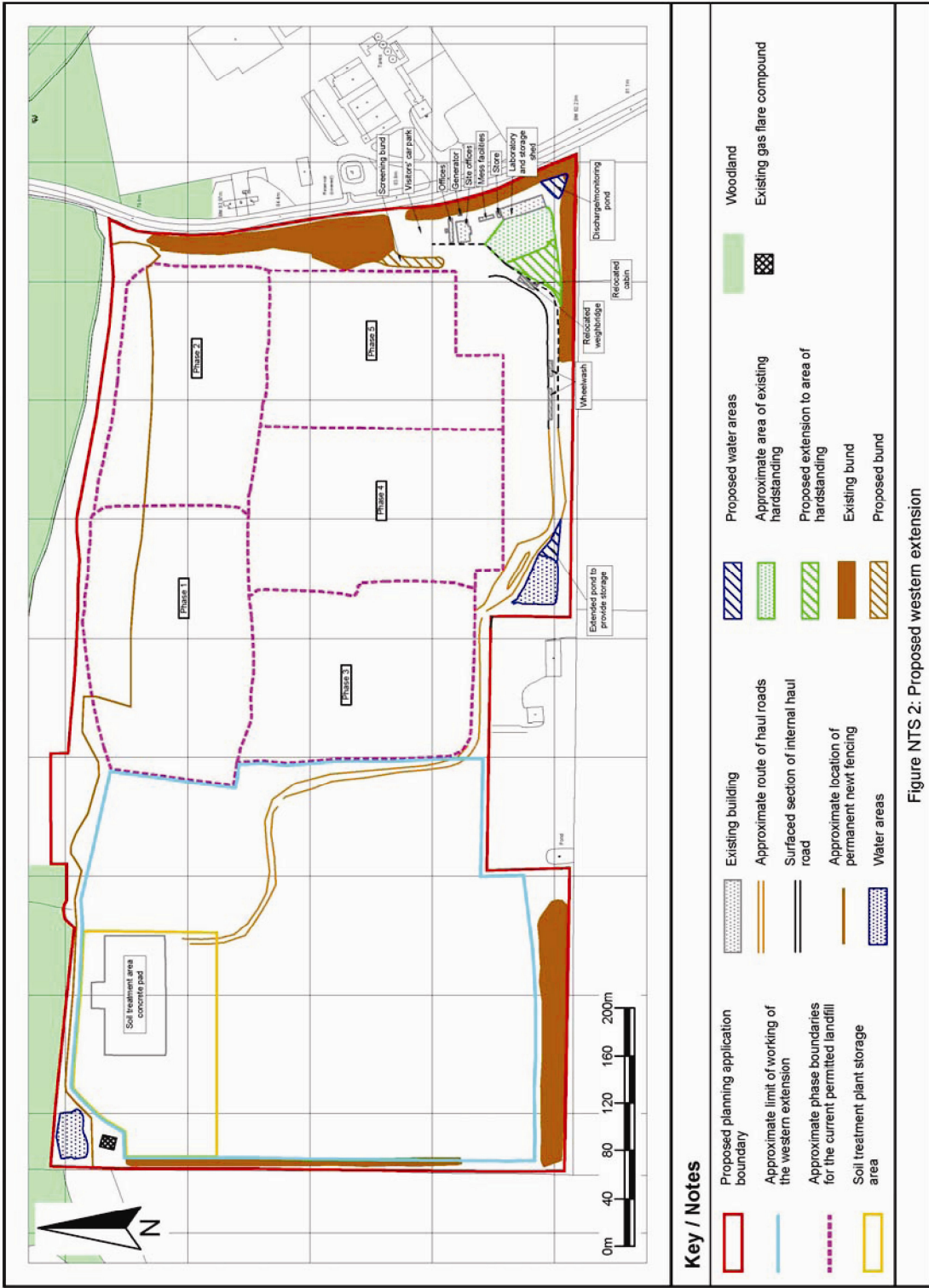


Figure NTS 2: Proposed western extension

AUJKE03-11/16021

Telephone: 01733 453587
Facsimile: 01733 453505
Please ask for: Mrs R George
 Mrs T J Nicholl
Our Ref: 11/00276/OTH
Your Ref: Scoping Reports 11.00001 &
 11.00002



Planning Services
Stuart House East Wing
St John's Street
Peterborough
PE1 5DD
DX 12310 Peterborough 1
Telephone: 01733 747474

Northamptonshire County Council
 Development Control
 Planning
 P O Box 163
 County Hall
 Guildhall Road
 Northampton
 NN1 1AX

4 March 2011

Dear Mr Watson

Planning Application: East Northants Resource Management Facility
Stamford Road King's Cliffe Northamptonshire

Thank you for your consultation regarding the two scoping reports for proposed development at the above site. As far as I can tell, the main difference between the two proposals is that one contains the proposal to extend the landfill area (and therefore extend further the life of the site) and the other does not.

I have read both scoping reports and consider that overall they adequately cover what would be expected in terms of an Environmental Impact Assessment for both proposals.

I have only noted two issues relating to 11/00001/SCO. Paragraph 6.15 discusses the area to be scoped in terms of landscape impact and assessment. I believe that the developer is intending to survey and cover an area of 6 kilometres measured in all directions from the boundary of the application site. The use of the word "centre" in this paragraph confuses this a little but any extent of landscape survey should be taken from the site boundary and not a radius from the centre of the site.

Paragraph 6.23 states that the Transport Assessment is likely to focus on Stamford Road. The focus should extend as far from the site as the additional traffic generation materially impacts on highway safety/free flow of traffic. This will certainly include the junction of Stamford Road with the A47 and possibly the impact of additional slow moving vehicles on other entrances/exits on the A47 that are close to this junction e.g. the entrance to Cross Leys quarry. If there is no further impact beyond the junction with the A47 then this should be stated and quantified within the TA. I am not familiar with the existing permissions at King's Cliffe site but I assume that all lorries must turn left out of the site and not go through Kings Cliffe.

The dormant site at Cook's Hole Quarry, Peterborough is subject to current applications (including a ROMP) to re-open and extend the quarry area. Policy SSPW2 of the emerging Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD also proposed Cook's Hole as an inert landfill waste site.

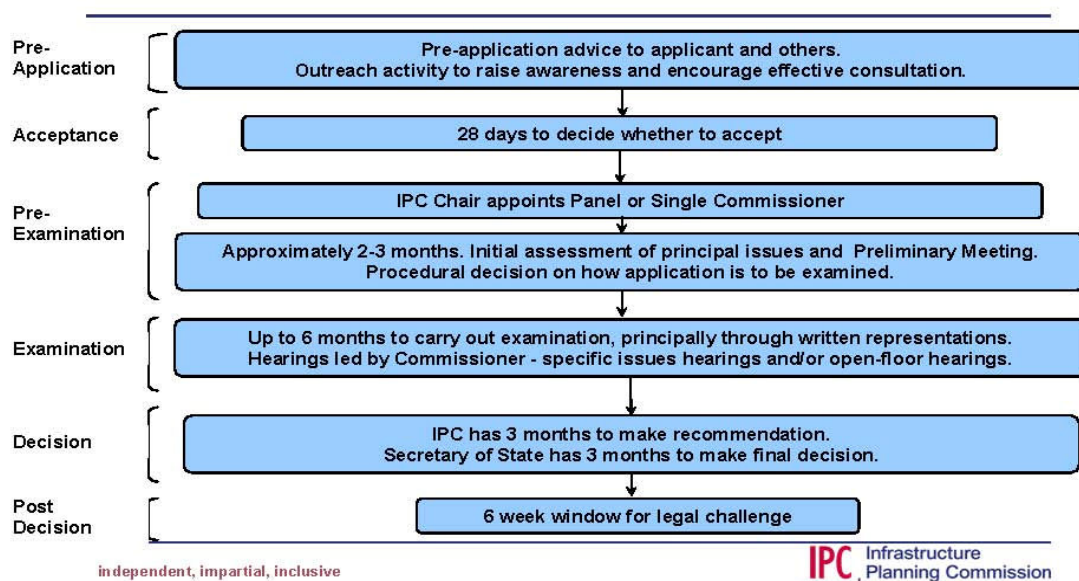
I doubt whether there would be noticeable cumulative impact if all these proposals go ahead and are implemented at the same time but you might want the applicant to consider this under cumulative effects. Incidentally, Augean own both Thornhaugh 1 and Cook's Hole sites located south of the King's Cliffe site off the A47.

I would be grateful if you could include these points in your scoping response. If you have any questions relating to this response please don't hesitate to telephone me on 01733 454442.

Yours sincerely

Theresa Nicholl
Development Manager

How our process works: six stages



Key statutory other deadlines for LAs

Pre-app	Comments on developer's draft SoCC	28 days
	EIA Scoping Opinion consultation (IPC)	28 days
	Pre-application consultation (s42) and publicity (s48)	Min 28 days
Acceptance	Adequacy of Consultation statement	Within 14 days of submission
Pre-examination	Submission of relevant representation following application acceptance	Min 28 days
Examination	Production of Local Impact Report	Approx 6 weeks
	Submission of detailed written representations	Min 21 days

independent, impartial, inclusive

IPC Infrastructure Planning Commission

This page is intentionally left blank