

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 6 NOVEMBER 2012

1.30 PM

Council Chamber – Town Hall

AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council. Members must also declare if they are subject to their party group whip in relation to any items under consideration.

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

4. Minutes of the meeting held on 9 October 2012

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5. Development Control and Enforcement Matters

5.1 12/00463/MMFUL - Thornhaugh Landfill Site, Leicester Road, Thornhaugh, Peterborough

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5.2 12/01008/MMFUL - Land to the West of Willow Hall Farm, Willow Hall Lane, Thorney, Peterborough

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5.3 12/01100/FUL - Peterborough Dairies, 3 John Wesley Road, Werrington, Peterborough

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5.4 12/01314/FUL - Unity Hall, Northfield Road, Millfield, Peterborough

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5.5 12/01340/FUL - Netherton Post Office, 5 Winslow Road, Netherton, Peterborough

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5.6 12/01352/FUL - Horsey Way Service Station, Whittlesey Road, Stanground, Peterborough

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

5.7	12/01354/HHFUL - The Retreat, Leicester Road, Thornhaugh, Peterborough	91 - 100
5.8	12/01458/R3FUL - Land at Newborough, North of the B1443 Bukehorn Road, East of Peterborough Road	101 - 112
6.	Draft Flood and Water Supplementary Planning Document	113 - 194
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Emergency Evacuation Procedure – Outside Normal Office Hours

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Committee Members:

Councillors: L Serluca (Chairman), G Casey (Vice Chairman), P Hiller, N North, J Stokes, M Todd, N Shabbir, Sylvester, S Lane and D Harrington

Substitutes: Councillors: P Kreling, S Martin and C Ash

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 9 OCTOBER 2012**

Members Present: Councillors Serluca (Chairman), Casey (Vice Chairman), North, Stokes, Todd, Shabbir, Harrington and Lane

Officers Present: Nick Harding, Group Manager Development Management
Andy Cundy, Area Manager Development Management (Item 5.1)
Jez Tuttle, Senior Engineer (Development)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Hiller and Sylvester.

2. Declarations of Interests

There were no declarations of interest.

3. Members' Declaration of Intention to Make Representation as Ward Councillor

There were no declarations of intention from any Member of the Committee to make representation as Ward Councillor on any item within the agenda.

4. Minutes of the Meeting Held on 4 September 2012

The minutes of the meeting held on 4 September 2012 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 12/01134/FUL – Change of use from light industrial/offices to a day care unit for dogs, dog training and external fencing, All About Your Dog Day Care Ltd, 6 Milnyard Square, Orton Southgate, Peterborough

The site was one of six small industrial units located within Milnyard Square, a small industrial estate within the Orton Southgate General Employment Area. The site was attached to unit No. 5 and had areas of open space to the side and rear of the unit.

Permission was sought for a change of use from light industrial/offices to a day

care unit for dogs and dog training. Permission was also sought for solid external fencing to create an external area for the dogs. The applicant had given a figure of approximately 30 dogs as a maximum number of dogs to be located on the premises at any one time.

The application was a resubmission of application number 12/00708/FUL.

The Area Manager Development Management addressed the Committee and gave an overview of the proposal. It was advised that the Applicant had submitted a mitigation strategy in order to address issues in relation to dog barking and car parking. This included staggering the arrival times of dog owners, offering a dog collection service, introducing a rigorous assessment process in order to identify a dog's suitability and proposals for a heavy duty hardwood perimeter fence. Officers considered that, notwithstanding the mitigation proposals, development would still result in unacceptable noise disturbance from barking to the detriment of the amenity of adjacent sites, in particular the attached unit. Officers also considered that ten parking spaces were insufficient and this would have an adverse impact on the safety and freeflow of traffic along the adjoining public highway. It was further advised that the proposal to stagger drop off times could not be conditioned, as it would be impossible to enforce. The recommendation was therefore one of refusal.

Councillor Sue Allen, Ward Councillor, addressed the Committee on behalf of the Applicant. In summary the issues highlighted to the Committee included:

- The business would employ three to four members of staff;
- There had been no objections raised from any of the three Ward Councillors;
- The site was ideal for the proposed use;
- Councillor Allen had visited a number of the surrounding units and talked to a number of employees. No one had raised any issues with the proposal;
- There were a number of empty units in the area;
- The dogs would be entertained and would therefore not bark;
- You would not be able to hear dog barking over the traffic travelling around the A605 roundabout;
- There was sufficient car parking on the site;
- The Council strived to bring new businesses into the City, why was this application therefore not being supported?

Mrs Presland, the Applicant, addressed the Committee and responded to questions from Members. In summary the issues highlighted to the Committee included:

- Dogs that were entertained and supervised by experienced dog handlers did not bark excessively;
- Mrs Presland had full support from Mr Mizen, a local veterinarian, Mr Stewart Jackson had also written a letter of support and the Parish Council and Ward Councillors were also in full support;
- There were no other facilities of this type in the area;
- Mrs Presland was part of a dog obedience group and they found it

- extremely difficult to find appropriate areas to train dogs;
- The building could be used for the dog training groups;
- Mrs Presland had looked at rural areas and had been advised that the location of the proposal was an idea location for this type of activity;
- Not all dogs were suitable for dog care and each dog would be assessed;
- There would be trained and experienced carers working with the dogs;
- The dogs would not be outside all day;
- The parking allocation was 12 spaces, three of which would be allocated to staff and eight for drop off and collection;
- It would be beneficial for Mrs Presland to implement staggered drop offs, as she did not want all dogs arriving at the same time;
- Comparing like for like, the proposal had many more parking spaces available than some childcare nurseries in the town;
- A dog pick up service would be offered if it was required;
- The dog training would take place during the evenings and weekends;
- The day care would operate between 8.00am – 6.00pm;
- Mrs Presland had been associated with dog training for five years and she was completing a diploma in dog behaviour.

Following questions to the speakers, Members commented that the application was extremely well thought out and it was commendable that local consultation had been undertaken, with no negative responses received. The application would create jobs and fill an empty unit and there was ample parking available.

The Highways Officer addressed the Committee and stated that the concerns highlighted around parking were more in relation to the smooth flow of traffic along the access road being impeded should a large number of vehicles wish to manoeuvre in and out of the site during a certain period of time. Staggering the arrival times would mitigate against this, however this was not considered to be an enforceable condition, hence the recommendation for refusal. It was further advised that a temporary permission may permit further investigation to take place in the future.

Following further debate and questions to the Area Manager Development Management, a motion was put forward and seconded to go against Officers recommendation and issue a temporary operating consent for a period of three years, with conditions requesting the imposition of a solid 1.8 metre high fence, to limit the number of dogs on the site to 30 at any one time and the hours of use to be 8.00am to 8.00pm Monday to Friday and 9.00am to 4.00pm Saturday, Sunday and Bank Holidays. The motion was carried unanimously.

RESOLVED: (Unanimously) to grant the application contrary to Officer recommendation, subject to the following conditions:

1. The use hereby permitted to be discontinued on or before 20 October 2015.

Reason: The development by its nature had the risk that it may result in noise nuisance to nearby properties. A temporary permission had been granted so that if noise problems did arise then this information could inform the consideration of a future application to make the use permanent. This was in accordance with Policy

OIW6 of the Peterborough Local Plan (First Replacement) Adopted 2005 and Policy PP2 of the emerging Peterborough Planning Policies DPD (February 2012).

2. Prior to commencement of the use, a solid 1.8 metre fence to be erected around the area to be used for the outdoor exercise of dogs such that the dogs could not see third party land. The fence should thereafter be retained in this form.

Reason: The fence would reduce the risk that dogs would bark excessively as they would be unable to see people beyond the confines of their exercise area. This was in accordance with Policy OIW6 of the Peterborough Local Plan (First Replacement) Adopted 2005 and Policy PP2 of the emerging Peterborough Planning Policies DPD (February 2012).

3. The opening times for the public to be restricted to:

Monday to Friday 8.00am to 8.00pm

Saturday, Sunday and Bank Holidays 9.00am to 4.00pm

Reason: In the interest of neighbour amenity. This was in accordance with Policy OIW6 of the Peterborough Local Plan (First Replacement) Adopted 2005 and Policy PP2 of the emerging Peterborough Planning Policies DPD (February 2012).

4. No more than 30 dogs to be on site at any one time.

Reason: To reduce the risk of noise nuisance. This was in accordance with Policy OIW6 of the Peterborough Local Plan (First Replacement) Adopted 2005 and Policy PP2 of the emerging Peterborough Planning Policies DPD (February 2012).

Reasons for the decision:

Subject to the imposition of the conditions and the issuing of a temporary three year operating consent, the proposal was acceptable having been assessed in light of all material considerations, including weighing against relevant Policies of the Development Plan (Cambridgeshire and Peterborough Minerals and Waste Core Strategy July 2011 and Peterborough Site Allocations DPD April 2012).

- The loss of the unit to a non-B class use would not result in any significant reduction in the supply of land or buildings for employment use particularly given the number of vacant premises locally;
- The amount of car parking available for staff and customers was considered adequate given the proposed scale of the operation;
- It was anticipated that given the scale of the operation, noise from barking dogs was unlikely to have a detrimental impact on nearby properties, however, as this was unproven, only temporary planning permission had been permitted;

The proposal was therefore in accordance with Policy OIW6 of the Peterborough Local Plan (First Replacement) Adopted 2005 and Policy PP2 of the emerging Peterborough Planning Policies DPD (February 2012).

5.2 12/01284/TRE – Willow Tree (TPO 7_95) at 7 Enfield Gardens, Netherton. Thin crown by 30%, repollard at historic knuckle points and provide lightpole clearance of 2 metres or 45 degrees from head height to the top of the pole if required to allow light to spread to reach the public right of way.

An application had been received to carry out works to a willow tree protected by Tree Preservation Order 7 of 1995. These works were to prevent crown failure and to provide clearances over the street light that was located next to the tree.

The application had been referred to the Planning Committee as the Applicant was Councillor Chris Ash and Members were advised that no objections or comments had been received.

The Group Manager Development Management addressed the Committee and gave an overview of the proposal. The recommendation was one of approval.

Following questions to the Group Manager Development Management in relation to the last time the works had been carried out, this being 10 years; a motion was put forward and seconded to approve the application. The motion was carried unanimously.

RESOLVED: (Unanimously), to approve the application, as per officer recommendation.

Reasons for the decision:

It was the opinion of the Case Officer that the works were deemed appropriate for the following reasons:

- At the current time the light was partially obscured by the crown of the tree, this work was in fact an exemption under the TPO regulations;
- The visual amenity value of the tree would be reduced in the short term, but within two growing seasons, the tree would have formed a new crown; and
- Once a tree had been pollarded, there was a need to manage it as such thereafter, if this was not done, failure could occur once the tree developed a full crown.

5.3 E1 – Enforcement Action in Stanground Central Ward

Members were asked to determine whether the item, which contained exempt information relating to an individual or would be likely to reveal the identify of an individual and information relating to the financial or business affairs of a particular person (including the authority holding that information), as defined by Paragraphs 1, 2 and 3 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting during the item, or whether the public interest in disclosing the information outweighed the public interest in maintaining the exemption.

The Committee unanimously agreed to the exemption and the press and public were excluded from the meeting.

The Committee received a report requesting it to consider appropriate enforcement action in relation to unauthorised development.

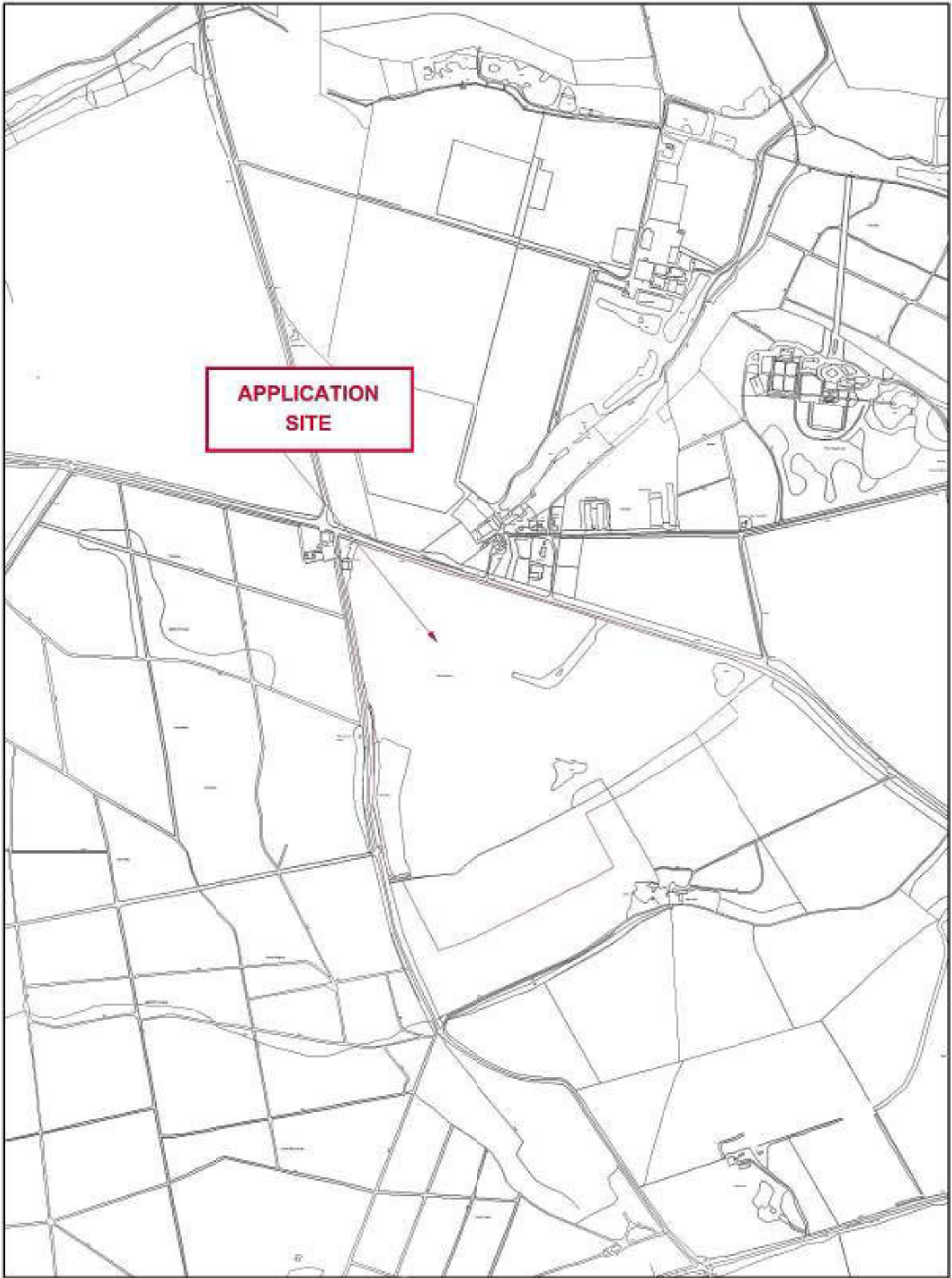
Following debate, a motion was put forward and seconded to agree that no enforcement action be taken. The motion was carried unanimously.

RESOLVED: (Unanimously), to agree that no enforcement action be taken, as per officer recommendation.

Reasons for the decision:

The Committee considered that no enforcement action was required as per the reasons outlined in the exempt committee report.

1.30pm – 2.25pm
Chairman



LOCATION PLAN 12/00463/MMFUL

Thornhaugh Landfill Site, Leicester Road, Thornhaugh

Scale NTS **Date** 23/10/2012 **Name** AA Department Planning Services



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Application Ref: 12/00463/MMFUL

Proposal: Continued operation and restoration (by landfill) of Thornhaugh 1 Landfill Site until 31 December 2029, including restoration by landfill of Phase 4B and 4C, temporary storage of materials on part of Cook's Hole Quarry, revised restoration (nature conservation) and landscaping schemes, and recycling of soils for site restoration and for export off site

Site: Thornhaugh Landfill Site (including the "Bradshaw Land"), Leicester Road, Thornhaugh, Peterborough

Applicant: Augean PLC

Agent: Mr J Hollister
URS Infrastructure and Env UK Ltd

Referred by: Simon Machen

Reason: Large scale application of public interest

Site visit: 02.05.2012

Case officer: Mrs T J Nicholl

Telephone No. 01733 454442

E-Mail: theresa.nicholl@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

The Site and Surroundings

Thornhaugh 1 Landfill Site is located about 2 kilometres west of the A1 at Wansford immediately to the south of the A47 Leicester Road. The village of Thornhaugh lies approximately 1km to the north east beyond the A47. The site has an area of 30.8 hectares. The site (except the area known as the Bradshaw land) has current permission for use as a landfill site accepting stable non reactive hazardous waste (SNRHW), asbestos, gypsum and other high sulphate bearing wastes and non hazardous commercial and industrial wastes. The current operative permission expires on 31 December 2013 but the remaining consented void will take approximately 8.7 years to fill at current rates. The area of land known as the Bradshaw land has permission for extraction and there are some remaining reserves in this area. The site contains a county wildlife site to the west where is adjoins Bedford Purlieus Site of Special Scientific Interest. The site contains a population of Great Crested Newts which have been translocated to the County Wildlife Site CWS and are managed by Augean, the applicant. The site is accessed by a single point of access off the A47.

Proposal

The proposed development involves the following:-

- The deferment of the end date of the landfilling of the site to 31 December 2028 with final restoration completed one year later
- Extension to the landfill area by inclusion of the Bradshaw Land (phases 4B and 4C)
- Temporary use of part of the adjacent Cook's Hole site for storage of material excavated from phase 7 (for return and use in the restoration of the Thornhaugh 1 site)
- Revisions to the pre and post settlement landforms except phases 3 and 6 which are already capped/restored and no change in the maximum permitted height of the landform
- Revised restoration and landscaping

- Restoration of the whole site to a nature conservation use
- On site recycling of inert waste including imported material for use on site in the restoration or for sale and use off site

2 Planning History

Reference	Proposal	Decision	Date
97/00006/MMFUL	Application for determination of new conditions for extraction of limestone and restoration to agricultural use by landfill	Application Permitted	25/04/1997
05/00685/WCMM	Variation of condition 7 of planning permission P070/97 to enable mineral extraction over a larger area within the currently approved boundaries of the Quarry	Application Permitted	21/04/2006
11/01993/WCMM	Variation of condition C1 of planning permission 10/01659/WCMM to allow continued siting and operation of temporary gas flare until 30/12/2016	Application Permitted	26/01/2012

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Establishes a presumption in favour of sustainable development. Development that accords with an up to date development plan should be approved without delay.

PPS10 "Planning for Sustainable Waste Management" – Sets out the government's national waste strategy.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the

report).

MW14 - The Scale of Waste Management Provision

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

MW15 - The Location of Future Waste Management Facilities

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

MW19 - The Location of Hazardous Waste Facilities - Resource Recovery and Landfill

Where there is a demonstrated need for additional stable non reactive hazardous waste landfill capacity (to that allocated at Addenbrookes Hospital) provision will be made within existing landfill sites. Where there is a demonstrated need for additional hazardous waste sites proposals will be considered in the context of the development plan.

MW21 - Non-hazardous Landfill

Planning permission for additional non-hazardous landfill will not be granted unless one or more of the listed criteria is demonstrated.

MW22 - Climate Change

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.

MW25 - Restoration and Aftercare of Mineral and Waste Management Sites

Minerals workings and waste management sites will be restored to a beneficial afteruse with aftercare arrangements. Restoration proposals will be considered on a site by site basis but must meet the criteria set out in the policy.

MW29 - The Need for Waste Management Development and the Movement of Waste

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

MW32 - Traffic and Highways

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy e.g that the highway network has capacity, that any increase in traffic will not cause unacceptable harm to the environment, road safety or amenity

MW33 - Protection of Landscape Character

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related Supplementary Planning Documents ("SPD").

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse effect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW37 - Public Rights of Way

Minerals and waste development will only be permitted where permanent or temporary diversions of public rights of way are adversely affected if appropriate alternatives are provided. Proposals should, where practicable, provide for the enhancement of public rights of way.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

MW40 - Airport Safeguarding

Mineral and waste development in the safeguarding areas of airports/aerodromes will only be permitted where the development will not cause a significant hazard to air traffic.

CS20 - Landscape Character

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD

SSP W4 – allocations for stable non reactive hazardous waste

Allocates Thornaugh 1

4 Consultations/Representations

Rights of Way Officer (18.04.12)

No objections. Footpath creation orders will be needed to create the proposed footpath between the A47 and Bedford Purlieus. (to be created after the site had been restored and landscaped)

FAO Emma Doran Pollution Team (01.10.12)

No objections subject to noise limit conditions and dust and odour monitoring conditions

Landscape Architect (Enterprise)

No objections

Landscape Officer (06.09.12)

No objection. Expect to see detailed landscape plans to be provided through appropriate planning

conditions.

Wildlife Officer (29.08.12)

No objection particularly given the revised restoration proposal to nature conservation. Will expect to see additional details regarding ecological mitigation measures, surveying and monitoring as well as an aftercare scheme provided through suitable planning conditions.

Transport and Engineering Services (03.09.12)

No objection subject to a condition about parking and turning within the site and informatives.

The Wildlife Trusts (Cambridgeshire) (24.05.12)

Support the principle of revising the restoration scheme at this site to nature conservation. Restoration of the Thornhaugh sites together with Cook's Hole represent one of the best opportunities in Peterborough to achieve significant ecological gains. A nature conservation partner should ideally be identified to take on the long term management of the restored site; and the proposed nature conservation restoration, management and mitigation measures should be secured through a S106 agreement.

DEFRA

No comments received

East Northamptonshire Council (10.09.12)

No objections

Environment Agency (12.09.12)

No objections but raise comments relating to importation of clay (needed to achieve restoration), nature of waste in phase 7, storage arrangements for phase 7 waste in Cook's Hole, screening of such waste, overtipping of phases 1 and 2 and possible need for inert waste to achieve satisfactory engineering, a further groundwater risk assessment will be required as part of the detailed engineering design, the restoration profile is acceptable but may need to be modified once the detailed design has been agreed with the EA, noise limits for off site locations will need to be covered by any planning permission. Furthermore, the LPA should consider stipulating via condition that only inert wastes can be processed through the recycling operation to distinguish from non-hazardous CDE wastes which are currently accepted into the landfill. The LPA should consider stipulating the maximum height of stockpiles and that they should be stored above the water table.

Fisher German Chartered Surveyors (16.08.12)

The government pipeline may be affected by the works. The applicant is advised to contact the pipeline agents prior to starting work.

Natural England (24.08.12)

Natural England strongly supports the restoration of the site to nature conservation. NE raised questions regarding the apparent mis-match between the proposed newt mitigation measures and those measures that NE has discussed with the applicant with regard to a licence to translocate the newts. The applicant has since clarified these issues and NE accepts the response made by the applicant. NE requires that conditions be imposed to cover environmental/ecological management of the site during landfill operations and during the aftercare period.

Parish Council

No comments received

Ramblers (Peterborough)

No comments received

Highways Agency - Zone 7 (16.09.12)

No objections.

Local Residents/Interested Parties

Initial consultations: 27

Total number of responses: 5

Total number of objections: 3

Total number in support: 1

Four letters have been received from nearby residents, three raising objections and one raising comments:

Objections:-

- Augean should complete the requirements of their existing landfill permissions before further ones are granted
- Augean state that two alternative access arrangements were considered, whilst one is the existing access to Thornhaugh 1, this is not considered to be an alternative. A new access point should be developed off the Cook's Hole access allowing completion of phases 3, 5, 6A and 6B before the remainder of the site is landfilled
- Although the total of 132 HGVs entering and leaving the site per day is lower than the peak traffic in 2004, it still represents a significant increase in the current traffic levels which will have an impact on Home Farm residents and road safety.
- The proposal will harm residential amenity in terms of noise, dust and other environmental effects in terms of the facility and traffic
- There should have been greater public consultation from Augean in line with the Localism Act.
- The application has failed to demonstrate how the proportion of waste currently going to landfill has been reduced in line with policy
- If permission is granted, the site should be restored after each phase is completed and then an holistic restoration scheme put in place once the whole site is completed
- The economics of the business are taking precedent over the restoration of the site to its status as an Outstanding Area of Natural Beauty - the site should have been completed and restored years ago.

Comments:-

- Agree with the restoration proposal for the whole site to nature conservation and the addition of a further footpath is welcome
- Would it be possible to plant phases 3, 6A and 6B now as they are closed to new waste and allow public access to these areas_
- Can the Thornhaugh 2 quarry being excavated by Mick George in conjunction with Cook's Hole be included in a unified restoration scheme_
- Windblown litter continues to be a problem both across the A47 and to the west where it blows into Bedford Purlieus. The current fencing has proved to be useless.

In addition comment has been received from the Peterborough Local Access Forum requesting that the proposed footpath running parallel to the A47 between FP3 and the Old Oundle Road, Bedford Purlieus and the reinstated FP2 should be created to a standard suitable for use during the duration of the work.

5 Assessment of the planning issues

The main issues to consider are:

1. The principle of the development (including waste types proposed and recycling of inert waste)
2. Transport and public rights of way
3. Noise and vibration – residential amenity
4. Air Quality
5. Landscape and visual effects
6. Impact on the natural environment

7. Groundwater, surface water and drainage
8. Cumulative impact with other developments (including proposed soil storage in Cook's Hole)
9. Other issues
10. Conclusions

1. The Principle of the Development

The principle of the development, i.e. increasing the landfill void at Thornhaugh 1 (through landfilling the "Bradshaw land" – phases 4B and 4C as shown on the submitted phasing plan figure ES.4.6) has been established by policy SSP W 4 contained within the adopted Peterborough and Cambridgeshire Minerals and Waste Site Specific Proposals DPD (the Site Specific DPD). This policy and accompanying map allocates the site for use as a stable non reactive hazardous waste landfill (SNRHW) with complimentary non-hazardous waste. The principle of expanding the capacity of the site and therefore the timescale within which to complete the landfill has already been accepted having gone through public consultation and examination in public by a Planning Inspector and been adopted by the City Council as planning policy (the Site Specific DPD). The allocation of Thornhaugh 1 flows from policies CS2, CS14, CS19, CS21 and CS29 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the MW Core Strategy) which are concerned with the principles of waste management, the scale of waste management provision, the location of hazardous waste facilities and delivery of SNRHW sites (through allocation in the Site Specific DPD), the need for complementary landfill and proper landfill engineering and the movement and importation of waste. In principle the development accords with all these policies. Some of these policies together with policy SSP W4 of the Site Specific DPD require that certain detailed issues are taken into account when determining a planning application. These issues are considered below.

With regard to waste types, the Environment Agency has pointed out that an amount of inert waste may need to be imported to deal with the complex engineering solution that will be required to resume waste tipping (overtip) in phases 1 and 2. It is considered that importation of inert material, if proved necessary to achieve a satisfactory engineering solution is acceptable and this can be dealt with by condition. In simple terms, SNRHW and non hazardous waste require contained engineered cells (to deal with the potential pollution risks) whereas inert waste does not need to be contained in the same way; due to its "inert" nature it does not have the potential to pollute through the ground, water or atmosphere. In other words inert waste does not decompose.

The application also proposes recycling of both on site non quarry waste materials (excavated from phase 7) and also imported construction and demolition wastes (CDE). A supplementary planning statement and supplement to the Environmental Statement (August 2012) have been received in this regard. It is estimated that phase 7 contains approximately 114,000 tonnes of CDE waste that is to be removed and after checks, treated as inert waste. It can be crushed and/or screened and graded for use either on site in making up roads, landfill engineering, daily cover or restoration elsewhere on the site or for sale and use off site. In addition it is proposed to use the mobile screening and crushing plant to process inert CDE waste brought into the site. The amount of waste brought onto the site is likely to average 25,000 tonnes per annum and is unlikely to exceed 50,000 tonnes per annum.

Thornhaugh 1 is not allocated in the Site Specific DPD as an inert waste recycling site. Policy CS14 of the MW Core Strategy sets out that by 2026 the Waste Planning Authorities will make provision for a minimum of 1.86 million tonnes per annum of inert waste recycling. There is an identified shortfall in inert waste processing capacity within the plan period which will require the need for landfill. If additional capacity for inert waste recycling can be found (above those sites allocated for the same) the prospect of moving waste up the hierarchy in accordance with PPS10 and policy CS2 of the MW Core Strategy could be realised. Policy CS15 of the MW Core Strategy refers to the location of waste management facilities and sets out several criteria which need to be considered such as highway capacity, environmental constraints and sensitive receptors (these could be neighbouring residences). As long as the relevant criteria can be satisfied it is considered that in principle the proposed inert recycling on site would comply with policy CS15 and would be acceptable. The detailed issues are discussed below.

2. Transport and Public Rights of Way

Policies CS15, CS32 and CS37 of the MW Core Strategy are relevant together with some of the implementation issues attached to policy SSP WS4 of the Site Specific DPD. The applicant has submitted a Transport Assessment (TA) as part of the ES. The application proposes to use the existing Thornhaugh 1 vehicular access which has also been permitted as the vehicular access to the adjacent Cook's Hole site. In terms of HGV movements the assessment sets out the following worst case scenario (when clay imports from East Northants Resource Management Facility at King's Cliffe) will be at their peak in 2014:

Waste imports = 20 in and 20 out per day = 40 movements
Clay imports = 62 in and 62 out per day =124 movements
Cook's Hole traffic = 50 in and 50 out per day =100 movements
Inert CDE waste = 9 in and 9 out per day =18 movements

TOTAL = 141 HGVs visiting the site = 282 lorry movements

The above represents the worst case daily lorry movements for all HGV movements required for all waste movement associated with Thornhaugh 1 (the proposed site) and Cook's Hole extraction. The submitted TA concludes that the current vehicular access to Thornhaugh 1 is suitable to take this amount of traffic (plus the nominal car movements associated with staff) and that the A47 has and will have capacity in the future years to accommodate this traffic. As can be seen the amount of HGV traffic generated by the inert recycling operation is a relatively small part of the overall proposed HGV movement to and from the site. The TA has been assessed by the Highway Authority (PCC) who raise no objections. Similarly, the Highways Agency raises no objections.

The question of whether a second vehicular access to Cook's Hole should be opened onto the A47 was considered when the recent application to review conditions attached to the minerals permission at Cook's Hole was determined. It was considered that there were no significant highway or amenity reasons to open up a second access and this remains the case. It is considered that the application complies with the above policies and that in particular those criteria attached to policy SSP WS4 relating to access and traffic increase have been demonstrated to be acceptable. The issue of noise generated by traffic is considered to be low.

Public Rights of Way

The proposal will not affect the current situation on the ground regarding footpaths within the site with the exception of Thornhaugh footpath 2 which crosses Cook's Hole and runs through the proposed temporary stockpile area. A temporary footpath diversion order has already been approved to take account of the need to divert this footpath. Otherwise suitable diversions are already in place to enable public access from the A47 across to the Old Oundle Road which runs along the edge of Bedford Purlieus and the western edge of Thornhaugh 1 and Cook's Hole. The restoration scheme proposes that the original routes of public footpaths will be reinstated together with new footpaths to link around the perimeter of Thornhaugh 1. The proposal is in accordance with policy CS37 of the MW Core Strategy.

3. Noise and Vibration – residential amenity

The relevant policies are CS32 and CS34 of the MW Core Strategy. In addition the Technical Guidance to the NPPF gives advice about acceptable noise limits and the approach to dealing with noise at mineral sites. This guidance could also be applied in this instance.

The applicant has submitted a noise assessment based on noise monitoring undertaken at the nearest noise sensitive locations (residential properties). These comprise Home Farm House, Leedsgate Farm, Nightingale Farm, Sibberton Lodge, Owl Corner Cottage and Oaks Wood Cottage. The noise assessment was revised to take account of the recycling of inert material. Taking the measured background levels into account the applicant has suggested that maximum noise level standards be set for each of these properties. The operational activities remain below noise level limits already agreed at the nearest noise sensitive properties under the extant planning

permission for Thornhaugh 1. The proposed working hours at the site are the same as at present i.e. 0700 – 1800 Mondays to Fridays and 0700 to 1300 on Saturdays, no working on Sundays or Bank Holidays. It is also noted that phases 3 and 6 are restored and phase 5 is completed and these areas are located between the nearest residential properties and those areas of the site to be worked.

The Pollution Control Officer (Lynden Leadbeater) has raised no objection to the proposal (including the revised noise assessment taking account of the recycling of inert waste) on grounds of noise but has advised that noise conditions be attached to any permission granted.

4. Air Quality

The relevant policies are CS22 and CS34 of the MW Core Strategy. The main impacts associated with landfill sites are odour and dust. Receptors include nearby residential properties and the natural environment, in this case particularly Bedford Purlieus SSSI and the County Wildlife Site within the site boundary. The area for extension is at the southern part of the site, further away from the nearest residential properties.

The applicant proposes to continue with the current on site dust and odour mitigation. Dust measures include but are not limited to sheeting lorries, keeping soil handling to a minimum, limiting heights of CDE material awaiting processing or of finished products to 3 metres or less and sealing soil storage mounds (planting them) and using water sprays where necessary. Odour reduction measures include minimising the active tipping area as far as possible, covering waste as soon as possible, capping completed areas as soon as possible and banning very odorous waste from the site. With regard to the control of dust/air quality issues there is overlap between the enforcement and monitoring functions of the Local Planning Authority and the Environment Agency. The EA advises that it will cover these issues within the main site area to be covered by the permit that would need to be issued by them for the majority of works within the site. The possible exclusion would be the area containing the stockpile to the south of the site within Cook's Hole. As there is a potential gap in the monitoring that will be undertaken by the EA, it is proposed to apply a condition which ensures the dust measures mentioned within the submission are implemented.

The Pollution Control Officer raises no objections subject to the implementation of the dust measures and odour monitoring being implemented. It is considered that the proposal will not cause any significant issues in respect of dust and odour and that the proposal is in compliance with policy CS34.

With regard to climate change, the proposal does not quantify how much carbon dioxide will be produced or saved through efficient measures adopted at the site. Given the nature of the development this is difficult to quantify and there are limitations for creating reductions as most of the carbon created will come from the HGV movements at the site and the operation of plant and machinery. The applicant has considered the use of landfill gas to generate renewable power but largely due to the nature of the waste being tipped a gas engine scheme is not presently viable. The location of the site for disposing of SNRHW was considered through the Core Strategy and Site Specific DPD processes and was considered acceptable.

The restoration of the site to a mainly nature conservation use will help to enhance biodiversity and tree planting, although several years away will help to offset carbon emissions. In terms of policy CS22 the proposal is considered to be acceptable.

5. Landscape and Visual Effects

A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the application. This assessment has been undertaken in accordance with industry guidelines and best practice, assessing the landscape characteristics of the area and the potential visual impact of the proposal from various viewpoints located around the site. Impacts are assessed during the site operations, (including the screening and crushing machinery in connection with the inert waste recycling proposal and inert waste stockpiles) and post operations when the site is restored to nature

conservation.

The relevant policies are policy CS20 of the Core Strategy and CS25, CS33 and CS34 of the MW Core Strategy. These policies require that the landscape character of the area be taken into account, that development is assimilated into its surroundings and where there is an impact provide suitable mitigation. There will be some impact during the operational phases of the development – this is inevitable with a landfill site. This is mainly limited to views from public vantage points, including public footpaths. It is not considered that there will be any significant visual impact with regards to residential amenity as the site is buffered by the restored areas of the site from the nearest residential properties.

The previously approved restoration scheme included a “domed” restoration to the phases of the site closest to the A47 and conversely a depression to the Bradshaw Land to the rear of the site closest to Bedford Purlieu (because no permission has been previously granted to fill this area). This profile was quite “unnatural” and not ideal. There would be a margin of woodland to the eastern boundary of the site, otherwise the remainder of the site would be set to grass. The proposed restoration scheme would create an overall domed profile to the site and would provide for wider planting across the site to create a restoration scheme to a biodiversity after-use. The proposed scheme also allows for greater public access via new footpaths.

It is considered that the final restoration scheme will enhance the visual impact of the area. The final restoration contours are not of greater height than previously approved. The Council’s Tree Officer has raised no objections subject to detailed planting plans being obtained by condition. The proposal is in accordance with the above policies subject to the imposition of conditions requiring restoration to be completed in accordance with the submitted scheme and the requirement for a detailed landscape scheme to be submitted and implemented once restoration is complete.

6. Impact on the Natural Environment

With regard to designated sites, Thornhaugh 1 is adjacent to Bedford Purlieu Site of Special Scientific Interest (SSSI) and there are other SSSIs within the locality. The site contains a County Wildlife Site (CWS) located to the southwest corner which serves as a habitat for Great Crested Newt (GCN). Policies CS25 and CS35 of the MW Core Strategy are relevant. The Council has a statutory duty which flows from the EU Habitats and Birds Directives to take protection of certain mammals, birds and flora into account together with their habitats. The statutory consultee on such matters is Natural England (NE). The CWS will be retained as part of the application and managed by the applicant.

The ES contains chapters on ecological assessment which must be read in conjunction with other relevant issues such as hydrology. The submission concludes that the site is not important for badgers, reptiles, water voles or birds with the exception of the Little Ringed Plover which is a Schedule 1 (highest protection) breeding bird on the site. There is also potential for red kite activity. Great Crested Newts (and other newts) are present on site within the CWS and also within ponds located within the Bradshaw Land – the area which it is proposed to fill. A licence from NE would be required to translocate the protected newts before any development could commence in this area. All three current ponds located within the Bradshaw land would be lost as part of the proposal to infill. To mitigate this, a new pond is proposed as part of the restoration scheme and in general the site is to be restored to nature conservation.

There is one species of flora of note – Sea Club Rush which will be lost when infilling one of the ponds. It is proposed to re-plant in the new pond or perhaps off site.

Natural England, the Wildlife Trust and the Council’s ecologist have all supported the restoration of the site back to nature conservation. Both NE and the Council’s ecologist have raised some concerns relating to the proposed mitigation measures for GCNs and the Little Ringed Plover. In particular the proposals do not tie in with the current licence arrangements with NE which have been agreed to deal with the newts present on site in relation to the current planning permissions and on-going operations at the site.

The applicant provided a response to the issues raised by NE who were reconsulted. NE have sent a further consultation response stating (in summary) that they accept the points made by the applicant and that they expect matters relating to detailed mitigation and management of ecological species and habitats to be covered by appropriate conditions. The suggested conditions will cover these matters. The applicant intends to apply to NE for a new licence to deal with the newts, submitting a scheme that will tie in with this planning permission if granted. NE has accepted this as a reasonable way forward.

The Wildlife Trust supports the restoration proposals and has stated that ideally an extended aftercare period should be sought. The WLT also expressed interest in taking over/being involved in the management of the County Wildlife Site. This proposal has been put to the applicant who has stated that Augean intend to maintain a long term interest in the site and would commit to a 10 year aftercare period of the site. NE has accepted this as being reasonable.

The proposal represents an ideal opportunity to improve the biodiversity of the area, especially as it is adjacent to Bedford Purlieus and will make a contribution towards achieving the Biodiversity Action Plan (BAP) targets as required by MW Core Strategy policy CS35. The mitigation and management of GCNs, little ringed plover and habitats as identified in principle is acceptable and will be secured by conditions requiring an Environmental Management Plan.

7. Groundwater, surface water and drainage

The relevant policies are CS21, CS22 and CS 39 of the MW Core Strategy. As part of the ES, the applicant has submitted an assessment of the regional significance of groundwater, a flood risk assessment and a Surface Water Management Plan. The Bradshaw Land (proposed phases 4b and 4c) overlies Lincolnshire limestone, designated by the EA as a major aquifer. The applicant recognises that the site requires a complex groundwater risk assessment and that the benchmark must be that there will be no unacceptable discharge of either hazardous substances or non hazardous pollutants from the site. The applicant proposes to revise the Hydrological Risk Assessment (HRA) if permission is granted in support of an application to revise the site's environmental permits (with the EA) to resume waste disposal in phases 1 and 2 – where over-tipping of previous waste material will need to occur and before commencing land filling in phases 4b and 4c. The applicant intends to agree the scope of the HRA with the agency prior to its preparation.

Discussions held with the applicant and the EA suggest that a solution is possible but the exact nature of that engineering solution will depend on extensive survey work and detailed engineering. Given that an engineering solution to the issue and a scheme to prevent pollution to groundwater is likely feasible, it is considered reasonable to deal with this by a pre-commencement condition. This will not prejudice the ability of the Local Planning Authority or indeed the EA to re-evaluate the proposal in terms of its environmental impact. The scheme submitted with the application suggests that it will be possible to comply with policy CS39 which requires no significant impact or adverse risk to the quantity or quality of surface and ground water resources, water abstraction (by abstractors) unless alternative provision is made for the flow of groundwater. It is considered that the proposal is acceptable with regards to impact on groundwater subject to a condition requiring details of the engineering and a further HRA to be submitted prior to the commencement of the development. Pollution control will be dealt with through the detailed engineering and HRA that will be required to be submitted and approved before work can commence and these issues will need to be satisfied before the EA will issue a permit for the works.

The site lies within Flood Zone 1 which has a low risk of flooding from fluvial sources or from groundwater. The existing perimeter drainage ditches at the site will be revised but surface water run off will still be directed to the existing attenuation lagoon located in the north east corner of the site. Rainfall during the fill operations will not run off because the waste is permeable – it will be collected and dealt with in the leachate treatment systems located at the bottom of the cells which are monitored by the EA. No surface water will run into the GCN ponds except for a 1 in 50 year flood event. Contaminated water will not be able to enter the CWS or the new newt ponds as

proposed. Rainfall will not enter capped cells (as the clay and cover will be impermeable) but will run off and be directed to the drainage ditches. The EA has not raised objections regarding flood risk or surface water drainage management. It is considered that the application is in compliance with the above policies subject to adherence to the submitted schemes being conditioned as part of any permission granted.

8. Cumulative impact

The Town and Country Planning (Environmental Impact Assessment Regulations) 2011 require that applicants consider the cumulative impact of the various aspects of their proposal in combination with one another and in combination with other existing or known projects within the vicinity. The applicant has considered such impacts within each chapter of the Environmental Statement (ES).

As mentioned above, the cumulative impact of traffic travelling to the site in combination with that approved for resumption of mineral workings at Cook's Hole has been undertaken and found to be satisfactory.

The ES has identified no cumulative impacts in terms of other topic areas that would result in unacceptable impacts on the surrounding area. Of note, it is proposed to use part of the Cook's Hole site to temporarily store soils removed from phase 7 of Thornhaugh 1 until the material can be re-used to infill or restore the site. If there are any overlaps between operations on either site, the developer will need to ensure that this either complies with the conditions imposed or will need to make an application for variations in conditions as needs be.

The EA has raised some issues with regard to the quality of soils removed from phase 7 and the need for possible screening (checking) of these soils together with the need to ensure that an amount of inert material can be used in the engineering of cells within Thornhaugh 1. Surveys were undertaken in 2004 and submitted with the application made in 2005 (05/00685/WCMM) which show that the likely nature of most of the deposit in phase 7 is quarry waste (sands, fines, some limestone and clays) but there is potential for other waste such as brick and plastic and possibly some putrescible waste. A methodology for screening (checking) the phase 7 soils was contained within the documents permitted under the 2005 permission and the applicant proposes to continue with this – visual screening by on site trained operatives and laboratory testing before any wastes/materials of unknown type are placed elsewhere. These matters can be covered by condition. There may be some overlap here with planning controls and environmental controls exercised by the EA. This should be avoided but where there is an element of "unknown" in a proposal, it is best to possibly "over control" rather than risk no control.

It is considered that there are no cumulative impacts which warrant the refusal of the application.

9. Other Issues

Cultural Heritage (historic environment)

The ES identifies that there are listed buildings within the vicinity of the site, namely Home Farm House and outbuildings (Grade II listed) – 75 metres to the north of the A47; Cook's Hole Farm (Grade II listed) located to the centre of Cook's Hole; and Sibberton Lodge and outbuildings (Grade II listed) located approximately 1km to the east of the site. There are four Scheduled Monuments – two at Wansford and two at Sutton Heath, the nearest of which is Wansford Bridge located 1.8km to the south east of the site.

The proposed development is well screened from Home Farm House and Sibberton Lodge, both lying on the other side of the A47. Cook's Hole Farm is set to the centre of Cook's Hole site which has planning permission for mineral extraction. It is considered that the impact upon the historic environment is therefore very limited/negligible and that the proposal complies with policy CS36 of the MW Core Strategy.

Contaminated Land

Land filling inevitably has the potential to cause contamination of land. Modern land fill sites are

heavily regulated and matters relating to pollution control are required to be dealt with under the permitting scheme for which the responsible authority is the Environment Agency. Issues relating to the potential for pollutants to escape from the site either through the ground, water or the air will be controlled and monitored under the permit that will be required if planning permission is granted. (The possible exception relates to the soil storage area located to the south in the Cook's Hole area, as discussed above). There is no need and indeed Government advice contained within the NPPF advises Local Planning Authorities not to duplicate separate regulations and that the ability of other agencies to control such issues must be taken as read. Having said this, the suggested conditions requiring details of further engineering and groundwater assessment should ensure that all reasonable steps are being taken to prevent a contamination incident from occurring. In this regard the proposal is compliant with policies CS21, CS34 and CS39 of the MW Core Strategy which relate to minimising the risk of pollution.

Socio Economic Impacts

The impacts on residential amenity, noise and vibration and recreational amenity have been assessed under separate chapters of the ES. With regard to the impact on human health, the ES points to a report published by the Health Protection Agency in July 2011 on the Impact on Health of Emissions from Landfill Sites. The report concludes that "there is no new evidence to change the previous advice that living close to a well managed landfill site does not pose a significant risk to human health." The on going site monitoring work undertaken by the Senior Minerals and Waste Officer for PCC together with our regular liaison with the EA suggests there is no reason to conclude that this is not a well managed site.

Risk of Accidents in Hazardous Development

As part of the application to the EA for a permit for the proposed development, the developer is required to submit an Accident Management Plan which includes an assessment of risk and actions to be taken in respect of potential flooding, fires and explosions and a major breach of the liner. These issues can be dealt with under the permitting regime and do not need to be conditioned as part of any planning permission granted.

Safeguarding of Airports

Policy CS40 of the MW Core Strategy requires that waste management development within safeguarding areas of airports will only be permitted where it is demonstrated that the development will not pose a significant hazard to air traffic. The site lies within the vicinity of Wittering air base. The proposals will essentially continue what is already occurring on site and the LPA has received no complaints with regard to bird nuisance from the MoD. Site monitoring has not revealed any issues in this regard over the past year. It is considered that the proposal is acceptable with regard to policy CS40.

6 Conclusions

The NPPF states that there is a presumption in favour of sustainable development – in terms of decision taking this means approving development proposals that accord with the development plan without delay. The principle of development is clearly in accordance with policy SSP W4 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD (Site Specific DPD) which allocates the site for SNRHW and complementary non hazardous land fill. The proposal also includes recycling of inert waste (from within the site and imported) for use on the site or for sale off site. The site is not allocated for inert waste recycling but the proposal complies with policies CS14 and CS15 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the Core Strategy) with regards to the need and location of waste management facilities. An Environmental Statement accompanies the application which is considered comprehensive and meets the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2011. Detailed topic areas have been assessed/considered:-

With regard to transport and public rights of way the proposal is in compliance with policies CS15, CS32 and CS37 of the Core Strategy and the implementation issues attached to policy WS4 of the Site Specific DPD.

Noise and vibration has been assessed and the proposal is in compliance with policies CS32 and CS 34 of the Core Strategy.

Air Quality and climate change issues are in compliance with policies CS22 and CS34 of the Core Strategy.

The landscape and visual impacts of the proposal are in compliance with policies CS20, CS25, CS33 and CS 34 of the Core Strategy,

The site contains a population of Great Crested Newts protected under European law, habitat for Little Ringed Plovers and a County Wildlife site. These matters have been carefully considered (no objections raised by Natural England subject to conditions) and are in compliance with policies CS25 and CS35 of the Core Strategy.

Issues related to groundwater, surface water and drainage are considered acceptable (the Environment Agency raises no objections subject to conditions) and are in compliance with policies CS21, CS22 and CS39 of the Core Strategy.

Other matters have been assessed including cultural heritage, contaminated land, socio economic impacts, risk of accidents and airport safeguarding and are considered acceptable and in compliance with development plan policy.

The cumulative impact of this development with that of the neighbouring site Cook's Hole has also been taken into account.

Comments of consultees have been taken into account and suitable conditions will be attached which address any issues raised. The comments of neighbours have been taken into account, but given that the site is allocated for waste development and in all other respects the proposal is acceptable, there is no reason not to approve the application in line with Section 38(6) of the Planning and Compensation Act.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

C 2 The development hereby permitted shall be carried out in complete accordance with the submitted and approved documents:

* The Environmental Statement dated March 2012 by URS

* The Supporting Statement dated March 2012 by URS

* The Supplementary Environmental Statement dated August 2012

* The Supplementary Supporting Statement dated August 2012

And the submitted and approved plans:

- * Figure ES 3.1 Site location
- * Figure ES 3.2 Application boundary
- * Figure ES 3.3 Site setting
- * Figure ES 3.4 Topographical survey
- * Figure ES 3.5 Statutory designations
- * Figure ES 3.6 Public Rights of Way
- * Figure ES 4.1 Proposed restoration scheme
- * Figure ES 4.2 Proposed pre-settlement contours
- * Figure ES 4.4 Post settlement landform context
- * Figure ES 4.5 Cross sections
- * Drawing SES 2.3 Area for Recycling Operations

Reason: To clarify what is hereby approved.

- C 3 Written notification shall be provided to the Local Planning Authority advising of the date the development has commenced, within one week of the commencement taking place.

Reason: Due to the extant permission and current operations on site, the date of commencement may not be readily apparent. It is in the proper planning interests of the area that the Local Planning Authority can both ensure that development is taking place in accordance with the permission hereby granted and to agree a proper monitoring regime for the site with the developer.

- C 4 Prior to the commencement of development a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved phasing plan. The site shall be filled and restored in a phase by phase manner in accordance with table 4.1 contained within the approved Environmental Statement. Each phase shall be restored within one year of the landfill operations within that phase being completed. The landfill of the site shall be completed by 31st December 2028 and restoration of the site shall be completed no later than 31st December 2029.

Reason: To ensure that the site is restored in a timely manner and to reduce the visual impact of the landfill operations as development progresses in accordance with policy CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 5 Prior to the commencement of the development a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be undertaken on a phased basis and be based on restoration of the site back to a nature conservation after use as shown on approved drawing Figure ES 4.4. The landscaping scheme shall include (but not necessarily be limited to) the following:-
- * An overall site landscape masterplan
 - * Detailed planting plans for each phase of the development to include species, size, number and methodology for all planting to be undertaken (E.g. trees, hedgerow, shrubs, water body planting and grass)
 - * Details of the phased completion of landscaping which must demonstrate that each phase shall be planted in the next available planting season following soil replacement on each phase
 - * Details of any hard landscaping such as fencing
 - * Details of pond construction
- The landscaping shall thereafter be undertaken in accordance with the approved landscape scheme.

Reason: To ensure that visual appearance of the site and the proposed biodiversity enhancements are created as early as possible in accordance with policies CS25, CS33,

CSW34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and policy CS20 of the Peterborough Core Strategy DPD.

- C 6 Prior to the commencement of the development an Environmental/Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include at least the following information:
- * How species of fauna highlighted in the Environmental Statement as being dependent on the site will be protected during the operational phases of the development
 - * Details of mitigation measures that will need to be put in place (in particular for the Great Crested Newts and Little Ringed Plover)
 - * Details of species and habitat management and monitoring (including frequency) that will be undertaken across the site during operational phases
 - * Details of how pollution prevention to habitats and species during the operational working of the site will be carried out

No development shall take place except in complete accordance with the approved Environmental/Ecological Management Plan. Should the Local Planning Authority request details of any monitoring results or reports undertaken as part of the approved Environmental/Ecological Management Plan, they shall be provided within 7 days of a written request having been received by the applicant/developer.

Reason: To ensure that the natural environment is protected, managed and any loss mitigated against during the operational phases of the site in accordance with policies CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 7 Prior to the commencement of the development, a scheme for external illumination and floodlighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the "Guidance Notes for the Reduction of Light Pollution" from the Institute of Lighting Engineers and shall provide details of:-
- * The height of lighting masts/posts
 - * The direction of lights
 - * The intensity of the lights to be used (specified in Lux levels)
 - * Spread of light including approximate light spillage to the rear of floodlighting posts (in metres)
 - * Any measures to minimise the impact of the floodlighting or disturbance through glare (such as shrouding)

No external lighting shall be erected unless in complete accordance with the approved scheme.

Reason: In order to protect the amenity of nearby residents and to reduce light pollution in a predominantly rural environment in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 8 Prior to the commencement of the development a scheme for controlling and mitigating dust and odour emissions from the site and impact upon sensitive locations shall be submitted to and approved in writing by the Local Planning Authority. The scheme need only cover emissions not controlled through a permit issued by the Environment Agency and shall include details of a monitoring regime which shall be undertaken by the developer and the means for making the results of monitoring available to the Local Planning Authority. The development shall not be carried out except in complete accordance with the approved scheme.

Reason: In the interests of protecting nearby residential properties and users of public rights of way from dust and odour in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 9 Prior to any development taking place in phases 1 or 2 (as shown on drawing ES 4.6 or equivalent areas shown on further approved phasing plans) a detailed scheme or schemes (to include plans and sectional drawings) showing cell engineering and groundwater/hydrological risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The detailed cell engineering will need to demonstrate in particular how over tipping of previously tipped areas will be undertaken without risk of pollution to the environment. The detailed cell engineering information shall include amounts of inert waste necessary to achieve safe cell construction. The development shall not take place except in complete accordance with the approved scheme(s).

Reason: The Environmental Statement submitted with the application sets out that this will be necessary as the landfill engineering drawings and methodology are indicative. As such the further schemes are necessary to be able to demonstrate that the development can take place without harming the environment, particularly through pollution of the ground and groundwater in accordance with policies CS34, CS35 and CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C10 Prior to any material being deposited in the temporary stockpile (as shown on drawing ES4.6) or any works to the access to serve the temporary stockpile, details of height, gradient and means to prevent erosion of the stockpile together with the proposed means of access to the temporary stockpile (as indicated on drawing ES 4.6) shall be submitted to and approved in writing by the Local Planning Authority. The details must include how the safe passage of pedestrians using footpaths 2 and 3 will be ensured at the point where the vehicular access will cross the footpath. The approved details shall be implemented in full prior to any heavy vehicle accessing the temporary stockpile area.

Reason: In the interest of visual amenity, dust prevention and of the safety of the users of the public footpaths in accordance with policies CS33, CS34 and CS37 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C11 No later than six months prior to any phase of the development hereby approved being landscaped, an aftercare/ecological management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The aftercare period for each phase shall be 10 years and this shall commence once the landscaping for each phase has been completed in accordance with the approved landscaping scheme. The aftercare/ecological management plan for the site shall include (but not necessarily be limited to) the following:-
- * The management of all planting carried out (including pest control measures, cutting and pruning, inspection regimes, fertilising, replacement planting) and the timing of these measures over the 10 year aftercare period for each phase
 - * The management and monitoring of all protected fauna and their habitat (in particular the ponds and County Wildlife Site) during the aftercare period to include an overall plan for the site once a phase is brought into aftercare and on a phase by phase basis over the 10 year aftercare period for each phase
 - * The management and monitoring of wider habitats being proposed (including woodland and calcareous grassland) and the benefitting species as set out in the Environmental Statement (including grizzled skipper, black hairstreak and dormouse)
 - * Details of additional biodiversity enhancements, including bird and bat boxes
- The approved aftercare/ecological management plan shall be implemented in full up to a period of 10 years following completion of the approved landscaping scheme to the last phase of the development. Should the Local Planning Authority request details of any monitoring or reports undertaken as part of the approved scheme, they shall be provided within 7 days of a written request having been received by the applicant/developer.

Reason: To ensure that the site is brought back in a beneficial use, in this case nature conservation, and to ensure that the proposed landscaping and biodiversity enhancements are properly managed and have the maximum opportunity to become established in

accordance with policies CS25, CS33 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C12 Topsoil and subsoil to be stripped from the site shall be placed in separate non overlapping mounds and shall be placed in locations the details of which shall be submitted to and agreed in writing by the Minerals and Waste Planning Authority prior to the stripping taking place. Topsoil and subsoil mounds shall not exceed 3 metres in height. Soils shall only be handled when in a dry and friable condition and once mounded they shall not be driven across. Soil storage mounds shall be grass seeded with a calcareous wild flower mix at the first seeding opportunity following formation of a mound. No top or subsoil shall be removed from the site or the land edged blue on the approved application site boundary plan, drawing ES 3.2. The material stored in the temporary stockpile in Cook's Hole shall be used to achieve the restoration of the remainder of the site. The temporary stockpile shall have been completely removed upon completion of the final phase of restoration.

Reason: To ensure that soils are moved and stored in a sustainable way ensuring their beneficial re-use in the restoration of the site, minimising the need to import additional soils to achieve restoration and in the interests of the visual appearance of the area in accordance with policies CS22, CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

Reason: In the interest of the visual appearance of the area in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C13 The site shall be accessed by vehicles by the single point of access off the A47 only, as shown on approved drawing ES. 3.2

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C14 Wheel cleaning facilities shall be retained on site in a location adjacent to the hard surfaced access into the site. Should the wheel cleaning facility break down, temporary wheel cleaning measures shall be deployed until the permanent wheel cleaning facility is operable. The wheel cleaning facility shall remain in use on site until the final landscaping has been completed.

Reason: In the interest of highway safety and dust minimisation in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C15 Prior to the commencement of each phase of the operation or restoration, adequate space shall be provided within the site for the parking, turning, loading and unloading of all vehicles associated with that phase of the operation, restoration or recycling activities and this space shall be kept available for such purposes for the duration of that phase of the landfill operation, restoration or recycling activity.

Reason: In the interest of highway safety and free flow of traffic on the A47 in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C16 Except for temporary operations the rating level of noise emitted from the site shall not exceed the specified noise criteria levels in Schedule 1. The noise levels shall be determined at the nearest noise sensitive properties as listed in Schedule 1. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for such effects. Within two months of the commencement of development a noise monitoring scheme shall be submitted to and agreed in writing by the

Local Planning Authority. Noise monitoring shall thereafter be undertaken in accordance with the approved scheme.

Schedule 1

Location	Site noise limits/LAeq, 1 hour (free field) during normal working hours	42dB LAeq, 5 mins (free field) at any other time
Home Farm House	55	42
Leedsgate Farm	50	42
Nightingale Farm (Mon-Friday)	50	42
Nightingale Farm (Saturday)	46	42
Sibberton Lodge	51	42
Oaks Wood Cottage	55	42
Toll Cottage	55	42

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C17 For temporary operations such as site preparation, soil stripping and replacement and screen bund formation and removal, the free field noise level due to operations determined at the nearest noise sensitive dwellings (as listed in condition 16) shall not exceed 70dB LAeq, 1 hour (free field). Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C18 No reversing alarms shall be used except “quieter option” alarms (such as adjustable or broadband “white noise” systems).

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C19 No operations, including the working of any plant or machinery, transport of excavated materials, delivery of infill materials and restoration shall be undertaken outside the hours of 0700 to 1800 on Mondays to Fridays and 0700 to 1300 on Saturdays. No operations other than environmental monitoring shall be undertaken outside these hours.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C20 Only inert construction and demolition waste types shall be processed through the recycling operation.

Reason: Because the scheme for recycling that has been submitted is capable of recycling inert waste only and the Supplementary Environmental Assessment is limited to the consideration of recycling inert waste only.

- C21 The recycling, processing and stockpiling of materials awaiting processing and finished materials for sale will be confined to the area shaded on the approved drawing SES 2.3 but notwithstanding this no stockpiles (both received and processed material) shall be stored

below the water table or in areas susceptible to flooding. The stockpiles shall not exceed the pre-settlement levels shown on Figures ES 4.2 and ES 4.5 by more than 3 metres and each stockpile shall not exceed an overall height of 5 metres.

Reason: In the interests of minimising the visual appearance of the stockpiles and minimising the risk of flooding and pollution in accordance with policies CS34 and CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

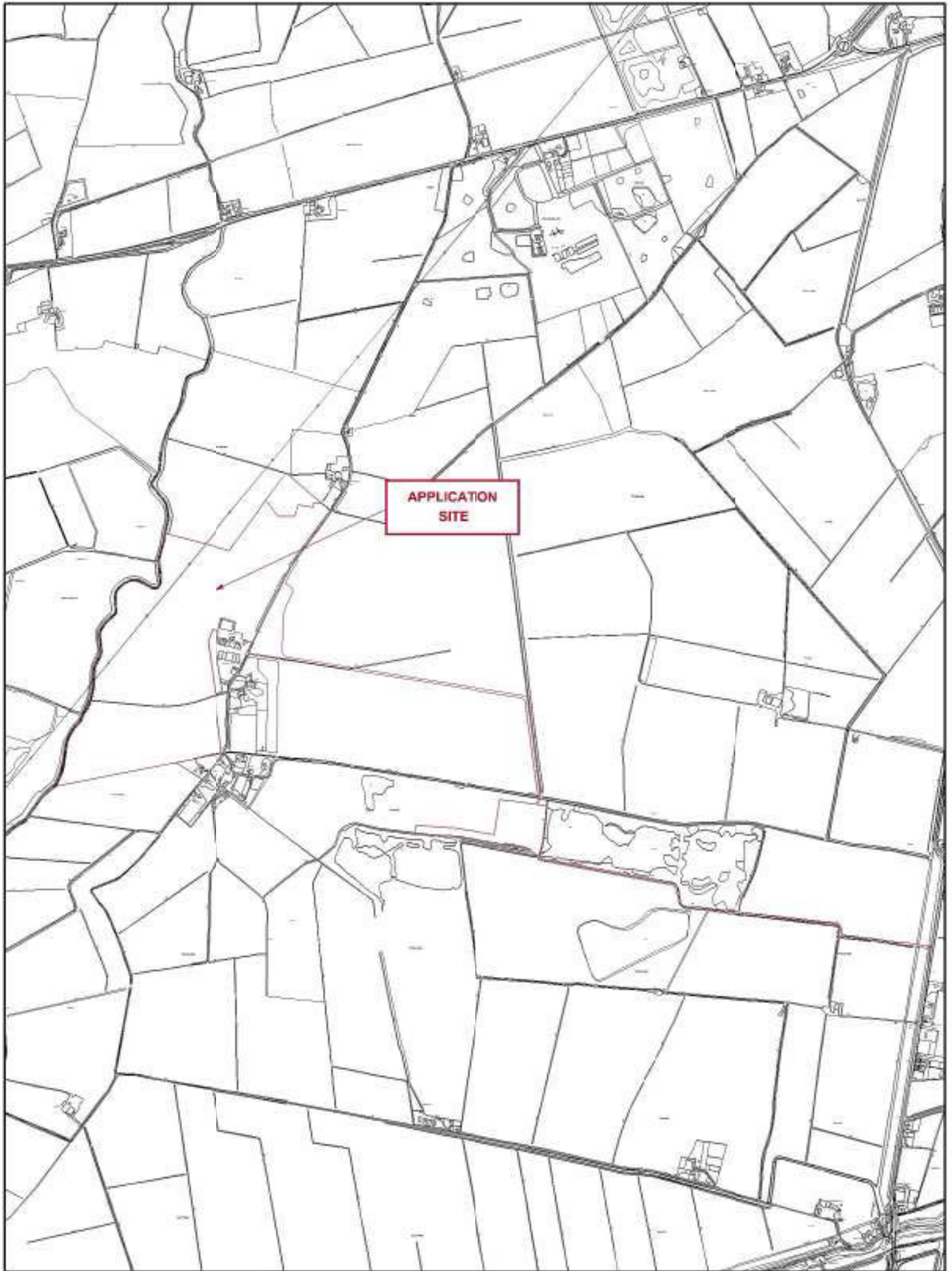
- C22 The footpaths shall be reinstated and provided in complete accordance with the details shown on drawing ES 4.1 within 6 months of the final phase of the development being landscaped and shall be retained as such thereafter.

Reason: In order to maintain and enhance public rights of way provision on the site in accordance with policy CS37 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C23 Unless required for continued environmental monitoring purposes, all buildings, plant and machinery and hard surfacing (“the site infrastructure”) shall be permanently removed from the site within 6 months of the final landscaping taking place. Should any site infrastructure be required to be retained for environmental monitoring purposes beyond this date, a plan/scheme shall first be submitted to and approved in writing by the Local Planning Authority which identifies the retained infrastructure and the length of time it is to remain on site. The site infrastructure shall thereafter be retained and removed from the site in accordance with the approved plan/scheme.

Reason: In the interest of achieving a proper restoration of the site to nature conservation and in the interest of the long term visual appearance of the site in accordance with policies CS25, CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

Copy to Councillors Holdich OBE J F W and Lamb D



LOCATION PLAN 12/01008/MMFUL

Land to the West of Willow Hall Farm, Willow Hall Lane, Thorney

Scale NTS **Date** 24/10/2012 **Name** AA **Department** Planning Services

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PETERBOROUGH



CITY COUNCIL

PCC GIS

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Application Ref: 12/01008/MMFUL

Proposal: Extraction of sand and gravel with restoration to agriculture using uncontaminated inert waste, continued use of new haul road and crossing of Willow Hall Lane

Site: Land To The West Of Willow Hall Farm, Willow Hall Lane, Thorney, Peterborough

Applicant: P J Thory Ltd

Agent: G P Planning Ltd

Referred by: Head of Service

Reason: 25% of proposed extraction area lies outside site allocation MF1 of Cambs & Peterborough Mineral & Waste Site Specific DPD. The site is not allocated for inert landfill.

Site visit: 09.08.2012

Case officer: Mr A O Jones
Telephone No. 01733 454440
E-Mail: alan.jones@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The site covers an area of approximately 65 hectares in a rural location to the east of Peterborough. The area proposed for extraction is broadly within an area allocated for sand and gravel extraction and has high voltage electric pylons running through it on a southwest to northeast diagonal. That part of the site allocated in the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD as M1F is bounded to the south by the Green Wheel network, and the additional area is a field to the south of the Green Wheel. Beyond the Cats Water Drain to the west lies the existing Eyebury quarry and landfill site. Bar Pastures Farm Scheduled Monument lies immediately to the north, along with arable fields which extend to the A47. Willow Hall Lane, Willow Hall Farm and Willow Hall Farm cottage lie adjacent to the east of the proposed extraction and infill area. Willow Holt, a residential property, lies to the south east of the site.

A haul road is proposed to run east from the extraction / infill area, across Willow Hall Lane, through open fields to an area currently used for the processing and storage of sand and gravel extracted from the Briggs Farm / Priors Fen agricultural reservoir. From there, the proposed haul road follows the line of the existing Briggs Farm / Priors Fen haul road east until joining the B1040 approximately halfway between Thorney and Whittlesey.

The entire proposal site lies within the generally flat topography of the Fens landscape.

Proposal

The development will seek to extract approximately 2,250,000 tonnes of sand and gravel from the extraction area to the west of Willow Hall Lane over a 9-12 year period. The site will be

progressively restored with approximately 1,900,000 tonnes of inert fill material in 3 phases from north to south. The restoration includes;

- a landscape enhancement area on and adjacent to the Bar Pastures Farm Scheduled Monument;
- a habitat corridor linking the Eyebury 'southern extension habitat corridor', the Cats Water Drain and extending to the hamlet around Willow Hall;
- landscape enhancements along Willow Hall Lane;
- biodiversity enhancements along the length of the Cats Water Drain and the processing and storage area situated between Willow Hall Lane and the B1040;

The Green Wheel is proposed to be diverted during the course of operational works, before reverting to the current alignment and being upgraded to bridleway standard, with the diverted foot/cycle path to be retained in perpetuity.

A controlled crossing point for plant and machinery is proposed over Willow Hall Lane approximately halfway between Bar Pastures Farm and Willow Hall Farm.

The proposal is EIA development, under Schedule 1(19) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and is accompanied by an Environmental Statement.

2 Planning History

Reference	Proposal	Decision	Date
11/00001/SCOP	Proposed sand and gravel quarry	Comments	28/04/2011
07/01120/MMFUL	Construction and use of haul road and erection of processing plant	Permitted	22/11/2007

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

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

Section 13 - Economic Benefit

Give great weight to the benefits of the mineral extraction, including to the economy.

Non energy minerals should be provided for outside of Scheduled Monuments and Conservation Areas where practicable.

Section 13 - Unacceptable Adverse Impacts

Should be avoided on the natural and historic environment, human health and aviation safety. The cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality must be taken into account.

Section 13 - Noise, Dust and Particle Emissions

Including any blasting vibrations must be controlled, mitigated or removed at source. Noise limits for extraction in proximity to noise sensitive properties should be established.

Section 13 - Restoration and Aftercare

Should be provided for at the earliest opportunity and carried out to high environmental standards through the use of appropriate conditions.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)

MW01 - Strategic Vision and Objectives for Sustainable Minerals Development

In delivering the growth agenda there will be an increase in the use of recycled secondary aggregates and a preference in these over land won minerals, however, where this is not practicable a steady supply of mineral from the Plan area will be maintained. Limestone only exists in the Peterborough area and extraction will continue throughout the Plan period. In order to avoid reserves becoming exhausted, new sites will need to be identified and brought forward if they meet environmental criteria. Major infrastructure projects will be facilitated by the supply of mineral and in the case of the A14 improvements, by borrowpits close to the scheme. Mineral safeguarding and consultation areas will be identified to avoid needless sterilisation and prejudice to future mineral extraction. As extraction progresses across the area it will help deliver other objectives through restoration including increased biodiversity, amenity and recreational use. The natural and historic environment will continue to be protected with increased emphasis on operation practices which contribute towards addressing climate change and minimise the impact of such development upon communities. (Policy CS1 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW04 - The Scale and Location of Future Sand and Gravel Extraction

The Mineral Planning Authorities will maintain a sand and gravel landbank of at least 7 years and will meet the requirement to supply 2.82 million tonnes per annum (mtpa) of sand and gravel, including a margin for flexibility, thus provision is made to supply 3.0 mtpa of sand and gravel over the plan period.

With regard to Peterborough;

New allocations plus permitted reserves will enable the supply of an annual average of 0.75mtpa from the Northern Zone i.e. Peterborough and north Fenland District

The principal broad locations for sand and gravel extraction will be:

For the Northern Zone;

- Kings Delph
- Maxey
- Eye/Thorney

Allocations will be outside the Ouse and Nene river valleys.

MW13 - Additional Mineral Extraction

Additional mineral extraction, lying beyond the scope of the minerals spatial strategy in the Plan will not be permitted unless it can be demonstrated there are overriding benefits which justify an exception to this policy.

MW14 - The Scale of Waste Management Provision

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

MW15 - The Location of Future Waste Management Facilities

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

MW20 - Inert Landfill

Strategic allocation is made at Block Fen/Langwood Fen Area of Search.

Sites to deliver the remaining 3.69 million cubic metres capacity will be made at mineral extraction sites requiring restoration and identified in the Site Specific Proposals Plan.

MW22 - Climate Change

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.

MW24 - Design of Sustainable Minerals and Waste Management Facilities

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

MW25 - Restoration and Aftercare of Mineral and Waste Management Sites

Minerals workings and waste management sites will be restored to a beneficial afteruse with aftercare arrangements. Restoration proposals will be considered on a site by site basis but must meet the criteria set out in the policy.

MW26 – Mineral Safeguarding Areas

Mineral Safeguarding Areas are designated for deposits of minerals that are considered to be of current or future economic importance in order that proven resources are not needlessly sterilised.

MW27 – Mineral Consultation Areas

Mineral consultation areas are identified around existing or planned mineral sites to ensure the future working of reserves will not be prejudiced or prevented by other forms of development.

MW29 - The Need for Waste Management Development and the Movement of Waste

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

MW30 - Waste Consultation Areas

Waste Consultation Areas will be identified through the Core Strategy and Site Specific Proposals Plan and development will only be permitted in these areas where it is demonstrated it will not prejudice future or existing planned waste management operations.

MW32 - Traffic and Highways

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

MW33 - Protection of Landscape Character

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related SPDs.

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse affect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW37 - Public Rights of Way

Minerals and waste development will only be permitted where permanent or temporary diversions of public rights of way are adversely affected if appropriate alternatives are provided. Proposals should, where practicable, provide for the enhancement of public rights of way.

MW38 - Sustainable Use of Soils

Mineral and Waste development which affects the best and most versatile agricultural land will only be permitted where it meets the criteria set out in this policy.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made

c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

Cambridgeshire & Peterborough Mineral and Waste Site Specific Proposals DPD (2012)

SSPM1 – Site specific allocations for Sand and Gravel

M1F – Pode Hole and Eye / Thorney

SSPM9 – Mineral Consultation Areas

M9R – Pode Hole and Eye / Thorney

SSPW8 – Waste Consultation Areas

W8U Eyebury Landfill

Community Infrastructure Levy (CIL) Regulations 2010/

Circular 05/2005: Planning Obligations

Requests for planning obligations whether CIL is in place or not can only be lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Transport and Engineering Services (17.07.12)

No objections. The increase of traffic along the B1040 will not have a detrimental impact on the existing highway network. A condition survey in the vicinity of the site entrance should be undertaken to establish if remedial works are required to cater for the increase in vehicle movements. The Willow Hall Lane Crossing is suitable in principle, subject to a Section 278 application. An easement will be required should the traffic signals be provided on private land.

Environment and Pollution Control (26.09.12)

No objections. Noise levels are likely to be acceptable if limits are set 10dBA above the typical background noise levels rather than the average levels. The need for de-watering requires a lower level noise limit for when the site is not operating. Noise levels for temporary operations can be controlled by condition. Regular monitoring can ensure noise impacts are mitigated appropriately. The use of reversing alarms can be controlled by condition. Dust control measures as specified are appropriate, and will also need to be used for infilling operations. A dust monitoring scheme will be required.

Landscape Architect (Enterprise) (02.10.12)

No objections. Minimisation of the visual impact at Willow Hall Lane is advised. Bunding along Willow Hall Lane needs to be increased to 3m (the highway is nearly 1.5m above surrounding land). Additional hedgerow planting along Cats Water Drain would be beneficial. Detailed landscaping proposals, including phasing of works are required. Additional details are required for the lagoons and processing area proposals, and the lagoons themselves could be better designed

as a single lake. Removal of haul roads post restoration would be preferable.

Wildlife Officer (12.09.12)

No objections. The southern habitat link needs to be established at an early stage to ensure appropriate translocation of any GCNs encountered during trapping out of the southern phase. An Environment Management Plan is required to ensure appropriate mitigation and supervision of works. Further opportunities for biodiversity enhancement would be welcomed. The biodiversity plan is broadly acceptable. Additional details relating to ecological mitigation measures, surveying and monitoring, and a revised restoration scheme, will be required through appropriate planning conditions.

Rights of Way Officer (25.07.12)

No objections. The temporary footpath and cycleway diversion (i.e. Thorney footpath number 6) should be a minimum of 3m in width, and made permanent. The Green Wheel is to be re-instated and upgraded to Bridleway status. Details of the crossing point of the haul road and Thorney footpath number 5 to be agreed, and maintained appropriately.

Environment Agency (10.09.12)

No objections. The applicant is advised that the development may require an Environmental Permit from the Environment Agency. The current licensing exemption on dewatering is likely to be removed in 2012 and dewatering will be regulated by the EA. A discharge license will be required.

English Heritage (01.10.12)

No objections. Mitigation as proposed for the screening and buffering of the Bar Pastures Farm is appropriate and can be conditioned. The landscape enhancement around the Scheduled Monument (SM) is to be implemented as proposed in the Indicative restoration drawing, with the final detail to be resolved through appropriate condition.

Natural England - Consultation Service (24.09.12)

No objections. Biodiversity mitigation and enhancement recommendations should be detailed in an Environmental Management Plan. The site falls within a Regionally Important Geological Site and should contribute to the protection and enhancement of geodiversity. The developer should be encouraged to contribute to a greater scale of BAP habitat creation / enhancement.

Highways Agency - Zones 6, 8 & 13 (23.07.12)

No objections. No significant impact on the safe operation of the A47.

Cambridgeshire County Council Highways (20.08.12)

No objections. The proposal will only result in a minimal increase in HCV movements.

North Level District Internal Drainage Board (11.09.12)

No objections. Byelaws prohibit working within 9m of the Catswater Drain. Formal consent will be required to discharge water from the site into the Board's system, and a levy will be payable.

GeoPeterborough (13.09.12)

The site sits within the Eye/Thorney Area of Search Regionally Important Geological Site (RIGS). As such the proposal presents the opportunity to explore a series of sections through a complex sequence of Pleistocene river terraces, and potentially into the rarely exposed underlying Oxford Clay. Temporary section recording can be controlled by condition. The retention of a representative section(s) within the gravel sequence should be included in the restoration, and would be appropriately retained within the southern area to be restored as a nature reserve.

Thorney Parish Council (11.07.12)

Thorney PC has major concerns with traffic flow through the village and the vibration of properties along Whittlesey Road.

Eye Parish Council (20.07.12)

Eye PC has no comments to make.

Local Residents/Interested Parties

Initial consultations: 63

Total number of responses: 7

Total number of objections: 4

Total number in support: 0

- Concerns regarding proximity to residential properties. Opportunities exist to improve walking and cycling network (including surfacing). Planting to the south of the extraction should be put in prior to excavations to act as an improved landscape buffer. Concerns relating to impact on water table and de-watering of new ponds. Concerns that footpath improvements required of the developer to Thorney footpath number 5 in relation to another development have not been carried out.
- Concerns regarding the ongoing use of the haul road, associated deleterious effects on the condition of the B1040, and continued vibration, noise, and dirt associated with vehicle movements along the B1040, including in Thorney, and the general unsuitability of the B1040 for such traffic.
- The A47 is nearer to the site and more suitable to traffic associated with the proposed activity, and nearer to the final destination points of the aggregates, and the acceptability of forcing site traffic through Whittlesey and Thorney is questioned.
- The proposal does not accord with the implementation strategy of the Core Strategy or with the characteristics or implementation issues set out in the Site Specific Proposals DPD.

5 Assessment of the planning issues

The main considerations are;

- Suitability of the proposal.
- Access (including Rights of Way) and transport
- Noise and dust
- Biodiversity, Geodiversity and Agricultural land quality
- Landscaping and visual impact
- Historic environment
- Water / drainage

a) Suitability of the proposal

The proposed works include the extraction of mineral and the deposition of waste. As such, it must accord with policies CS 1 and 2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (C&PMWCS). In particular the proposal must help to ensure that local requirements for sand and gravel can be met at a rate sufficient to enable the delivery of the planned growth of Cambridgeshire and Peterborough, and help maintain a sand and gravel landbank in the 'Northern Zone' of the plan area (CS4). The proposal must be considered in the light of the National Planning Policy Framework, particularly the requirement to 'give great weight to the benefits of mineral extraction, including to the economy' (paragraph 144).

Mineral Extraction

The majority of the extraction area lies within allocated site M1F in the Cambridgeshire and Peterborough Site Specific Proposals DPD (C&PMWSSP DPD). The remainder of the extraction area lies within a Mineral Safeguarding Area (MSA) (CS26), and the Minerals Consultation Area (CS27) designated alongside the allocation, to the south of the Green Wheel, which demarcates the southern extent of the allocated site. Additional mineral extraction beyond the scope of the minerals strategy will only be permitted where there are overriding benefits to do so (CS13). The MSA designates mineral deposits considered to be of economic importance; the extension of the site beyond the allocated site enables the accessing of mineral reserves in this area, ensuring the mineral is not sterilised due to land ownership

issues and the economic viability of extracting that mineral at a later date. As the proposal meets with all other relevant policy and material considerations, the principle of extraction in the area to the south of the Green Wheel is acceptable. The remainder of this report sets out why this is the case, under the headings of; Access and Transport, Noise and Dust, Biodiversity and Geodiversity, Landscaping, Historic Environment and Water Drainage, indicating how the proposal complies with the relevant policies.

The processing area and haul road access were previously temporarily permitted under permission reference 07/01120/MMFUL.

Infilling with inert material

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS 10), states that applications for unallocated sites should be considered favourably if they are consistent with, PPS 10 policies, the planning authority's core strategy, and if it is demonstrated that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the waste hierarchy (paragraphs 24 & 25). The principles of sustainable waste management are based on the waste hierarchy which clearly states that landfill, as a means of waste disposal, should only be considered if all other options for the reduction, recycling, or recovery of waste have been exhausted. Operators handling waste are bound by the 'Duty of Care' regulations enforced by the Environment Agency, and each individual load has to be certified; it is therefore possible to ensure that the inert material to be used for restoration purposes has passed through the waste hierarchy and all alternative options have been exhausted. PPS10 states that planning authorities should be concerned with whether the proposal is an acceptable use of the land, and the impacts of the proposed uses on the development and on the land itself; the remainder of this report will address how these issues have been overcome by the proposal.

The proposal site sits on high grade agricultural land. As such, the C&PMWCS policy CS25, states that infilling by means of waste disposal may be appropriate to bring land levels back to those suitable for reinstatement to agriculture (or habitat creation). The scale of waste management provision (CS14) sets out the requirements for inert landfill void space over the Plan period to which the proposal will contribute. The location of such facilities is guided principally (CS15) by the Minerals and Waste Management Key Diagram and additional factors, including, for example, site availability. Of the sites within Peterborough identified within the SSP policy W2 for inert waste infill, none currently benefit from an extant permission and all face uncertainty in providing significant capacity in the short term. The waste management element of the proposal is outside an allocated area (CS18), but can be considered favourably if it is consistent with the spatial strategy for waste management. In this regard policy CS20 allows for sites to deliver inert landfill capacity where such sites are mineral sites requiring restoration; as such the proposal adequately demonstrates the need for inert fill to enable an appropriate restoration (for the sustainable use of soils for agricultural purposes) of a mineral extraction site.

Concerns have been raised as to the manner in which the proposal fits with the 'Characteristics' and 'Implementation Issues' for allocated site M1F within the C&PSSP DPD. The characteristics and implementation issues are designed to give a broad understanding of the site and be used to inform planning applications, they are not policy requirements. The proposal adequately demonstrates sound reasoning for the use of, for example, alternative access and use of processing plant distinct from the existing Pode Hole site. Additionally, the Core Strategy broadly outlines an implementation strategy (Ch.12) which describes the dependence of maintaining production in the northern part of the plan area on extensions to existing quarries, including Pode Hole. This is not a policy requirement and the proposal has appropriately assessed a range of development opportunities therefore the proposal is considered to be appropriate.

b) Access (including Rights of Way) and transport

The proposal seeks to utilise a previously approved haul road access / egress point on to the

B1040 (see permission 06/00464/MMFUL). The Highways Agency has confirmed that the proposal does not impact on the continued safe operation of the A47 trunk road. Despite concerns having been expressed relating to the retention of the haul road, which was approved on a temporary basis, and the implications for additional traffic along the B1040 (Thorney to Whittlesey road), it has been established by the Local Highway Authority (Peterborough City Council) and the neighbouring highway authority (Cambridgeshire County Council) that although the proposal would represent an increase in traffic along the B1040 this would not have a detrimental impact in traffic terms on the existing highway network.

Additional concerns relating to the use of the B1040 as an access / egress point centre on the proximity to the final destination of extracted material and the need for lorries to bring in inert fill to restore the site. As such a Section 106 agreement has been agreed to encourage backloading (i.e. the same lorry takes sand and gravel out and returns with fill material to reduce overall traffic movements) and lorry routing in accordance with policy CS32. This will help ensure that sand and gravel is taken on the shortest possible route to the operators depot in Coates (in Fenland), thus offering assurance that the traffic impacts that can be expected as a result of the development will be minimised, and complying with the policy requirements (CS23) to ensure the sustainable transport of minerals and waste. The Agreement will be supplemented by a Traffic Management Plan ensuring effective monitoring, review and enforcement procedures.

The carriageway of the B1040 in the immediate vicinity of the site entrance has suffered as a result of continued HCV movements into the site, and remedial works may be required to cater for the increase in vehicle movements. This can be controlled by condition to ensure appropriate survey work is undertaken to inform any potential remedial measures, in accordance with policy CS32. Annual monitoring will also be required to ensure that any deterioration can be identified and rectified accordingly. The action required to have the road surface improved would need to be undertaken by the Highway Authority on the basis of the monitoring evidence presented. This will mitigate the deleterious impacts on the condition of the road that may be attributable to traffic associated to the development.

The proposed Haul road crossing of Willow Hall Lane will require agreement between the applicant and the Local Highway Authority, to be resolved via a Section 278 application. Additionally, the provision of traffic signals and signage may require easements over private land.

The proposal will temporarily adversely affect two separate public rights of way, Thorney footpaths numbers 5 and (Green Wheel) 6. Thorney footpath 5 will be crossed (close to the processing area) by the proposed haul road; as such to safeguard users of the path appropriate conditions are required to ensure the safeguarding and prioritising of users at this junction. Thorney footpath 6 forms part of the Peterborough Green Wheel network and will be required to be diverted during operations in the southern phase of the extraction area. Policy CS37 requires proposals to make provision for the enhancement of existing, and provision of new routes and links. The proposed diversion is to be retained and the original path to be re-installed, and upgraded to bridleway standard, upon completion of the restoration of the site, in accordance with policy CS37.

c) Noise and dust

The National Planning Policy Framework clearly establishes (para. 144) that some noisy short term activities are unavoidable to facilitate minerals extraction, and there is a corresponding need to ensure that unavoidable noise emissions are controlled, mitigated or removed at source. The Technical Guidance accompanying the NPPF provides guidance and advice upon acceptable levels of noise from minerals operations.

‘Typical’ background levels are advised as the most appropriate means of establishing the permissible noise levels for the site and will minimise the impact on noise sensitive properties without imposing unreasonable burdens on the operator, ensuring noise levels are

appropriately controlled by condition to protect surrounding uses, including residential noise sensitive properties. Concerns have been identified regarding the manner in which the 'typical background noise levels' have been established for the site, whereby a (mean) average appears to have been used. Although it has been suggested that the background levels are frequently recorded as being 31-32dBA, the proposed noise levels for the site have taken account of what has been presented as a typical background level (i.e. 37dBA). The Technical Guidance to the NPPF seeks to ensure that noise limits are subject to a maximum of 55dBLAeq and no more than 10dB in excess of background levels; it is also recognised that it may place unreasonable burdens on operators to be restricted to this level. It is applicable in this instance that noise levels should be set as near that level as is practicable as similar operations in the vicinity, such as at Pode Hole quarry and Eyebury landfill, have noise limits in the range of 49-55dBA. Historically, noise related problems in the vicinity have stemmed from specific incidents of the usage of inappropriate reversing beepers. Notwithstanding this, the illustrative development plans provide assurance that the site will have bunds in place at appropriate stages of the development which will reduce the noise impacts of the proposal (CS34).

Temporary operations which will be in excess of noise limits (such as site preparation, soil stripping and replacement, and bund formation and removal) can be satisfactorily controlled by condition to limited timescales per year. Mobile plant can cause nuisance if unsuitable reversing beepers are used; this can be satisfactorily controlled by condition to ensure suitable beepers are utilised.

The proximity of residential properties to the extraction area of the proposal requires regular monitoring to ensure that additional mitigation measures can be implemented if required. Such measures could include alterations to working hours, and the temporary placement of additional acoustic fencing / mitigation on top of the screening bunds. Regular monitoring will inform the requirements for additional noise mitigation measures, and this can be appropriately controlled by condition. Additionally, it is noted that the impacts of the development will vary over time as operations progress between phases. As such, it has been identified that the southern phase may require specific additional measures to ensure appropriate noise mitigation; this can be controlled by condition. Such mitigation may include landscape and biodiversity enhancement features, the timing of planting of which can be controlled by condition (see sections c and d).

The satisfactory implementation of the bunds to assist with noise mitigation measures will be dependent on the availability of soils at different stages of development. The effective storage of top-soils (to preserve its nutrients) dictates that top soil cannot be stored greater than 3m bunds. The provision of a scheme of soil movements prior to the commencement of each phase of development will ensure both the satisfactory storage of soils and the effectiveness of the bunds as noise mitigation barriers. This can be appropriately controlled by condition in accordance with CS34.

Pumps may be required to operate outside of the proposed operating hours to ensure satisfactory control of water levels, as such, separate appropriate noise levels can be controlled by condition. Additionally, operating hours, and the use of machinery to manufacturers specifications can be controlled by condition to ensure minimal noise impacts.

Neither the Pollution Control Officer nor English Heritage have raised objections with regard to noise or vibration caused by off site lorry movements (i.e. on the B1040 and through Thorney). At the time of preparing pre-application advice to the applicant, we sought advice from the Pollution Control Officer and the Conservation Officer (who himself sought informal advice from English Heritage). The issues related to noise and vibration to residential property located on the B1040 and upon historic property in Thorney. It was concluded that refusal of the proposal could not be sustained on the basis of the additional lorry movements generated by this proposal. It is considered that the proposal is not contrary to policies CS34 and CS36 (of the C&PMWCS) which seek to protect surrounding uses and the historic environment/assets.

The Dust and Air Quality Assessment provided with the application sets out an appropriate range of mitigation measures which can be controlled by condition to minimise the environmental impacts. Restricting plant and vehicle movements to clearly defined haul routes, will serve to both preserve the condition of soils, in accordance with policy CS38, and minimise the potential for dust to arise on site in accordance with policy CS34. In addition, the provision of a water bowser / spray to be used as required for infill operations can be satisfactorily conditioned.

d) Biodiversity, Geodiversity and Agricultural land quality

The Ecological Impact Assessment has adequately assessed protected species and habitats, including the Cats Water Drain County Wildlife Site, Thorney Dike County Wildlife Site, both immediately adjacent to the site and the Eyebury Habitat Corridor (the intended replacement Eyebury Road Pits County Wildlife Site), and provides broadly acceptable mitigation and enhancement measures to ensure ecology and biodiversity is effectively controlled through a detailed Environmental Management Plan (EMP) to be required by condition in line with the strategic objectives of policies CS1 and 2. The requirement for a detailed EMP will ensure that relevant works are overseen by an appropriately qualified Ecological clerk of works, and that surveys and monitoring inform detailed mitigation and aftercare measures. The detailed EMP also needs to clearly define an implementation timetable to ensure the timely delivery of enhancement works, particularly where features will provide additional landscaping mitigation, and are required for the establishment of habitat. Such measures address the issues raised by Natural England (NE) and the Wildlife Officer. The Wildlife Officer has also concluded that sufficient information has been provided to establish that a Great Crested Newt European Protected Species licence can be achieved and NE support the proposed mitigation measures including the provision of new habitat which prevent GCN being impacted during constructional and operational activities and provide habitat enhancements.

The National Planning Policy Framework aims to ensure the conservation and enhancement of the national environment (Ch.11), and the safeguarding of best and most versatile agricultural land through the restoration and aftercare of mineral sites (Ch. 12).

The Statement of Physical Characteristics and Aftercare and Drainage Scheme provided with the proposal states the Agricultural Land Classification of the site as 62.5% of the total site area (i.e. 35Ha) lying within Grade 2, and 37.5% (i.e. 21Ha) lying within Grade 3a. The soils on the site are therefore classified as 'Very Good' and 'Good', as such, the proposal must incorporate proposals for the sustainable use of soils in accordance with CS38. As previously described, schemes of soil movements prior to commencement of each phase will ensure the satisfactory handling, temporary storage, and replacement of top and sub soils.

The final restoration proposals must strike a balance between retention of the site for agricultural purposes and biodiversity enhancements. The two are not mutually exclusive, and effective husbandry of agricultural land can enhance biodiversity on a site. Notwithstanding such measures which can be controlled by an effective Aftercare Scheme required by condition, the proposed restoration of the site offers a number of biodiversity enhancements over and above its current condition, in physical areas distinct from the arable restoration. The proposal therefore accords with policy CS25 particularly parts c and e with respect to biodiversity enhancements and restoration of high grade agricultural land. Having achieved an appropriate balance with the restoration proposals, controlling the final detailed elements of the scheme will be required by Condition to ensure a comprehensively satisfactory scheme. The proposed restoration scheme has evolved from that submitted with the original application to that recommended for approval. The main biodiversity enhancement area, the southern habitat area, has increased substantially in size; the landscape enhancement area to the north of the site around Bar Pastures Farm is considered an additional biodiversity area, as is the proposed restoration of the lagoons and processing area. It is acknowledged that Natural England and the Wildlife Officer seek additional biodiversity enhancements, however the restoration scheme when viewed as a whole, and particularly in light of the high grade agricultural soils at the site,

is deemed to offer an appropriate balance. To secure biodiversity enhancement benefits, a detailed restoration and landscaping scheme will be required by condition to ensure the satisfactory balancing of competing and complementary afteruses.

The proposal site also lies within the 'Eye / Thorney Area of Search' Regionally Important Geological Site. As such the proposal presents an important opportunity to provide access to the otherwise poorly exposed underlying geology. Temporary section recording during the working life of the quarry can be facilitated by condition in accordance with policy CS35. Additionally, in finalising the restoration proposals there is opportunity to consider the retention of a representative gravel section in the southern area cited for biodiversity enhancement.

e) Landscaping and Visual Impact

Notwithstanding those issues of landscaping partially covered in the previous sections of this report, it has been established that the Landscape and Visual Impact Assessment has been carried out thoroughly and competently (including the Arboricultural Assessment), and appropriate landscape mitigation and enhancement measures can be controlled by condition in accordance with policy CS33.

There is a need to establish the timings of the implementation of the landscaping, as certain elements will effectively form screens which will act as visual impact mitigation at different stages of the development (as described above, and similarly in accordance with policies CS 33 and 34). The detail of the schemes of soil movement will establish the precise height and timings of bunds along Willow Hall Lane. Additionally, the provision of Illustrative Phase Development Plans has clarified the acceptability of the visual impact on the Bar Pastures Scheduled Monument and can be controlled by condition in accordance with policies CS33 and CS36. The potential additional noise mitigation measures, such as additional acoustic mitigation on top of bunds will be, if required in relation to working at certain locations over the course of the development, temporary in nature and therefore of minimal impact on visual amenity.

The existing processing plant which is proposed to be utilised for this development is adjudged not to have a significant visual impact due to its remote location and vegetation screening from the majority of viewpoints.

It is advised that within the constraints of what is acceptable from a Highways perspective that measures are taken to minimise the visual impact of the Haul road crossing of Willow Hall Lane.

As recommended under the 'Biodiversity and Geodiversity heading', the indicative schemes for landscaping are acceptable, subject to further detail, implementation and maintenance issues which can be secured by appropriate condition.

f) Historic environment

The site is adjacent to Bar Pastures Farm Scheduled Monument (SM). Further to on-site investigations a 50m stand-off has been agreed between the SM and the extraction area. The Illustrative Phase Development Plans identify the timing and implementation of the bunds to screen the views to and from the SM. The effects on the visual setting are therefore considered to be temporary, with the low level restoration presenting a barely discernible difference in post restoration contours in the vicinity of the site. To avoid negative impacts to the SM a clay seal bund is proposed to be placed underground at the northern extent of the extraction area prior to inert fill being placed; this will ensure the stability of groundwater levels at the SM which affect the preservation of underground remains. Furthermore, as a designated heritage asset, the National Planning Policy Framework (Ch.12) encourages the enhancement of the setting to be taken account of. As such, an extensive area to the north of the site currently under arable production, will be 'restored' (i.e. unworked) to a landscape enhancement area. The details of the area are to be agreed as part of the landscaping strategy (to be conditioned as described above); it is expected that this will comprise primarily grassland as plants with substantial roots

may disrupt the in-situ remains. The measures as outlined can be conditioned to ensure compliance with policy CS36 in relation to the SAM.

The Heritage Assessment provided with the application has assessed the impacts of the development on the wider 'heritage landscape' and concludes that the impact will be neither permanent nor constitute harm to the significance of assets affected. English Heritage has approved the principle of the timings for the screening bunds as depicted on the Illustrative Phasing plans, and no objections have been raised in relation to the temporary impacts on the settings of heritage assets.

Trial trenching has been undertaken within the site, and can be used to inform an Archaeological scheme of investigation using the strip map and sample methodology, in accordance with policy CS36. The scheme of investigation should reflect the phasing of the site and make provision for preservation in-situ should it be applicable. This will be secured by condition.

g) Water / drainage

The application was accompanied by both a Hydrogeological Impact Assessment and a Flood Risk Assessment which adequately cover the relevant issues and impacts for the water related issues. The impacts on the water bodies with nature designations that may be affected by the proposal, i.e. the Cates Water Drain and Nene Washes, can be mitigated through appropriate conditions ensuring pollution prevention as required by Natural England. Additionally, the dewatering of the site (i.e. to enable mineral extraction) requires a system of drainage and discharge to the Cats Water Drain which is deemed appropriate. Notwithstanding this, the operator will require a Discharge Consent from the North Level Internal Drainage Board (IDB). The lagoons in the processing area will also require occasional topping up with clean water, for which the operator will require an abstraction licence from the Environment Agency. The IDB require a stand-off of 9m from the Cats Water Drain to safeguard the integrity of the drain, and this can be controlled by condition. Additionally, the potential impacts of continued use of the haul road crossing of the Teakettle Drain can be controlled by the re-imposition of the previous pertinent condition.

The potential dewatering of ponds and potential impact on Great Crested Newt Habitat has been assessed and Natural England and the Wildlife Officer have concluded that the biodiversity mitigation measures are appropriate (i.e. through the Ecological Management Plan to be required by condition).

The dewatering of the northern phase to enable mineral extraction has the potential to negatively impact on the Bar Pastures Scheduled Monument. As described in the 'Historic Environment' section (above) an underground clay bund is required post extraction to ensure the preservation in-situ of any buried remains. It is considered that requiring details of the clay seal to be approved (by condition) and then ensuring that the seal is implemented as approved is using best practicable means available to ensure that possible de-watering of the SM is avoided.

The assessments clearly establish the need for the importation of material to achieve a satisfactory restoration enabling the agricultural afteruse of the site; the proposed final contours allow sufficient depth for restored groundlevels to be above the winter watertable groundwater levels providing sufficient rooting depth for future crop growth. Notwithstanding these considerations, underdrainage may still be required, to ensure satisfactory drainage of the soils and this can be controlled by condition in accordance with policies CS25 and 38.

6 Conclusions

The NPPF states that there is a presumption in favour of sustainable development – in terms of decision taking this means approving development proposals that accord with the development

plan without delay. The principle of development is generally in accordance with policy SSP M2 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (SSP DPD) which allocates the site for sand and gravel extraction; the proposed extraction area lying beyond the allocation satisfies policies CS14, CS25 and CS26. The proposal also includes the restoration of the site through the importation of inert waste.

The site is not allocated for inert fill but the proposal complies with policies CS18 and CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the Core Strategy) with regards to the suitability of managing waste outside allocated areas due to the requirements to restore high grade agricultural land.

An Environmental Statement accompanies the application which is considered comprehensive and meets the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2011.

Detailed topic areas have been assessed/considered:- With regard to transport and public rights of way the proposal is in compliance with policies CS4, CS32 and CS37 of the Core Strategy. Noise, dust and air quality has been assessed and the proposal is in compliance with policy CS34 of the Core Strategy. The landscape and visual impacts of the proposal are in compliance with policies CS25, CS33 and CS34 of the Core Strategy. Ecology, Hydrogeology and Physical characteristics (including soils) have been carefully considered (no objections raised by Natural England or the Environment Agency subject to conditions) and are in compliance with policies CS22, CS25, CS35 CS38 and CS39 of the Core Strategy. Heritage and Archaeology have been assessed, including the impacts on the nearby Bar Pastures Farm Scheduled Monument (no objections raised by English Heritage subject to conditions) and are in compliance with policy CS36. Other matters have been assessed including Flood risk, Arboriculture, Quarry Design and Climate Change and are considered acceptable and in compliance with development plan policy. Cumulative impact of this development with that of the neighbouring site, Eyebury Landfill, has also been taken into account.

Comments of consultees have been taken into account and suitable conditions will be attached which address any issues raised. The comments of the neighbours have also been taken into account but given that the site is allocated for sand and gravel extraction and in all other respects the proposal is acceptable, there is no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

C 1 The development hereby approved 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).

C 2 The development hereby permitted shall be carried out in complete accordance with the details set out in the application (received 27/06/2012) and approved plans except as required elsewhere in this scheme of conditions.

Site Plan (Sheets 1 & 2) Ref. GPP/PJT/WHF/11/02 Rev 7 (Jan 2011)

Processing Area Plan Ref. GPP/PJT/WHF/11/06 Rev 2 (Oct 2011)

General Quarry Layout and Development Plan Ref. WHF/MRQD/D8 (Nov 2011)

Planning Statement V5 (May 2012)

Environmental Statement V5 (May 2012) – including revised Table 4 from Appendix 5

Statement of Clarification (Aug 2012)

Haul Road Crossing Layout Ref. 11004/102 (31/8/11)

Processing Area Plan Ref. GPP/PJT/WHF/11/06 (11 Oct 2011)
Proposed Final Surface Restoration Contours – Drawing No. WHF/MRQD/D11 (09/11/2011)
Cross Sections - Drawing No. WHF/MRQD/D6 Rev A. (09/11/2011)
Typical Cross Section – Drawing No. WHF/MRQD/D12 (13/08/2012)

Reason: To clarify what is hereby approved and in accordance with policies CS; 1, 2, 4, 14, 15, 20, 22, 24, 25, 26, 27, 29, 30, 32, 33, 34, 35, 36, 37, 38 and 39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD, policies SSP M1, SSP M9 and SSP W8 of the Cambridgeshire and Peterborough Site Specific Proposals DPD, and the National Planning Policy Framework, particularly Chapters 12 and 13.

- C 3 The site shall be restored on a phased basis in accordance with the 'General Layout and Development Plan to a low level using inert fill in accordance with:
Proposed Final Surface Restoration Contours – Drawing No. WHF/MRQD/D11
Cross Sections - Drawing No. WHF/MRQD/D6 Rev A.
Typical Cross Section – Drawing No. WHF/MRQD/D12
Notwithstanding any additional landscaping, biodiversity enhancement or aftercare works, the restoration shall be complete no later than 15 years after the development is commenced.

Reason: To ensure a timely restoration allowing beneficial restoration in accordance with policy CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 4 Prior to the commencement of each phase of development a scheme of soil movements, placements and replacements, based on the 'Illustrative development plans';
Northern Phase Ref. WHF/MRQD/D13 (Aug 2012)
Central Phase Ref. WHF/MRQD/D13 (Aug 2012)
Southern Phase Ref. WHF/MRQD/D15 (Aug 2012)
shall be submitted to and approved in writing by the Mineral Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.

Reason: To ensure the sustainable use of soils and to safeguard the amenity of sensitive receptors in the vicinity of the site in accordance with policies CS 34 and 38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 5 Prior to the commencement of development an Environmental Management Plan, based on the mitigation measures outlined in the Ecological Baseline and Impact Assessment, and the Biodiversity Plan drawing ref 3489/D01/D11-3538 Rev 4, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include at least the following:
- 1) An effective survey and monitoring programme, and submission of survey reports and updates of any implementation issues.
 - 2) Provision for overseeing of the permitted works by an appropriately qualified Ecological Clerk of Works, including works of biodiversity enhancement aftercare.
 - 3) Details of the timing of the measures to be put in place as part of the approved scheme, e.g. landscaping.
 - 4) Details for the biodiversity enhancements for the processing area.
 - 5) The retention of habitat buffers where appropriate.
- The development thereafter shall be carried out in accordance with the Environmental Management Plan.

Reason: In order to ensure appropriate protection and conservation of protected species and provide appropriate biodiversity enhancement and visual impact mitigation in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS1, 24 and 33.

- C 6 The operations authorised, required or associated with the development hereby permitted shall only be carried out between the following times:
 07:00 – 18:00 Mondays to Fridays
 07:00 – 12:00 Saturdays
 and at no other times including Sundays and Bank Holidays.

Reason: In order to safeguard the amenity of surrounding occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 7 All plant, machinery and vehicles operated within the site shall be maintained in accordance with the manufacturer's specification and shall be fitted with and use effective silencers in accordance with the manufacturer's recommendations and shall be operated so as to minimise noise emissions. The manufacturers' specifications shall be provided to the Minerals Planning Authority within 5 days of being so requested.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 8 Prior to the commencement of development details of reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Mineral Planning Authority. The approved reversing alarms shall be utilised on all mobile plant throughout the period of the development.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 9 Except for temporary operations, the level of noise emitted from the site when measured at the noise sensitive properties listed, shall not exceed the limits set out in Table 1 below:

TABLE 1

LOCATION	During permitted daytime working hours dBLAeq 1 hour (free field)	At all times outside the permitted daytime working hours dBLAeq 5 mins (free field)
27 Willow Hall Lane	47	35
Willow Holt	47	35
Bar Pastures Farm	47	35
Prior's Farm	47	35
Stone Bridge Corner	45	35

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C10 Prior to the commencement of development a scheme for the monitoring of noise from the site shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall have regard to Section 7 ("Monitoring & Control Regime") of the submitted Noise Assessment (dated May 2012) contained with the Environmental Statement accompanying planning application reference 12/01008/MMFUL dated 27th June 2012. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C11 For temporary operations essential for site preparation work and restoration such as soil stripping and replacement, and bund formation and removal, the free field noise level due to operations at the nearest point to locations identified in Table 1, condition 9, shall not exceed 70 dB LAeq,1hour(free field). The Local Planning Authority shall be notified between 7 and 21 days in advance of essential temporary operations. Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C12 Prior to the commencement of development a scheme for the layout, signage and maintenance at the haul route crossing point with Thorney 5 footpath shall be submitted and approved by the Minerals Planning Authority. The scheme shall also make provision to ensure that haul route traffic gives way to Rights of Way users. The approved scheme shall be implemented throughout the period of development.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C13 The width of the temporary diversion to the Green Wheel (Thorney 6 footpath) shall be installed at a minimum width of 3m prior to commencement of works in the southern phase, and retained thereafter in perpetuity for the use of pedestrians and cyclists.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C14 Within 6 months of the restoration of the site, the Green Wheel (Thorney 6 footpath) shall be re-established upon its current line and be upgraded to Bridleway standard, and thereafter kept available as such. The developer shall notify the Local Planning Authority in writing that restoration is complete within one week of it being so completed.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C15 Prior to the commencement of soil stripping in the Northern Phase a detailed scheme, including cross sections, for the underground clay seal bund adjacent to Bar Pastures Scheduled Monument shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall thereafter be carried out in complete accordance with the scheme and the bund retained thereafter.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraph 126.

- C16 No basal clay shall be removed from the site.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted in accordance with policies CS32, 34 and 39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C17 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete

accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

- C18 The developer shall make allowance for 'Temporary Section Recording' of the sand and gravel sequences on an annual basis and / or at the request of the Minerals Planning Authority.

Reason: To secure the benefits of exposing the geological interest within a RIGS site in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C19 Prior to the commencement of the development details of the measures to be taken to prevent material entering the Teakettle Hall Drain at the point where the haul road crosses the drain shall be submitted to and approved in writing by the Mineral Planning Authority. The approved measures shall be implemented in full for the duration of the use of the haul road for the operations hereby permitted.

Reason: To prevent pollution of the water course in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C20 No development shall take place within 9m of the Cats Water Drain running adjacent to the site.

Reason: To prevent pollution of the water course in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C21 Plant and vehicle movements shall be restricted to clearly defined haul routes or to the overburden surface and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policies CS34 and 38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C22 Dust management, including the cleansing of the Willow Hall Lane crossing, shall be carried out in accordance with the mitigation measures outlined in the Dust and Air Quality Assessment (April 2012). Additionally, a water bowser / spray shall be used as required for infill operations. Dust monitoring reports shall be submitted to the Mineral Planning Authority annually, or additionally at the request of the Mineral Planning Authority.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C23 The operator shall give the Mineral Planning Authority between 7 and 21 days written notice prior to the commencement of top or sub soil stripping from any part of the site. Prior to soil stripping any standing crop or vegetation shall be cut and removed.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C24 There shall be no access to the site other than from that approved at the B1040 and via the approved haul route. (i.e. not from Willow Hall Lane).

Reason: In the interests of highway safety and local amenity in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C25 Within one year of the commencement of development the developer shall undertake a condition survey of the B1040 within 10m either side of the site entrance. Thereafter the survey shall be undertaken annually. The condition survey shall be submitted to the Mineral Planning Authority within 3 weeks of it being carried out.

Reason: In the interests of highway safety and local amenity in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other statutory instrument revoking and re-enacting that order) no fixed or mobile plant, machinery or buildings connected with the development shall be erected or placed on site without the express permission of the Mineral Planning Authority.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted, and to safeguard the amenity of the area and minimise disturbance to adjacent land users, in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C27 In the event of a cessation of operations prior to the completion of the development hereby permitted, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of restoration, landscaping and aftercare, shall be submitted within 12 months of the cessation to the Mineral Planning Authority for approval. The approved revised scheme shall be implemented in full within 12 months of the written approval unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted in accordance with policies CS1 and 2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C28 Prior to commencement of development a detailed landscaping scheme, including the timing of planting, shall be submitted to and approved in writing by the Mineral Planning Authority based on the following submitted drawings.

Indicative Restoration Plan – Drawing Ref. 3489/D01/D11-2131 Rev 5

Lagoon Indicative Restoration Plan – Drawing Ref. 3489/D01/D11-3330 Rev 4

The scheme shall include detail on when each area of landscaping is to be planted.

Should any trees, shrubs or other planting die, become diseased or be removed within 5 years from its planting, it shall be replaced in the first available planting season with a plant/plants of a similar size and species to that removed.

The development shall not take place except in complete accordance with the approved scheme.

Reason: To ensure the development will be appropriately assimilated into its surroundings and local landscape character in accordance with policy CS33 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C29 Any fuel, oil, or chemical storage above ground and refuelling facilities shall be bunded to at least 110% of the tank capacity and constructed on an impermeable base with an independent sealed drainage system with no direct discharge to any watercourse, land or underground strata.

Reason: To protect the water environment in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C30 Prior to commencement of development a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of types of lights, mountings and positions, lux values and measures to prevent light spillage occurring outside the site. No lighting shall be erected except in accordance with the approved scheme.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C31 Within six months of restoration of each phase a detailed 5 year strategy of agricultural aftercare shall be submitted to and improved in writing by the Mineral Planning Authority. The scheme shall incorporate, but not be limited to, measures for soil replacement, stone removal and under-drainage.

The aftercare shall be carried out in accordance with the approved scheme other than such minor variations as may be set out in the required annual detailed programmes for the forthcoming year which have been approved in writing by the Mineral Planning Authority.

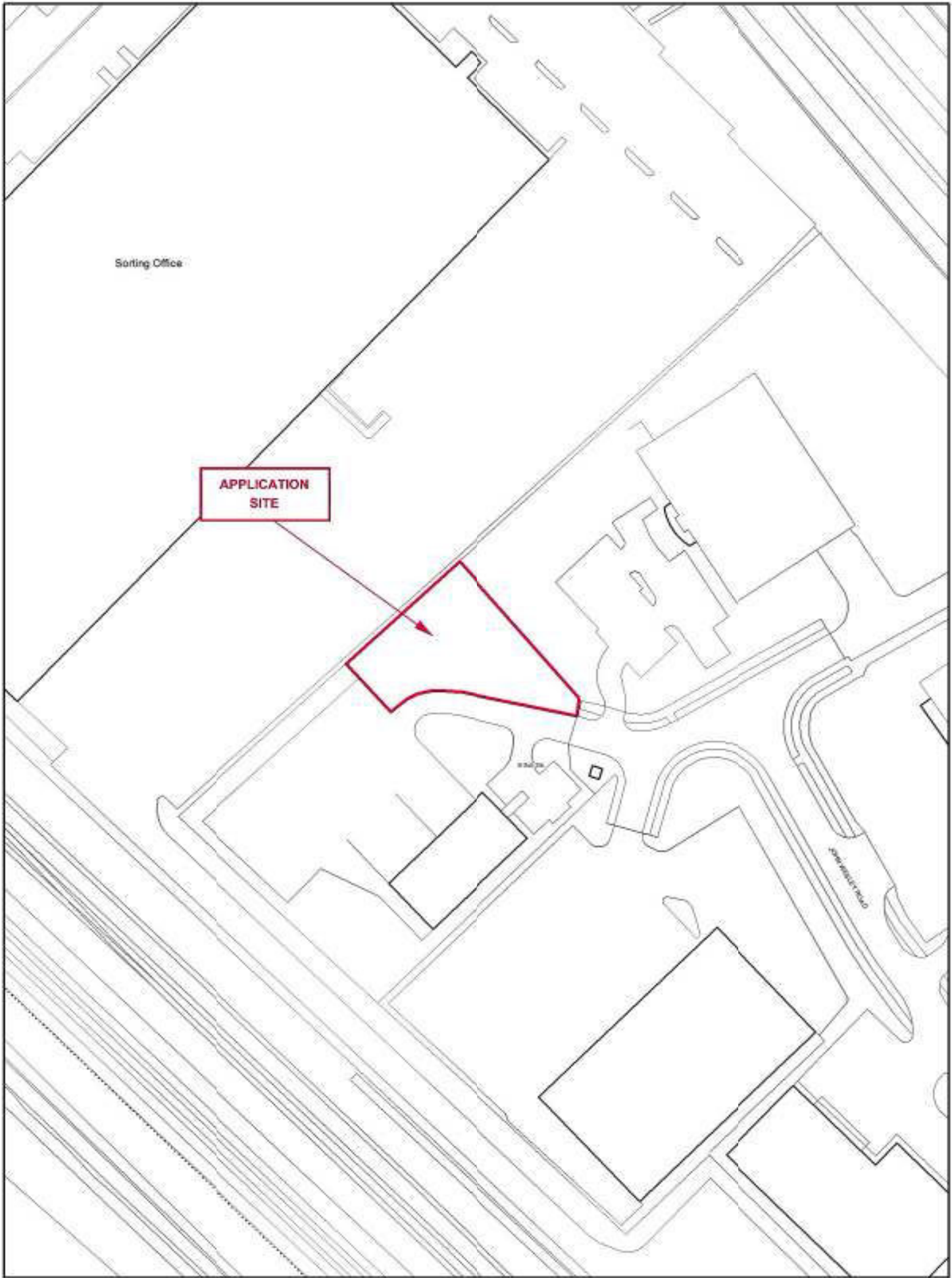
Reason: To ensure the effective restoration of high grade agricultural land in accordance with policies CS25 and CS38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C32 Only inert material to which the developer has fulfilled their duty to apply the waste hierarchy shall be imported for the restoration of the site.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted, and to ensure that the principles of the waste hierarchy have been applied in accordance with policy CS2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

Copies to Cllr McKean D and Sanders D A

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LOCATION PLAN 12/01100/FUL

Peterborough Dairies, 3 John Wesley Road, Werrington

Scale NTS Date 24/10/2012 Name AA Department Planning Services

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Application Ref: 12/01100/FUL

Proposal: Temporary residential accommodation for occupation by managers of Peterborough Dairies

Site: Peterborough Dairies, 3 John Wesley Road, Werrington, Peterborough

Applicant: Peterborough Dairies

Agent: David Shaw

Referred by: Head of Planning, Transport and Engineering Services

Reason: To allow open discussion as part of a transparent decision making process

Site visit: 16.08.2012

Case officer: Miss L C Lovegrove

Telephone No.: 01733 454439

E-Mail: louise.lovegrove@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site and Surroundings

The application site comprises an area of open landscaped grassland within the curtilage of the industrial building currently occupied by Peterborough Dairies. The wider site is occupied by a large B2 General Industrial Unit which receives deliveries of fresh milk for processing before being distributed to local businesses within Peterborough and the wider area. There is an associated car park immediately at the site entrance and a large area for the turning and manoeuvring of delivery vehicles to the rear. The application site is located within the identified Werrington General Employment Area and is accessed via the Werrington Parkway. The surrounding units are occupied by a variety of general industrial and storage/distribution businesses.

Proposal

The application seeks planning permission for the erection of temporary residential accommodation to allow the owners of Peterborough Dairies to live on the site of their business until it is established. The temporary accommodation is to provide three no. bedrooms and requisite living space within a temporary structure of dimensions: 19.8 metres (length) x 6 metres (width) x 2.3 metres (height to ridge).

2 Planning History

Reference	Proposal	Decision	Date
03/01609/NTA	Erection of cold store, vehicle workshop and amenities	Application Permitted	12/12/2003

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 1 – Building a strong, competitive economy

Planning should operate to encourage, not act as an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the planning system.

Section 11 – Conserving and enhancing the natural environment

Planning decisions should ensure that the site is suitable for its new use taking account of ground conditions, including natural hazards or former activities and that after remediation, the land should not be capable of being determined as contaminated land.

Peterborough Core Strategy DPD (2011)

CS01 – Settlement Hierarchy

The location/ scale of new development should accord with the settlement hierarchy.

CS10 – Environment Capital

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

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 the Planning Obligations Implementation Scheme SPD (POIS).

CS14 – Transport

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

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.

Peterborough Site Allocations DPD (2012)

SA11 – General Employment Areas and Business Parks

Within the General Employment Areas identified, planning permission will be granted for development within Use Classes B1, B2 and B8.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

PP03 – Amenity Provision in New Residential Development

Proposals for new residential development should be designed and located to ensure that the needs of future residents are provided.

PP10 – The Transport Implications of Development

Planning permission will only be granted for development if appropriate provision has been made for safe access by all user groups and that the development would not result in an unacceptable impact on any element of the transportation network.

PP11 – Parking Standards

Planning permission will only be granted for development if the proposal makes appropriate parking provision for all modes of transport in accordance with the standard set in Appendix A.

Peterborough Local Plan (First Replacement) (2005)

H07 – Housing Development on Unallocated Sites

Permission will be granted subject to the site not being allocated for another purpose or within an employment area, it being accessible and the layout appropriate.

H16 – Residential Design and Amenity

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

OIW06 – Non Employment Uses in General Employment Areas

Will not be permitted unless there is no unacceptable impact on amount/quality of employment land, there are no adverse traffic impacts and where appropriate it accords with the sequential test principles.

4 Consultations/Representations

Building Control Surveyor (08.08.12)

Building Regulations approval not required as the structure is a 'mobile home'.

The Woodland Trust

No comments received.

Forestry Commission

No comments received.

Transport and Engineering Services (25.07.12)

No objections - the proposed dwelling will require two additional car parking spaces to be provided, preferably adjacent to the dwelling and it is assumed that the refuse collection arrangements will be incorporated into the existing arrangements for the dairy.

Parish Council

No comments received.

Section 106 Minor Group (19.07.12)

No planning obligations sought as the proposal is for temporary residential accommodation. However this should be secured through appropriate conditions restricting the occupation.

FAO Emma Doran Pollution Team (15.08.12)

No objections subject to the imposition of conditions relating to noise assessment and contaminated land.

Education Department

No comments received.

Waste Management

No comments received.

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No neighbour representations have been received.

5 Assessment of the planning issues

The main considerations are:

- Principle of residential development
- Parking and highway implications
- Residential amenity
- Contamination
- Developer contributions

a) Principle of residential development

As highlighted above, the application site is located within the identified Werrington General Employment Area in accordance with the Peterborough Site Allocations DPD (2011). Accordingly, the site is safeguarded for employment uses falling within Classes B1, B2 and B8. At present, the site is occupied by Peterborough Dairies, a general industrial use which process and distributes milk to businesses in the surrounding area. The application scheme has been submitted by the owners of the Dairy as they require on site residential premises in order to establish the business. At present, the owners live away from the site in South Bretton but are required to be on site 24 hours a day, seven days per week in order to oversee incoming and outgoing deliveries which take place throughout the day and night.

Given the location of the application site, Officers would not support the construction of a permanent dwelling as it would be wholly contrary to adopted planning policy. General Employment Areas can be occupied by a number and variety of heavy industrial uses which generate considerable levels of noise, odour and traffic and can cause significant disturbance to the amenities of occupants.

However, in line with the City Council's and national agenda for the promotion of economic growth, it is accepted that there is a need for temporary residential accommodation on the site to allow the owners and their family of two children to be present at all times and ensure that the business runs effectively and efficiently while being established. On this basis, the principle of residential accommodation for a temporary period and on a personal basis during the infancy of the business is accepted, given that the owners cannot at present afford for 24 hour management by another worker. However for the reasons detailed below, the current proposal is not considered to be acceptable.

The proposed temporary dwelling extends to a footprint of approximately 110 square metres and will provide three bedroomed living accommodation including study, ensuite, family bathroom, kitchen, living/dining room and utility room. The total length of the unit is to extend to approximately 19.8 metres with the overall width at just over 6 metres and will be constructed of a traditional dual pitched roof with small projecting gable to create a covered storm porch. This should be considered in comparison to more conventional permanent dwellings and on the basis of other developments within the City, 3 bedroomed dwellings are typically of an internal size of between 74 and 91 square metres. Furthermore, there are a large number of similar temporary units available on the market of smaller dimensions which accommodate adequate living space for a family and which Officers would accept.

It is considered that the dwelling proposed on the site far exceeds the level of ancillary accommodation that is required on the site to support the business and represents development tantamount to the creation of a permanent dwelling which would not be acceptable for the reasons highlighted above. Accordingly, it is considered that the proposal represents inappropriate development within the identified General Employment Area and is therefore contrary to Policies H7 and OI7 of the Peterborough Local Plan (First Replacement) (2005).

b) Parking and highway implications

The Local Highway Authority (LHA) has raised no objections to the proposed temporary dwelling on the basis that two car parking spaces are provided for the occupants, in line with the emerging parking standards set out in Policy PP11 of the Peterborough Planning Policies DPD (Submission Version). At the time of submission, no parking spaces were proposed the applicant's agent has advised that the current submission will not be providing any additional

car parking for the dwelling as this is not considered necessary. Sufficient parking is provided at present on the site for the Dairy and given that the dwelling is solely for occupation by the owners of the site who are present already, no additional car parking is required. The LHA maintains its position in requiring the provision of two parking spaces. There is concern from the LHA Officer that any visitors to the occupants of the dwelling would need to park in the existing parking area for staff working at the Dairy and cross the internal access road in order to reach the dwelling, thereby creating health and safety issues. Whilst this is acknowledged, a common sense approach must be taken and Officers consider that the situation would be no worse in safety terms than crossing a roadway in a residential area. Furthermore, the applicant's position in terms of parking for occupants of the dwelling is accepted. As such, a reason for refusal could not be justified on this basis.

c) Residential amenity

Given that the application site is located within a General Employment Area there are a number of surrounding uses which could generate significant noise disturbance to the occupants of the proposed dwelling, particularly the Dairy within the site itself. In order to ensure an adequate level of amenity for the occupants of the dwelling, it is necessary to require the applicant to undertake a full noise assessment and detail suitable measures for mitigating against any harmful impact. Without such measures, occupants of the proposed dwelling could suffer from an unacceptable level of noise disturbance which would be contrary to Policy H16 of the Peterborough Local Plan (First Replacement) (2005) and Policy PP3 of the emerging Planning Policies DPD (Submission Version).

With regards to drainage, no details regarding this have been submitted. However, should Members consider the application acceptable, this could be secured by way of a condition.

d) Contamination

Owing to the location of the application site on industrial land, there is potential for ground contamination to exist. Where there is known or suspected contamination, it is the responsibility of the Local Planning Authority to ensure that this is fully and responsibly assessed and mitigated by the Applicant prior to the commencement of development, in accordance with the National Planning Policy Framework (2012). Accordingly, the City Council's Environmental and Pollution Control Officer requires a condition be imposed if planning permission is to be granted on this basis.

e) Developer contributions

In line with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution towards the infrastructure demands that it will generate. However, as the proposal would not provide permanent accommodation, no financial contribution would be sought in this case.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reason given below.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **REFUSED**.

R 1 The proposed temporary residential unit is considered far larger than that which could reasonably be deemed ancillary accommodation in relation to the existing business on the site. The level of accommodation proposed is tantamount to the creation of a permanent dwelling and, given the location of the site within an identified General Employment Area, represents wholly inappropriate development. The proposal is therefore contrary to Policies H7 and OIW6 of the Peterborough Local Plan (First Replacement) (2005) which state:

Policy H7

Within the Urban Area residential development on any site not allocated in Policy H3, including by infilling, redevelopment, and change of use of existing buildings, will be permitted where the site:

- (a) is not allocated for any other purpose; and
- (b) is not within a defined Employment Area; and
- (c) is, or will be, well related to existing or proposed services and facilities to meet residential needs, including public transport;

and where development would:

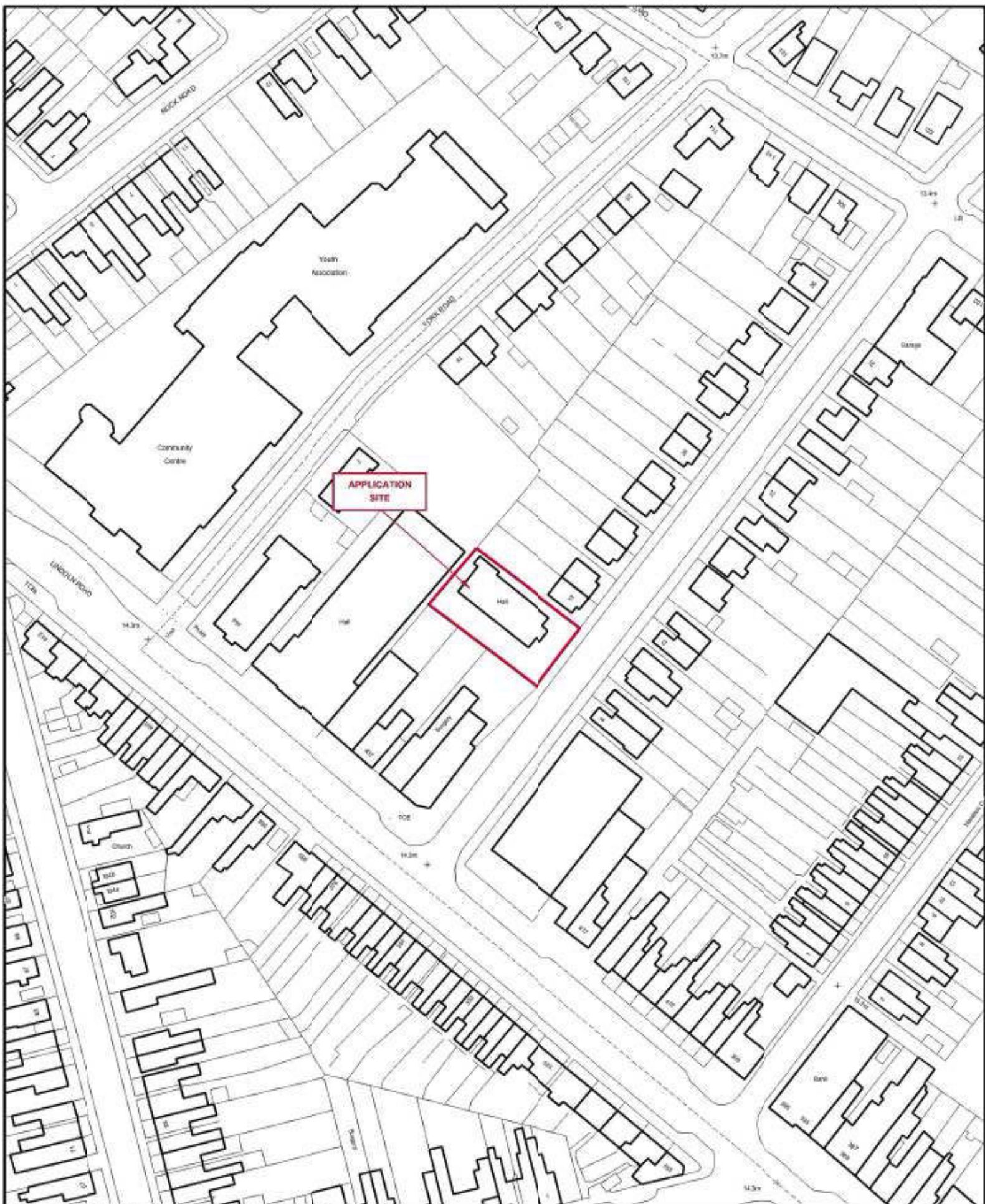
- (d) make efficient use of the site or building in terms of density and layout; and
- (e) respect the character of the surrounding area; and
- (f) provide good quality living conditions for residents; and
- (g) be acceptable in terms of highway safety and traffic flow; and
- (h) not unacceptably constrain development on adjoining land for an allocated or permitted use; and
- (i) not result in loss of open space of recreational or amenity value or potential.

Policy OIW6

Within General Employment Areas, planning permission for uses other than those within Use Classes B1, B2 and B8 will not be permitted unless:

- (a) the amount or choice of land or premises available for employment use would not be reduced to a level below that needed in the Plan period; and
- (b) the development would not unacceptably inhibit or prejudice the activities of an existing or future employment use; and
- (c) the proposal would not lead to the loss of an employment site considered by the Council to be of particularly high quality; and
- (d) the development would not generate levels of traffic or parking which would result in unacceptable congestion or road safety hazard; and
- (e) the development would provide safe and convenient access by foot, cycle and public transport and maximise the proportion of trips generated by these modes; and
- (f) where necessary, the proposal would be in accordance with the principles of a sequential approach to development as outlined elsewhere in the Plan.

Copy to Councillors D Fower, P V Thacker (MBE) and J Davidson



LOCATION PLAN 12/01314/FUL

Unity Hall, Northfield Road, Millfield

Scale NTS Date 24/10/2012 Name AA Department Planning Services



PCC GIS

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Application Ref: 12/01314/FUL

Proposal: Use of building as emergency overnight accommodation for homeless persons for up to 60 nights per annum

Site: Unity Hall, Northfield Road, Millfield, Peterborough

Applicant: Peterborough Streets

Referred by: Head of Planning Transport and Engineering Services

Reason: The application is of wider public interest

Site visit: 03.10.2012

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

E-Mail: janet.maclennan@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

The site is located on the north western flank of Northfield Road, close to the junction with Lincoln Road and approximately 120m from the Millfield District Centre Boundary. The neighbouring uses fronting Lincoln Road and abutting the site are occupied as retail and community uses. The properties directly opposite the site and further along Northfield Road are predominantly residential. The site contains a detached one and a half storey building with an internal floor area of 220m² and is currently used as a day centre/place of worship (D1). Parking provision is available within the site for up to 3 vehicles.

Proposal

The application seeks permission for use of the building as emergency overnight accommodation for the homeless for up to 60 nights per year between the hours of 10.00 pm and 8.00 am, Monday to Sunday. The building would also be used as a day centre for homeless people between the hours of 9.30 am and 3.30 pm Monday to Friday. It should be noted that this element of the proposal does not actually need planning permission. The proposal would facilitate the relocation of a similar operation being run from the Alpha Centre in Bretton where planning permission was granted for this use in March 2011 (ref. 11/00388/FUL).

2 Planning History

Reference	Proposal	Decision	Date
P0784/84	Extension of use to include office	Application Permitted	15/10/1984

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Paragraph 17 – Core Principles ‘...the planning system should ‘take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community

and cultural facilities and services to meet local needs’.

Peterborough Core Strategy DPD (2011)

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.

CS14 - Transport

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

Peterborough Local Plan (First Replacement) (2005)

CF8 - Development of Community Buildings

Permission will be granted subject to there being no loss of other uses for which there is overriding need, accessibility and no adverse traffic impacts or impact on residential amenity.

4 Consultations/Representations

Millfield And New England Residents Planning Sub Group - Oppose application due to potential noise, litter, drug use, alcohol use, antisocial behaviour and impact on neighbouring amenity by sitting on walls, loud conversations, shouting and swearing. The building cannot provide appropriate facilities for washing etc. The occupiers are likely to attract drug pushers to the area. Alternative building should be sought outside this residential area.

Victoria Park Residents Association - No comments received

Transport and Engineering Services - The access is substandard with only 3 parking spaces within the site. However, the proposed use is likely to be minimal compared to previous uses. No highway objections.

Police Architectural Liaison Officer -The Police Architectural Liaison Officer fully understands the anxiety of any close neighbours to such a facility being located close to their homes. Rough sleepers do on occasion raise the ‘Fear of Crime’ by some members of society and some ‘rough sleepers’, have previously been involved in crimes, substance abuse and Anti-Social Behaviour (ASB). It would be impossible to fully guarantee that those accommodated at the site, would not have a negative effect on neighbours. However the collection and returning of those housed overnight, to the City Centre, in a managed way, will significantly reduce the likely opportunity for crime or ASB in the immediate vicinity of the accommodation. In fact by providing this facility, involvement in acts of Crime and ASB by those provided with shelter and food, is much less likely. The previous location at the Alpha centre did not generate any additional issues or impact significantly on neighbours. This has been confirmed by the local police. On occasions some rough sleepers were seen hanging about in parks in Bretton awaiting the opening of the centre. Assurances are given that the local Police Team will provide attention to such accommodation and liaise with the City Council Housing Teams, Shelter providers and neighbours should any incidents of nuisance, ASB or crime be connected with this facility, in attempt to investigate offences and prevent future incidents.

Local Residents/Interested Parties

46 representations have been received; 3 letters of objection and a petition objecting to the proposal containing 42 names and 1 in support. The main concerns with the proposal are:

- Concern for safety of customers and staff of the retail unit on Lincoln Road, returning to their cars in the evening, they may feel intimidated
- The boundary fence is already being vandalised and this will worsen – are there any plans to repair the fence
- Unity Hall allows the consumption of alcohol on the premises, the use will exacerbate the existing problems
- The homeless people would use dustbins, walls and vehicles for cover to sleep resulting in damages to our property
- Adverse impact on standards of living in the area
- More people who are addicted to alcohol and drugs would be attracted to the area
- Increase in antisocial behaviour
- Litter
- Noise
- Use of alleyways as a toilet
- Concern that people waiting to sleep at the hall will hang around the Northfield Road area
- They will sit on residents walls
- Needles would be found in gardens
- Attempts to control alcohol use in the area would be compromised
- There would be swearing and shouting particularly if alcohol is involved.
- The building is unsuitable for this use
- As some of the homeless are drug users this could attract drug pushers to the area
- A city centre location, industrial area, offices is more appropriate not in a residential street
- There would be similar problems to those experienced at St Theresa's, Manor House Street

A representation has been made by Cllr Shearman, Ward Member, in support of the application. He has met with the agencies concerned and supports the proposal on the basis that:

- Peterborough Streets acknowledges that the Manor House Street Initiative was severely flawed and this application will provide support for far fewer people.
- Peterborough Streets work closely with Peterborough City Council officers to find permanent accommodation and to effect changers in their lifestyles.
- The emergency accommodation will only be used when the temperature is predicted to drop below freezing on 3 successive nights. In 2011/2012 there were 17 such nights and in the previous year 26.
- The Severe Weather Emergency Program is a response to a Government recommendation to all local authorities to provide such accommodation to prevent homeless sleepers from dying on our streets.
- The homeless sleepers would be collected from the City Centre soup kitchen behind the Brewery Tap and driven by min-bus to Unity Hall. They will be provided with a hot drink and a sleeping bag to sleep on the floor. They will be supervised through the night and will not be allowed to leave the premises during this time.
- Between 10.00 pm and midnight the police may bring other people they have picked up from the streets. During the past year the numbers needing this accommodation ranged from a maximum of 15 to a minimum of 2 per night.
- At 8.00 am these people will be driven back to the City Centre where they will be expected to engage with Council workers and others in programs and interviews aimed at supporting them in turning their lives around and/or accessing other support agencies.
- The proposed project will be organised in a way that will ensure people using the facilities will not be gathering outside Unity Hall in the evening, nor will they be moving onto the streets of Millfield in the morning.

5 Assessment of the planning issues

a) Background

Peterborough Streets (a charitable organisation) has, in association with Peterborough City

Council, provided 'Severe Weather Emergency Provision' (SWEP) for the homeless in Peterborough. For the past 2 years this accommodation has been provided at The Alpha Centre in Bretton. The delivery of the service is based on a contractual bidding process and the relocation of the service to Unity Hall would be more economically viable and there is a good working partnership with church leaders.

The building would provide SWEP which has two aims a) to ensure that no one dies on the streets due to cold weather and b) to ensure that every effort is made to engage with individuals during the cold weather period so that they do not return to the streets.

All rough sleepers are identified by Peterborough City Council (PCC), police, public or other services. The council monitor the SWEP list which is passed on to 'Peterborough Streets'. The list usually has between 2-18 names on it. The process is tightly controlled to avoid people lingering outside the church. A risk assessment process is put in place with trained staff. Rough sleepers are picked up from a designated place behind the Brewery Tap at 10.00 pm prompt. Anyone who is not on the list cannot access the service. Rough sleepers do not turn up at the centre as they know if they are not on the list they will not gain entry. If anyone is found loitering around the building the police would be notified in the interests of safety. Zero tolerance policies are employed on alcohol and drugs and entry to the building would be declined to anyone under the influence of either. The agency works in partnership with the Cambridgeshire Constabulary and liaises with them if it is suspected that anyone is using or dealing in illegal substances.

At 8am PCC staff and local Police Community Support Officers have an opportunity to engage with those in need of accommodation, in an attempt to assess their future needs, prior to them being transported back to the pick-up point.

The service was initially set up 20 years ago by the Catholic Church to help the homeless and operated from St Theresa's, Manor House Street. However, with subsequent changes of the board, the service completely lost its way. The service was inadequately managed and the vision was lost.

There were, at its peak, up to 150 service users a day attending the centre and no structured services were being offered, this resulted in people hanging around and getting a very bad reputation, the service had completely lost its direction.

In 2010 the new board completely restricted the service and re-trained its entire staff. The old style management of "tea and sympathy" was out dated and inadequately monitored. The day centre was moved, re branded, remodelled and restructured. The service is now professional, transparent, and above all accountable.

The service delivers professional projects with targeted outcomes for funders such as the PRS CRISIS project funded by CRISIS to assist homeless people with accommodation; and educational projects in partnership with Lloyds TSB to assist homeless people to access I.T., and provide City and Guild accredited courses and qualifications. In addition, CV workshops are provided along with employment training and volunteer placements are provided in the centre and charity shop.

On average between 2 and 8 service users attend the day centre, the service users who attend only attend if they are engaging with the service provider.

b) The principle of development

The lawful use of the building as a church hall/day centre falls within the use class D1 of the Town and Country Planning Use Classes Order 2005 and therefore the use of the building as a day centre does not require planning permission. The use of the building as a day centre would already generate a degree of activity through the comings and goings to events held within the building, and this would not change as a result of this application.

The use as a homeless shelter is 'sui generis' and as such does not fall within a designated use

class under the Town and Country Planning Use Classes Order and therefore requires the benefit of planning permission. There is no relevant planning policy for homeless shelters however the use would provide a facility for members of the community and it is considered that policy CF8 of the adopted Peterborough Local Plan (First Replacement) 2005 is relevant in this respect. The supporting text to this policy advises that 'The City Council plays a leading part in providing for local community activities. Its overall policy is to encourage local groups to initiate, sustain voluntary action in the community and to ensure that the community's social, welfare and recreational needs are met by statutory, voluntary or commercial agencies.' There is also a responsibility of the Local Authority to provide shelter when temperatures fall below freezing for 3 or more consecutive nights.

In addition, one of the core planning principles in the National Planning Policy Framework (NPPF) states that the planning system should 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'.

It is evident that such a facility is required in the city to prevent loss of life and long term health issues amongst rough sleepers. Given the existing community use of the building and the organisation and strict controls of the service provider, the proposed use of the building for emergency overnight accommodation for the homeless is supported subject to the proposal complying with other material planning considerations.

c) Neighbouring Amenity

There have been a significant number of objections to the proposal from neighbouring properties. The main concerns are that the use would result in acts of antisocial behaviour due to homeless people waiting around the area and subsequent impact on the character of the area, safety of residents and protection of their property. It is acknowledged that the proposed use of the hall for overnight accommodation for the homeless would cause apprehension for the occupiers of neighbouring residential properties, particularly those in Northfield Road. However, it would appear that the operation is sufficiently organised in that no one could leave the facility during the hours of 10.00pm and 8.00am and that they are taken by mini-bus to the hall and supervised. This would result in one trip to the facility in the evening and one the following morning.

The service has operated from the Alpha Centre, in Bretton for two years. This is also located in a predominantly residential local. The case officer has sought the views of the Police Architectural Liaison Officer (PALO) to investigate whether there have been any incidents of antisocial behaviour, and so on. The PALO has been informed by his colleagues that in previous years the existence of a SWEP facility in the Alpha Centre, Adderley Road, Bretton, has not generated any additional issues or impacted significantly on neighbours. On occasions some rough sleepers were seen hanging about in parks in Bretton awaiting the opening of the centre.

The PALO acknowledges it would be unrealistic and impossible to fully guarantee that those accommodated at Unity Hall, would not have a negative effect on neighbours, assurance is however, given that the local police team would provide attention to such accommodation and liaise with the City Council Housing Teams, Shelter providers and neighbours should any incidents of nuisance, ASB or crime be connected with this facility, in attempt to investigate offences and prevent future incidents.

It is considered that the service would be delivered responsibly and with the controls in place the use of the building as an emergency homeless shelter would not unduly impact upon the amenity of the occupiers of neighbouring properties. Hence the proposal accords with policy CF8 (c) of the adopted Peterborough Local Plan (First Replacement) 2005 and policy CS16 of the adopted Peterborough Core Strategy DPD 2011.

d) Highway implications

The Highways Officer has stated that the existing access, parking and turning within the site are below the standard required, however this is an existing facility and the proposed use would not

generate significant vehicular movements to and from the site. There are therefore, no highway objections and the proposal accords with policy CS14 of the adopted Peterborough Core Strategy DPD 2011.

6 Conclusions

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

- The lawful use of the site is a day centre/place of worship and therefore the daytime use as a day care centre for the homeless is permitted under the Town and Country Planning Use Classes Order
- The hall can be used temporarily for emergency overnight accommodation for up to 28 nights per year under Class B, Part 4 of the Town and Country Planning (Permitted Development) Order
- The proposed use for emergency overnight accommodation for up to 60 nights per year would not significantly intensify the use of the hall to such a degree as to result in an unacceptable impact on the amenity of neighbouring occupiers.
- The proposal would not result in any adverse highway implications.

The proposal therefore accords with policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD 2011 and policy CF8 of the adopted Peterborough Local Plan (First Replacement) 2005.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

- C 2 The centre shall be used as emergency overnight cold-weather accommodation for homeless people for no more than 60 nights each year

Reason: In order that the Local Planning Authority can retain control over the intensification of use of the building in the interest of neighbouring amenity in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD 2011 and policy CF8 of the Adopted Peterborough Local Plan (First Replacement) 2005.

Copy Councillors Kreling P M, Shearman J, Peach J P



LOCATION PLAN 12/01340/FUL

Netherton Post Office, 5 Winslow Road, Netherton

Scale NTS Date 24/10/2012 Name AA Department Planning Services



PCC GIS

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Application Ref: 12/01340/FUL

Proposal: Change of use from A1 (retail) to A5 (hot food takeaway)

Site: Netherton Post Office, 5 Winslow Road, Netherton, Peterborough

Applicant: Mr R Hansraj

Agent: Mr Sajjad Panjwani

Referred By: Ward Members

Site visit: 28.09.2012

Case officer: Mr D Jolley

Telephone No. 01733 453414

E-Mail: david.jolley@peterborough.gov.uk

Recommendation: REFUSE

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

Site and surroundings

The site is an A1 (shop) unit with living accommodation above, located within the Netherton Local Centre, 1 mile west of the city centre. The local centre is made up of a small collection of shops, hot food takeaways, and various service establishments, such as a vets and is served by a small area of parking adjacent to Ledbury Road containing 29 parking spaces.

Proposal

Permission is sought for a change of use of the application site from A1 (shop) to A5 (Hot food takeaway).

2 Planning History

No relevant planning history

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Nation Planning Policy Framework

Section 13 - Unacceptable Adverse Impacts

Should be avoided on the natural and historic environment, human health and aviation safety. The cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality must be taken into account.

Section 11 - Noise

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

Peterborough Core Strategy DPD (2011)

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.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

PP02 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

PP11 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport in accordance with the standard set in Appendix A is made.

Peterborough Local Plan (First Replacement) (2005)

R09 - Non-Retail Uses in Other Retail Frontages of District and Local Centres

Permission will be granted subject to the appropriateness of the use and its impact on traffic and local amenity.

4 Consultations/Representations

Transport and Engineering Services (04.10.12)

No objections

FAO Emma Doran Pollution Team (18.10.12)

No objection subject to the conditioning of odour control scheme and opening hours.

Police Architectural Liaison Officer (22.10.12)

I would advise that the area historically has experienced above average levels of antisocial behaviour issues.

An additional takeaway outlet would do little to improve the situation and may lead to a further increase of noise and disturbance for neighbours.

However, the proposed site is within an existing retail/local centre and there is not a high concentration of similar takeaways or licensed premises locally.

Local Residents/Interested Parties

Initial consultations: 8

Total number of responses: 37

Total number of objections: 36

Total number in support: 0

37 objections and a 125 page petition have been received in relation to the proposal.

the following points were raised in the objection:

- Against local/government policy
- Extra traffic
- Health risk
- Impact on local community
- Intensified use
- Litter
- Loss of existing local facility
- Noise
- Nuisance (general)
- Opening hours
- Parking problems
- Smell
- Youths congregate
- Not necessary
- Too many A5 uses in a small centre
- Loss of trade to other units
- Attraction of wild animals

5 Assessment of the planning issues

The main considerations are:

- Visual impact of extraction equipment
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings
- Crime and disorder
- Litter
- Parking and traffic

The visual impact of extraction equipment

The proposal will not result in material changes to the front of the unit. Extraction equipment would be required to the rear of the property as is shown on the submitted plans. This type of installation is common place on units within local centres and is therefore not likely to appear incongruous. The extraction equipment will be visible to the residents of Winslow Road but its presence is not considered to be unduly harmful to the character of the area and it would be unreasonable to refuse the application based on the harm caused by the appearance of the extraction equipment.

The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

A number of local residents have raised concerns that the hot food take away would result in harm to amenity through cooking smells. It is considered that providing the correct type of filtration and ventilation is installed at the premises that the level of nuisance caused by cooking smells is unlikely to result in material harm to the amenity of the occupiers of neighbouring dwellings. The environmental health officer has no objection to the proposal providing robust conditions are appended to the permission regarding filtering, ventilation and opening hours.

Crime and disorder

Of greater concern is the impact of the proposal upon levels of anti social behaviour within the centre. Local police have submitted representation detailing the history of the site and how it has suffered from antisocial behaviour in the past. Dispersal orders have in the past been used to prohibit on street gatherings. Though these orders have now expired, it is clear that the police consider that there is a realistic prospect of antisocial behaviour reoccurring.

The police consider hot food takeaways to be 'honeypots' for antisocial behaviour, especially where concentrations of such establishments exist. The police have stated that the area historically experienced above average levels of antisocial behaviour issues and that an additional takeaway outlet would do little to improve the situation and may lead to a further increase of noise and

disturbance for neighbours. It is therefore considered that an additional A5 outlet could result in material harm to the amenity of the occupiers of nearby dwellings through increased levels of antisocial behaviour and such incidents could not be controlled adequately by way of planning conditions attached to the application. The proposal is therefore considered to be contrary to policies R9 of the Peterborough Local Plan (First Replacement) 2005 and PP1 of the emerging Peterborough Planning Policies (DPD) 2011.

Litter

It should be noted that on the issue of litter that the levels of litter generated could be adequately controlled by condition and do not form the basis of a refusal reason of the application.

An objector has also stated that any increase in litter within the centre could attract wild animals such as foxes. This is not considered to be a material reason for the refusal of the application because as stated above it is considered that litter could be adequately controlled by way of condition.

The impact upon highway infrastructure

It is acknowledged that at certain times of the day there is pressure for parking spaces for the local centre, however under emerging policy PP12 of the Peterborough Planning Policy (DPD) 2012 both A1 and A5 uses require the same level of parking provision at 1 space per 20sqm of floor space. The Local Highways Authority has raised no objection to the proposal. The takeaway is considered unlikely to generate materially more traffic that is generated by its current use as an A1 retail unit with post office.

Impact on health

A number of objectors have stated that an additional A5 outlet could cause harm to the health of the local population of school children who visit the centre before and after school. Whilst the Local Planning Authority agree with the concerns regarding health, it is considered that the issues could be adequately addressed though conditions restricting opening times to those hours outside of times when school children would be likely to visit the centre.

The above also relates to objections regarding the lack of stated opening hours on the application form. Whilst it is clear that uncontrolled opening hours could result in serious harm to the amenity of the occupiers of nearby dwellings the issue is not considered to be a material reason for refusal of the application as opening times could be adequately controlled through planning conditions.

Loss of Post Office

Many objectors have raised that the proposal would result in the loss of the local post office. Whilst this would be unfortunate the Local Planning Authority (LPA) do not consider that there is the policy framework to refuse an application on this basis. It should also be noted that any refusal of the application does not guarantee the continued operation of the post office. This is because keeping the post office is reliant on; the newsagent renewing the lease on the property and the current newsagent agreeing with the post office to continue running a counter. The LPA has also received representation stating that the food store adjacent would be interested in taking on the operation of a post office counter and news agent, retaining these facilities within the centre.

Many objectors have also questioned the need for an additional A5 unit within the centre. This issue is not considered to be a matter for the LPA to consider and the policy framework does not exist to control such matters.

Viability of the future

An objector has stated that the loss of the post office and newsagent may in turn reduce footfall to the centre causing a knock on effect to other proprietors, harming the long term viability of the centre. The LPA do not consider this to be a material reason for the refusal of the application and do not consider there to be the policy framework available to refuse an application on this basis.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The case officer recommends that planning permission is **REFUSED**

R 1 The proposed change of use from an A1 retail unit to A5 hot food takeaway is likely to result in increased levels of rowdy/nuisance and anti-social behaviour already experienced within the area. As such, the proposal will result in an increase in crime and disorder and increased noise and general disturbance to the occupants of surrounding residential properties, to the detriment of their amenity and contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy R9 of the Peterborough Local Plan (First Replacement) (2005) and policy PP02 of the emerging Peterborough Planning Policy (DPD) which state:

Policy CS16 - New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

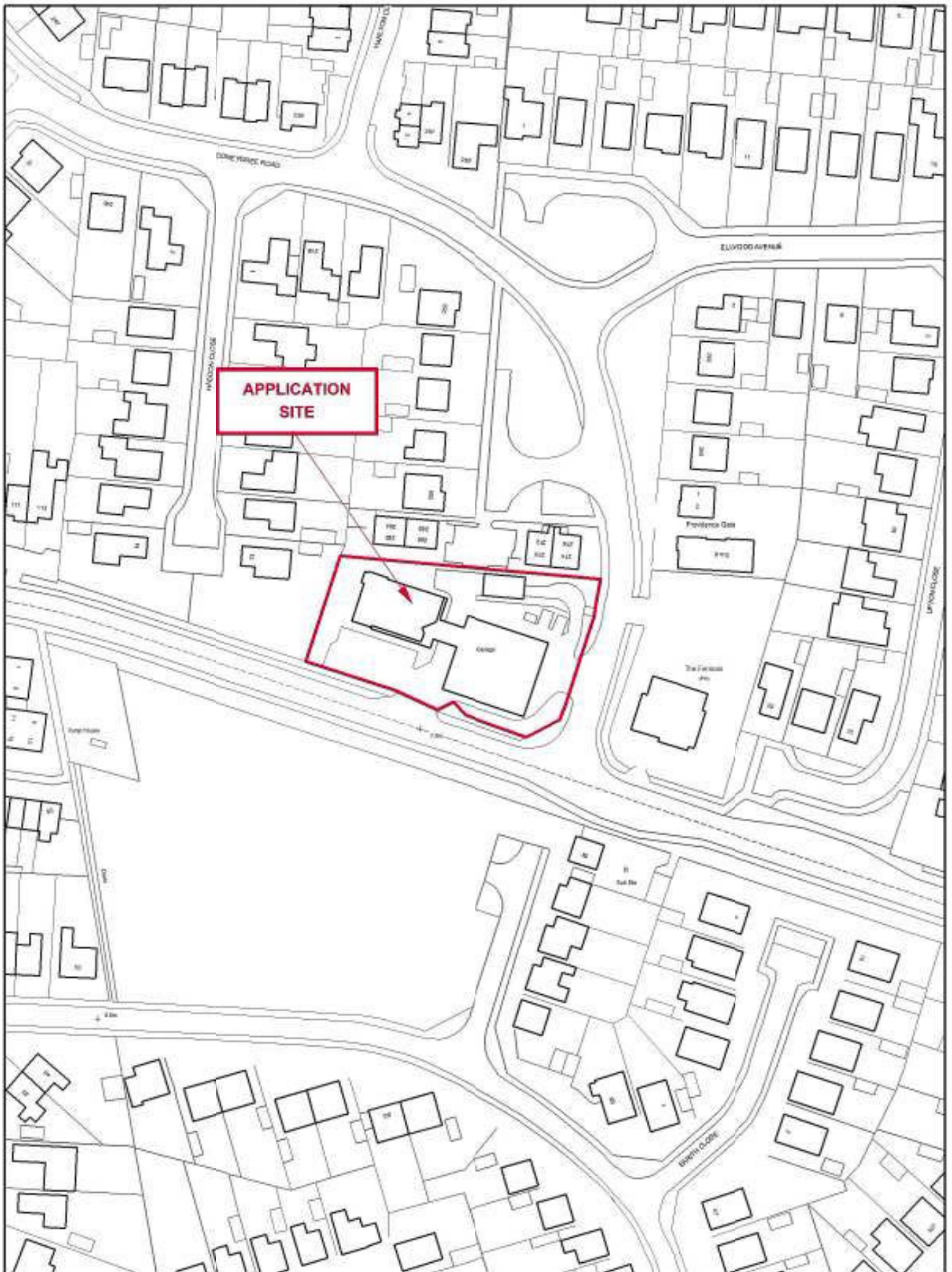
Policy R9 - At locations within District and Local Centres but outside primary retail frontages, planning permission will be granted for non-A1 uses, provided that the proposal would not:

- (d) Be likely to have an unacceptably detrimental effect on the amenities of occupiers of nearby properties.

PPO2 - Development should not result in noise and or disturbance to occupiers of nearby residential dwellings.

Copy to Councillors Arculus N, Dalton M J, Maqbool Y

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LOCATION PLAN 12/01352/FUL

Horsley Way Service Station, Whittlesey Road, Stanground

Scale NTS **Date** 24/10/2012 **Name** AA **Department** Planning Services



PETERBOROUGH



CITY COUNCIL

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Application Ref: 12/01352/FUL

Proposal: Extension to existing building and internal re-organisation to create new Burger King take-away restaurant, including modifications to external elevations. Increased parking including 2 no. disabled parking spaces, removal of existing car wash, petrol pump and section of canopy linking forecourt to sales building and relocation of air/water and vacuum unit.

Site: Horsey Way Service Station, Whittlesey Road, Stanground, Peterborough
Applicant: Applegreen - Petrogas Group Ltd
Agent: Turnkey Design Partnership Ltd

Referred by: Councillor Harper
Reason: Insufficient parking, highway implications, impact on amenity, litter, antisocial behaviour and proximity to secondary school

Site visit: 16.10.12

Case officer: Mrs J MacLennan
Telephone No. 01733 454438
E-Mail: janet.maclennan@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

The site is located at an existing petrol filling station on the northern side of Whittlesey Road (A605) and on the junction with Coneygree Road to the east. The surrounding character comprises the Fenman Public House to the east, two storey flatted development to the north, a detached residential dwelling to the west and a playing field on the opposite side of Whittlesey Road to the south. The site is bounded to the north and west by a 1.8m fence and mature conifer hedge to the west and mature trees to the north. The site contains a petrol forecourt area to the eastern side with 5 pumps and to the western side, a retail shop selling a range of convenience goods. Directly along the northern boundary is a car wash facility. 9 car parking spaces for customers and staff are provided at the front of the shop. The site is accessed from Coneygree Road and Whittlesey Road. There are a number of mature trees to the northern and eastern boundary and soft landscaping to the Whittlesey Road frontage.

Proposal

The application seeks planning consent for alterations to the existing shop to create a Burger King take-away/restaurant and shop facility. The works would include a small extension 8m x 4m x 2.8m (height) to the northern side of the building to provide toilets. The extension would have a flat roof. There would be some elevational changes to the existing building, including re-location of the entrance, new fascia, insertion of a serving window and removal, in part, of the forecourt canopy. 22 no car parking spaces would be provided, including 2 no disabled parking bays. A car wash facility along the northern boundary would be removed and one petrol pump would also be removed.

The proposal would reconfigure the internal layout of the existing shop to provide both a small restaurant and takeaway and to continue to provide the shop facility. A new refuse compound would be created with attached secure staff cycle store. The proposal would provide 9 no. full time staff and 14 no part time staff. The petrol filling station would operate 24 hours a day Monday to Sunday, as existing. The opening hours for the Burger King takeaway/restaurant would be 9.00

am to 11.00 pm Monday to Saturday and 9.00 am to 10.00 pm on Sundays.

2 Planning History

Reference	Proposal	Decision	Date
12/01015/FUL	Extension to existing building to create new Burger King take-away restaurant, including modifications to external elevations, increased parking including 2no disabled parking spaces, removal of existing car wash, petrol pump and section of canopy linking forecourt to sales building and relocation of air/water and vacuum unit	Application Withdrawn	17/08/2012

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF)

Section 1 - Economic Growth

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

Peterborough Core Strategy DPD (2011)

CS14 - Transport

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

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.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

PP11 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport in accordance with the standard set in Appendix A is made.

PP10 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network.

PP02 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

Peterborough Local Plan (First Replacement) (2005)

LNE09 - Landscaping Implications of Development Proposals

Adequate provision should be made for the retention/protection of trees and other natural features and for new landscaping.

R7 - Food and Drink (A3) Outlets

Permission will be granted subject to there being no unacceptable levels of traffic or impact on local amenity. Within the central retail area, permission will be subject to demonstration of need and a sequential test.

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

Parking should be provided in accordance with the identified standards.

T11 - Motorists with Mobility Difficulties

Provision of 1 space or 4% whichever is the greatest.

4 Consultations/Representations

Landscape Officer – The tree survey submitted in support of this application has been carried out in accordance with BS5837:2012 and the suggested categories are agreed. The revised layout shows a footway within the root protection area of the tree ref. T1. The applicant will need to submit 'no dig' construction details in order that the health of this tree would not be compromised. No objections to the proposal; the applicant has demonstrated that the proposed layout is achievable whilst retaining those trees that are worthy.

Doran Pollution Team – The proposed equipment provides a satisfactory level of extraction indicated as being required in the Department for Environment, Food and Rural Affairs document Control of Odour and Noise from Commercial Kitchen Exhaust Systems, Department for Environment, Food and Rural Affairs (DEFRA),(2005). In this instance, the indicated level of control from the abatement system matches that required from the risk assessment process.

Police Architectural Liaison Officer - No objections, recommendations, or further observations.

Environment Agency - No comments

Transport and Engineering Services - The parking provision shown on the initial site plan was insufficient. The Local Highway Authority's (LHA) concerns were that the number of vehicle trips that the takeaway would generate particularly at the pm rush hour. Due to the absence of parking restrictions and insufficient on site parking the LHA are were concerned that there would be overspill onto the adjacent highway. However, an amended site layout plan has been provided which demonstrates that 22 no. car parking space could be accommodated within the site. This accords with the maximum parking standards and emerging PP11 of the Planning Policies DPD. The LHA raise no objections subject to conditions.

Councillor C Harper Objects - reasons are: lack of parking, odour, increase in antisocial behaviour, noise, traffic obstruction and health implications for local children as the site is on a main route to a school

Local Residents/Interested Parties

81 representations have been received; 79 objections and 2 in support. The main reasons for objection are as follows:

- Increase in litter/food rubbish
- Food waste would result in vermin/rodents

- Would increase existing problems with rubbish, etc from the existing mini market/Tesco store
- Children would discard litter on the way back to school as they do at the Parade on Lawson Avenue and Central Square
- Greater volume of wind blown refuse
- The use would have a profound effect on the amenity of local residents
- Noise from people sitting in parking spaces and running engines/loud music
- Cars would be parked under our window
- Noise from the increased number of people arriving and leaving noisily
- Constant car doors slamming
- Lights from cars
- The use would lead to an increase in antisocial behaviour
- People would loiter outside
- My street is used as a short cut to the petrol station and damage has been caused to my property this would be made worse by the change of use
- Vehicles will be parking in the residential areas and across our driveways
- There are many elderly people in the area who would be annoyed by foul language and extra noise
- Our road is used as a route to the petrol station and we already have rubbish thrown in our garden
- This is the wrong location for the use
- Cardea site is most appropriate
- Where are the Laurel trees between site and 13 Haddon Close
- Trees would have to be felled
- The junction will not be able to cope with extra traffic
- Residents fought hard for by-pass now traffic will return
- What does a Burger King outlet in Belham South London have to do with Stanground
- Cooking smells day and night
- Not enough parking
- Traffic entering from two directions off Whittesey Rd
- Where will the delivery vehicles park
- We have just been given a weight restriction for lorries using the main Whittlesey Road
- There are enough fast food outlets in the city
- It would attract the congregation of youths
- Not healthy for children
- Would impact on the safety of school children
- Increasing amount of obesity in children and the siting of a fast food outlet on a route to and from Stanground Academy would be irresponsible
- Many local authorities in the UK have introduced planning rules preventing the siting of a fast food outlet anywhere near a children's play area or school
- Conflict with local schools healthy eating policies
- The use would de-value our property
- Intensification of use
- Burger King is not in keeping with a residential area

The reasons for support are:

- The site already supports an existing commercial operation and the petrol station is a useful amenity
- Other commercial operations nearby also offer food
- It would safeguard employment
- This would be a major re-generated asset for this neighbourhood
- Whittlesey Road is a main route and has capacity for traffic likely to be generated by the use
- There is extraction equipment at the public house; no one complains about this

5 Assessment of the planning issues

a) Background

Petrogas, trading as Applegreen, own and operate around 100 petrol filling stations and motorway service areas across Ireland and the UK. The Applegreen success story is based on 'low fuel prices always' and providing award winning quality food offers in an upmarket open plan single building format.

Horseway Service Station was purchased in 2008. At the time the site operated as a busy petrol filling station under the BP brand, the Spar convenience store and car wash. The site benefited from a strong residential catchment area but also from commuter and through traffic along Whittlesey Road. There have been two subsequent and substantial changes in trading that have impacted on the viability of the site. The Tesco Express located 200m west along Whittlesey Road has had a negative impact on the shop revenue at Horseway and the Morrison supermarket with petrol filling station opened in 2011 which is highly visible and easily accessible from the Stanground By-pass.

Furthermore, with the continuing rise in hand car wash outlets in the Peterborough area sustaining a profitable wash facility with the high maintenance and utility costs is increasingly more difficult and the removal of this facility will not have a material impact on the overall site profitability.

Petrogas are an established experienced Burger King franchisee and will operate the restaurant facility within the same management structure as the overall petrol filling station and convenience store business. The petrol filling station would be rebranded to the Applegreen.

This is a revised application following withdrawal of the initial application (ref. 12/01015/FUL) due to officer concerns that the application had failed to demonstrate adequate parking provision, efficiency of extraction/odour filtration equipment and assessment of trees in close proximity to the site.

b) The Principle of Development

The proposed restaurant/takeaway use is a commercial customer orientated operation which would ideally be located within a local centre where there is little potential for impact on residential properties and where it would improve the variety of offer and increase the viability and vitality of the centre. The site is located outside of a local centre and therefore the application will need to demonstrate that the use would not result in levels of traffic that would cause an impact on the highway and would not be detrimental to the amenity of occupiers of neighbouring properties and these planning issues will be considered within this report.

For such uses outside of a local centre the proposal should demonstrate that there is a need for the development and that a sequential approach to site selection has been undertaken and that there are no suitable sites available higher in the search sequence. The site is already occupied as a retail unit with a relatively small floorspace. The application has been supported with a planning statement putting forward the reasoning behind the proposal due to the decline in sales for the existing unit for both petrol and retail given the changing circumstances within the trading area and the need to diversify in order to ensure the continuing viability of the site and securing existing jobs. It is therefore considered that given the existing use of the site and the modest scale of the development the use would not put at risk the retail strategy for the city and to insist on a sequential approach to site selection would be unreasonable. The proposal therefore does not offend policy R7 of the Adopted Peterborough Local Plan (First Replacement) 2005.

Moreover, the National Planning Policy Framework (NPPF) has at its heart a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Building a strong, competitive economy is one of the Government's key objectives and para. 19 of the NPPF states 'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant

weight should be placed on the need to support economic growth through the planning system'. The proposal would utilise an existing site which has an existing commercial character and which provides a service to a local catchment area. The proposal would retain the existing petrol station and shop as well as expanding into a small takeaway/restaurant. The proposal would also create new jobs.

c) Impact on neighbouring amenity

There have been a significant number of objections to the proposal particularly relating to amenity issues resulting from the restaurant/takeaway use. The key planning issues relating to the proposal are the impact of odour and noise. The applicant has submitted a noise impact assessment and odour abatement measures and these documents have been assessed by the pollution control officer.

In respect of both noise and odour control the proposal is assessed against the guidance provided by the Department of the Environment, Food and Rural Affairs (DEFRA) in the document 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems, (DEFRA, 2005). The objective of the guide is that for new premises, or premises covered by planning conditions restricting the impact of odour, the system shall be designed to prevent harm to the amenity.

To achieve the objectives of the guide, the odour control system shall include an adequate level of odour control and stack dispersion. The overall performance of the odour abatement system represents a balance of these two factors. The guidance considers dispersion characteristics, proximity of receptors, size of kitchen, and cooking type in order to risk assess odour from commercial kitchen exhaust systems. Using these criteria, it is possible to judge the impact risk associated with the premises, and consequently the odour control requirements for the system. A risk assessment as required by the DEFRA guidelines relating to odours from kitchen exhausts has been submitted with the application. It states that extraction units would be located on the pitched roof above the kitchen area. It is acknowledged that the risk assessment identifies that there is a high level of odour risk resulting from the use which could be mitigated by a high level of odour control.

The pollution control officer's view is, in this instance, the indicated level of control from the abatement system matches that required from the risk assessment process and provides a satisfactory level of extraction as indicated as being required in the DEFRA document.

A noise assessment to address likely noise pollution emitted by the air conditioning units and the extraction equipment has been submitted in support of the application. The assessment was carried out using the methodology described in BS 4142. In order to establish the baseline conditions a baseline noise survey was carried out at a location representative of the closest noise sensitive receptors to the site on Coneygree Road and Haddon Close. The survey was carried out over a 24 hour period and the background noise level was calculated for the period of operation of the site. The assessment was carried out against the average background noise level and the lowest background noise level for the period. In all cases the complaint likelihood value was below the level of marginal significance. The difference in the rating levels and hence, complaint likelihood values between the existing and proposed schemes is within +/- 1dB. On this basis it is unlikely that the scheme will result in an increase in the number of complaints arising from the existing scheme. The conclusions of the noise assessment are acceptable to the pollution control officer subject to a compliance condition that the rating level of noise emitted from the site should not exceed 50 dB LAeq, 1 hour. The noise levels should be determined at the nearest noise sensitive premises. The proposal would therefore not give rise to impact on neighbouring amenity resulting from noise and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD 2011 and policy R7 of the Adopted Peterborough Local Plan (First Replacement) 2005.

Concern has been raised regarding the noise and disturbance from cars parked adjacent to the northern boundary, in particular, from engines running, loud music, slamming doors and the general increase in activity to the site. The site however, already has the potential for these issues. At one time it was a busy petrol station and a car wash operated close to the northern

boundary. It is not considered that the use would significantly intensify the level of activity within the site. All the above issues could equally occur under the current use.

The issue of litter/rubbish and potential for rodents is also a concern. This however, is a management issue and is covered by other legislation. Objectors have noted that there is already some degree of litter emanating from this site and indeed other commercial sites nearby. There is no reason to suggest that the proposal would result in litter being a significant issue.

There is also concern that the use would result in people congregating around the site. Again it is likely that this happens to some degree under the current use.

d) Highway implications

The Highways Section had concerns with the scheme under the initial submission. Whilst they were not concerned regarding the capacity of the junction at Whittlesey Road/Coneygree Road, they were concerned that as there are no parking restrictions on the roads in close vicinity to the site, if there was not sufficient car parking within the site, cars would park at unsafe locations. A Transport Statement has been submitted in support of the application and trip rates for a comparison site in Balham, west London have been provided. However, the Highways Section was not convinced that this was a comparable site. The site would to some degree generate trips from further afield. For example, as there are very few fast food outlets in the Whittlesey area people would stop off at the Burger King to collect food on their way home. Also consideration was given to the new residential development at Cardea. The site layout drawing no. T3470_005-E submitted initially with the application indicated the provision of 15 car parking spaces within the site. Highways considered that this was insufficient and recommended refusal due to highway safety issues. However, if the car parking could be reconfigured to accommodate more on site parking, Highways stated they would reconsider the recommendation for refusal. The revised drawing no. T3470_005-G shows 22 no parking spaces which accords with the maximum parking standards and the emerging policy PP11 of the Planning Policy DPD. Highways therefore raises no highway objections to the proposal subject to the appending of conditions requiring the retention of parking and turning and details of temporary facilities to be submitted for approval. The proposal would not result in any adverse highway implications and accords with policy CS14 of the Adopted Peterborough Core Strategy DPD, policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005 and policy PP11 of the emerging Planning Policy DPD.

e) Health

Objectors have raised concern over the site's location on a route taken by school children, particularly those attending the Stanground Academy on Peterborough Road. Objectors have cited a judicial review case in respect of a decision taken by Tower Hamlets LBC to grant planning permission for a change of use to a premise from a grocery store to a hot food takeaway in a residential area. The High Court determined that Tower Hamlets LBC had acted unlawfully in granting permission for the change of use to a takeaway, as they had failed to take into account the proximity of a secondary school; which was within the immediate vicinity of the proposal. The school had implemented a healthy eating policy; this was deemed to be a social objective. The High Court stated that such a social objective should have been considered as a material planning consideration and therefore taken into account during the decision making process weighing against other material planning considerations and policies before determining the application.

Planning legislation requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The planning officer concedes that health is a material consideration in this circumstance. However, each case has to be judged on its own merits weighing up the facts of that individual case and balancing all material planning considerations. In this instance, the site is located on a school route however, is located approximately 1 km from the Stanground Academy. The premises would not be open until 9.00 am each day and the distance from the school is such that it is unlikely that children would have time to visit the premises during their lunchtime. Unlike the Tower Hamlets case the site is not in the immediate vicinity of the secondary school.

f) Design and Visual Amenity

The proposal would make use of the existing building other than changes to the entrance and minor changes to the façade the building would remain as existing. The small extension to the northern site of the building would be modest and the proportions would harmonise with the existing building. Due to the position of the extension it would not be directly visible from any vantage point outside the site.

The landscaping along the eastern boundaries which adds positively to the visual amenity of the site would be retained. Landscaping implications will be discussed later within this report.

Access to the site remains as existing. Disabled parking is provided, a dropped kerb with tactile paving would be provided along the full length of these two bays. Within the building there is full accessibility to all areas including new customer toilet comprising ambulant, ambulant-disabled and disabled WC.

The proposal would make use of an existing commercial building, retaining the existing character and appearance of the site, providing full accessibility and sustainable development in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

g) Landscaped implications

An Arboricultural Impact Assessment has been undertaken by RPS in August 2012 and a report has been submitted in support of this application. The assessment was undertaken in accordance with BS5837 'Trees in Relation to Design, Demolition and Construction Recommendations' 2012. The aspect of the development most likely to impact upon existing trees is the extension of the service station to provide toilet facilities. 10 no. trees along the northern boundary would need to be removed to accommodate the extension (Trees referenced as T7-T16 on the Tree Constraints Plan). These trees are not directly visible from outside the site and it is likely they cause considerable loss of light to the flats to the rear. In addition due to the poor condition of T17 a Weeping Willow located to the north west of the site has internal decay and will no doubt go into gradual decline during the next decade it is recommended that this tree is also removed.

It is recommended that facilitation tree pruning/crown lift works are undertaken to trees along the north eastern boundary (trees referenced as T3-T6 on the Tree Constraints Plan) as works to construct new block work may be required beneath the canopy spread of these trees. The pruning works required are not likely to introduce large wounds into the crowns of the trees and they will not significantly alter the visual appearance or values of the trees as a landscape feature.

It is concluded that the removal of trees is unfortunate but will reduce their impact on neighbouring properties with regards to shading. Additional tree planting within the site would mitigate against this loss. The trees for removal are set well within the site and add little to the visual amenity from views outside the site. Conditions would be appended to any grant of permission to ensure that works are undertaken in accordance with the recommendations of the Arboricultural Survey. The proposed works could be undertaken without detriment to the trees and landscaping to the eastern and southern perimeter of the site and hence the proposal would not impact on the visual amenity provided by the landscaping features within the site hence the proposal accords with policy LNE9 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The neighbouring property has identified that the Laurel trees within their boundary which abuts the western boundary to the site are not shown on the drawing. This is noted, however, these trees would be unaffected by the development.

h) Other issues issued raised by objectors

- My street is used as a short cut to the petrol station and damage has been caused to my property this would be made worse by the change of use/we already have rubbish thrown in our garden. Response – The planning system cannot determine the routes taken to the petrol station either for the existing use or the proposed use

- The use would de-value our property. Response – This is not a material planning consideration

6 Conclusions

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

- The proposal would utilise a site that has an existing commercial, customer orientated character and the additional takeaway/restaurant would not be materially different from the existing use;
- The development is modest in scale and the use would not put at risk the retail strategy for the city;
- The proposal has demonstrated that a suitable high efficiency extraction unit could be installed to avoid impact on neighbouring residential amenity;
- The site can accommodate appropriate numbers of car parking spaces to avoid any adverse impact on the adjacent highway; and
- The proposal would not result in the loss of trees or landscaping to the site which add positively to the visual amenity of the area.

Hence the proposal accords with policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD 2011, policies LNE9, R7 and T10 of the Adopted Peterborough Local Plan (First Replacement) 2005 and the NPPF.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

- C 2 No development shall take place until details the finishing materials to be used in the external elevations of the extension and elevational changes to the existing building and fascia panels 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 Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C 3 Prior to the occupation of development the spaces shown on drawing no T3470-005-G shall be laid out for vehicles to park and turn clear of the public highway and those areas shall not thereafter be used for any other purpose than the parking and turning of vehicles.

Reason: In the interests of Highway safety and in accordance with policy CS14 of the Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005.

- C 4 Prior to commencement of development details of the temporary facilities that shall be provided clear of the public highway for materials storage and for the parking/turning of all vehicles visiting the site during the period of construction shall be submitted to and approved in writing by the Local Planning Authority.

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

- C 5 The rating level of noise emitted from the site should not exceed 50 dB LAeq, 1 hour at the nearest noise sensitive premises. The measurements and assessment should be made according to BS:4142:1997.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD and Policy R7 of the Adopted Peterborough Local Plan (First Replacement) 2005.

- C 6 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority. Details shall be implemented in accordance with the approved details before the use of the premises for cooking commences and retained and operated at all times when cooking takes place.

Reason: In order to safeguard the amenities of adjoining occupiers and in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD and Policy R7 of the Adopted Peterborough Local Plan (First Replacement) 2005.

- C 7 The takeaway/restaurant use hereby permitted shall not be open to members of the public outside the hours of 9.00 am to 11.00 pm Monday to Saturday and 9.00 am to 10.00 pm Sunday and Bank Holidays.

Reason: In order to protect the amenity of the adjoining occupiers and in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD 2011 and Policy R7 of the Adopted Peterborough Local Plan (First Replacement) 2005.

- C 8 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) 2005.

C 9 Notwithstanding the details submitted in the Arboricultural Assessment and supporting Tree Constraints/Tree Protection Plan a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.

The scheme shall include the following details:

- A no-dig construction method for the footway adjacent tree referenced as T1 on the Tree Protection Plan (drg. no. JMK7533_Figure 2)
- Proposed finished ground and building slab levels
- Planting plans including retained trees, species, numbers, size and density of planting
- Replacement tree planting

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.

C10 No construction/demolition/excavation works or removal of trees/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

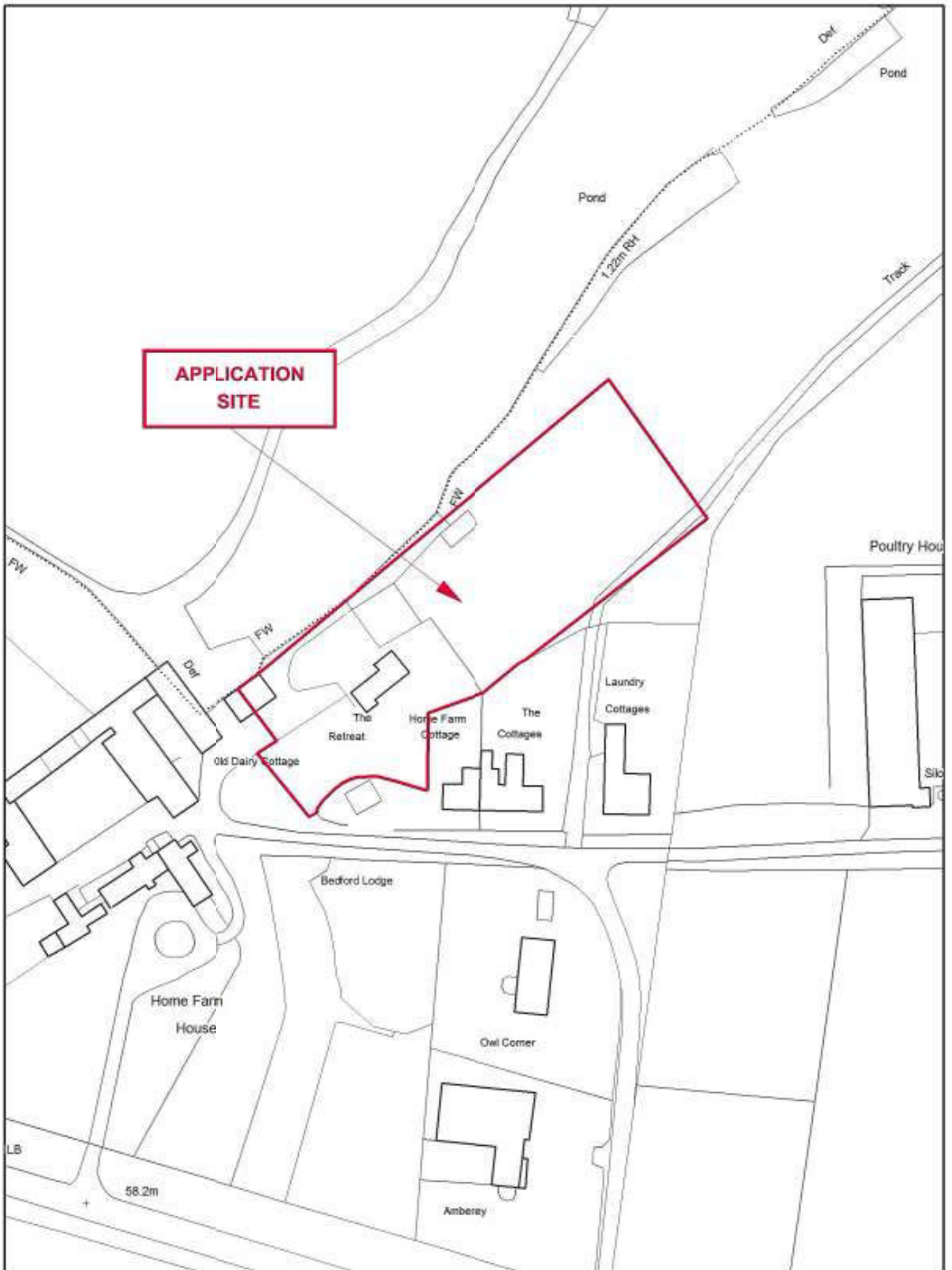
Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy.

C11 Prior to the takeaway/restaurant being brought into use cycle parking to accommodate six no. cycles shall be installed on site. That area shall thereafter be retained for the purpose of cycle parking in connection with the approved use in perpetuity.

Reason: In the interest of highway safety, and to encourage travel by sustainable modes in accordance with Policy T9 of the Peterborough Local Plan (First Replacement) 2005.

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LOCATION PLAN 12/01354/HHFUL

The Retreat, Leicester Road, Thornhaugh

Scale NTS Date 24/10/2012 Name AA Department Planning Services



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Application Ref: 12/01354/HHFUL

Proposal: Addition of second storey to existing property and two storey extension with underlying cellar

Site: The Retreat, Leicester Road, Thornhaugh, Peterborough

Applicant: Mr Martin Witherington

Agent:

Referred by: **Head of Planning Services**

Reason: The level of local interest in the application

Site visit: 24.09.2012

Case officer: Mr D Jolley

Telephone No. 01733 453414

E-Mail: david.jolley@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site and surroundings

The property is located in a very small settlement off the A47 comprising Home Farmhouse, its former agricultural buildings (converted to residential use), two pairs of semi-detached former agricultural workers cottages (mid and late Victorian period) and two new detached infill dwellings. The area is considered to be open countryside and has no village boundary as defined in the Peterborough Local Plan (First Replacement) 2005 and in the emerging planning policies (DPD) 2012.

The property sits in a large site in wooded shallow valley and is located to the north east of the former Home Farmstead, which comprises three grade II listed buildings. The supporting information advises that the application property is set in part of a former quarry.

The existing dwelling is a small storey stone faced property under a hipped Collyweston slate roof. The dwelling is in need of renovation and modernisation.

Proposal

Permission is sought to extend the property and increase its height to make it two storeys in height.

The height of the dwelling will be increased from 4.7 metres to 10 metres to apex. The property will be extended to the North West with a two storey extension for 9.6 metres.

The footprint of the property will increase from approximately 87sqm to 145 sqm.

The ground floor extension will be finished in brick with all upper parts of the extension and new first floor above the existing cottage will be rendered. Clay or slate tiles are the proposed roof materials.

2 Planning History

No relevant planning history

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

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

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

CS10 - Environment Capital

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

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted planning policy, it is at an advanced stage of preparation. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

PP01 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

Peterborough Local Plan (First Replacement) (2005)

H16 - Residential Design and Amenity

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

4 Consultations/Representations

Parish Council (26.09.12)

The development of the bungalow should be mindful of the privacy of neighbouring properties. There appears to be a potential issue as the proposed 1st floor windows would overlook the Old Dairy, and part of their garden, which are the main living areas of the property. Could this aspect of the design be considered by Planning so that immediate and potential impact be minimised, maybe by restriction of height and planning conditions preventing future addition of windows which overlook affected properties, i.e. to the south and east aspect of the property?

Comment has been made regarding the accuracy of the plans submitted with respect to proposed heights. Could Planning please ensure that they are in order?

Are there any conditions or controls which can be applied to ensure that the development, as proposed or otherwise, is carried out in such a manner which contains these risks for the benefit of the immediate neighbours and wider community of Home Farm?

Conservation Officer (25.09.12)

Objects (see section 5 of this report for more details)

Ramblers (Peterborough)

No comments received

Peterborough Local Access Forum

No comments received

Rights of Way Officer

No comments received

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses:5

Total number of objections: 2

Total number in support: 3

5 representations were received in relation to the application, 2 objections and 3 letters of support.

Objections

- If the application goes ahead it will permit views into the habitable room windows and amenity space of the old dairy.
- The drawings contain inaccuracies which make it difficult to determine the heights of the proposed dwelling.
- It is unclear whether the increase in height is due to the cellar
- Concerned that the roof space will allow for the insertion of an additional floor.
- Plans are inaccurate, the drawing that shows the plan view of the existing property does not reflect the view from the south, it shows a mirror image of what is there.
- Drawing R3a shows faint lines on the north and west faces but does not explain what these are.
- Drawings do not show the impact of the cellar in terms of the topography of the site and what will be visible, if the ground level is to be raised, this should be shown on drawings, complete with finished slab levels.

Support

- The design is appealing, sympathetic to the situation and the surroundings.
- The proposal can only be an improvement on the grubby little residence currently situated there. The current bungalow is situated so low down in the valley that adding a second storey couldn't affect anyone. An additional level will not negatively impact on anyone.
- The proposal could also greatly improve the ambience of the whole Home Farm hamlet.

The current property is very run down and does nothing to improve the area. Any attempt to maintain the building in its current format should be discouraged. The property is more or less out of sight of just about every other local resident and will remain so. The building, if proceeded with, will at least match another extensive building project recently concluded nearby as regards its suitability for the location.

5 Assessment of the planning issues

The main considerations are

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings
- The impact upon adjacent listed buildings

The impact of the proposal on the character of the area

The property stands in a large site in wooded shallow valley which was once the site of a former quarry. The dwelling is located to the north east of the former Home Farmstead, which comprises three grade II listed buildings.

The current building is a small single storey stone faced property under a hipped Collyweston slate roof. The building is not readily seen against others in the settlement because of its location. The building is only readily visible from the end of the road leading down to the former stables and Dairy Lodge. The building is not currently prominent in views from Dairy Lodge to the south owing to its size, low height and the strong wooded backdrop.

The height of the proposed dwelling will cause it to break the line of the tree cover to the rear of the dwelling, bringing what is a rather large building further forward within the street scene and making it far more prominent.

This effect will be worsened by the applicant's decision to render the top half of the dwelling. The use of half render is considered to be against the grain of the local vernacular, especially in relation to period buildings and is considered to be harmful to the character of the wider area when viewed from the south west. Brick is proposed to be used for the ground floor extension, but given the size of the extension, this is considered inappropriate.

The current design suffers from being both excessively tall and narrow, giving the proposed dwelling an odd massing and form, in particular the front facing gable element which is seen against the excessively wide extension running to the north west and results in visually unbalanced dwelling at odds with the more successful dwellings within the hamlet. The scale of the proposed extensions creating a two storey property is excessive, with an overall width of 19 metres at ground floor.

The proposed fenestration appears haphazard again is lacking a cohesive approach. The windows of the front elevation are an odd mix of sizes and heights, no two windows appear to be exactly the same, with the full height French doors appearing particularly unsuccessful, competing with the main entrance. The front porch appears rather small in comparison to the excessive width of the dwelling, its design and roof pitch do not seem to relate properly to the main dwelling. The drawings themselves are not clear in this respect but it would appear to show the porch being constructed of some type of translucent material, if this is the case the porch would be considered to be totally incongruous with its surroundings.

The drawings submitted do not adequately explain how the basement element is to be realised and how this will appear when viewed from the front. The drawing of site profiles is rather confusing and it is unclear what it actually shows. The Local Planning Authority (LPA) is concerned that the walls of the basement will be visible from the front of the property, further increasing its bulk and perceived height and exacerbating the problems of its design.

As a consequence of making the existing building two storeys and because of the different ground

levels, the roof will become visible from the lane and garden of Home Farm Cottage. This will appear overbearing to the occupier and damaging to the street scene.

The overall scheme is considered to be incoherent, lacking a cohesive theme and not referencing the more attractive and successful buildings within the surrounding area. The steep roof pitch, resulting in a 10 metre apex height, the mix of materials and uncoordinated fenestration would create an over dominant building that would be visually poor and significantly out of character with the locality.

It is considered that the form, fenestration and excessive scale of the proposed extensions is contrary to the grain, form and scale of existing development in the area. The proposal harms the character of the area and is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011.

The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

The closest dwelling to the application site is Old Dairy Cottage located 35 metres (building to building) to the west. The dwelling as proposed would permit views into some of the amenity space of the neighbour however the retreat is considered to be sufficiently far from the neighbour as to not materially harm the privacy of the occupiers of Old Dairy Cottage, who have objected to the proposal on the grounds of overlooking. It is acknowledged that overlooking will be possible but that the level of overlooking is not sufficiently harmful as to warrant the refusal of the application.

Another objection related to the height of the building and that the loft could be converted to living accommodation, which would permit views into the dwellings at the top of the hill to the south east. It is considered that this is a valid objection and had the proposal been recommended for approval, a condition to control the insertion of windows in the roof would have been appended to the permission. As currently designed and without accommodation in the roof the proposal does not harm the amenity of the occupiers of neighbouring dwellings with any overlooking that results from the development not materially harmful enough to constitute a refusal of the application.

Impact upon the setting of adjacent listed buildings

Home Farmhouse, the stable range and granary to the North West are grade II listed buildings. The application site occupies a sensitive location to the North East of these buildings. The LPA is obliged to establish if the setting of the listed buildings is impacted by the proposal. Setting is defined as the 'the surroundings in which the heritage asset is experienced' the conservation officer considers that the scale of the proposed dwelling would visually dominate the immediate area, which would detract from the landscape and intrude on the setting of the listed building.

Planning officers do not necessarily agree with this point, given that the development does not appear to form any key backdrop to views of the listed building. However officers do consider the proposal harmful in respect of the appropriateness of the design.

Other matters

The proposal would improve the sites appearance

A supporter states the proposal can only be an improvement on the residence currently situated there and that the current bungalow is situated so low down in the valley that adding a second storey couldn't affect anyone. The LPA agrees that the addition of another level will not hurt anybody but do not agree that the proposal as submitted represents an improvement over the existing dwelling. The LPA considers that the existing dwelling should form the basis in terms of scale and character of any replacement/redevelopment as this will preserve the character of what is a unique an interesting part of the hamlet.

The supporter also states that the proposal could also greatly improve the ambience of the whole Home Farm hamlet. The current property is very run down and does nothing to improve the area. Any attempt to maintain the building in its current format should be discouraged. The property is more or less out of sight of just about every other local resident and will remain so. The building, if

proceeded with, will at least match another extensive building project recently concluded nearby as regards its suitability for the location. The LPA does not agree with this assertion, firstly the proposal is not out of site of all residents and will not match the style of other buildings in the area for the reasons stated above. The LPA also do not agree with the statement that any attempt to maintain the current building should be discouraged. By using the current building as the design basis, the character of the dwelling and that of the wider area will be preserved.

Inaccurate drawings

That the drawing contain inaccuracies which make it difficult to determine the heights of the proposed dwelling. The LPA partially agree with this statement, the scales used by the applicant and some of the drawings appear to show slight variations in the overall height of the dwelling. For the purposes of assessing the proposal the LPA has taken a figure of 10 metres as the overall height of the proposed dwelling.

The objector states that the plans are inaccurate, the drawing that shows the plan view of the existing property does not reflect the view from the south, and it shows a mirror image of what is there. This is noted but is not considered to be materially relevant to the determination of the application.

Drawing R3a shows faint lines on the north and west faces but does not explain what these are. The LPA agree that this appears to be an inaccuracy of the plans. It would appear to show a kind of conservatory type addition to the property on the northern side elevation. For the purposes of determining the application it is assumed that the conservatory is not proposed and were the application to be approved it would have been conditioned that the conservatory would be excluded from the proposal.

Can prompt completion of the development be ensured

The parish council have enquired as to whether, if approved, that the timescales for the completion of the development could be conditioned. This is not possible as once a permission is implemented there is no upper limit on the time that can be taken to complete the development and it would be unreasonable for the LPA to impose such a condition in this instance.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **REFUSED**

R 1 The proposed extensions by way of their design, form and scale are contrary to the grain form and scale of the existing development in the area. The excessive size and height would appear incongruous and out of place with the character and form of development locally. This is contrary to policies CS16 of the Peterborough Core Strategy (DPD) 2011 and emerging policy PP1 of the Peterborough Planning Policies (DPD) 2012, which state;

CS16 - New development should respond appropriately to the particular character of the site and its surroundings, enhance local distinctiveness through the size and arrangement of development plots and make use of appropriate materials and architectural features.

PP1 - Development should make a positive contribution to the quality of the natural and built environment in terms of its location, size, scale, massing, density, proportions,

materials and design and should not have a detrimental effect on the character of any immediately adjoining properties or the surrounding area.

- R2 The use of render as the external finish to the 1st floor and the use of brick for the ground floor of such a large development would appear incongruous and would draw attention to the unbalanced appearance and excessive width and height of the dwelling to the detriment of the character of the area. This is contrary to policies CS16 of the Peterborough Core Strategy (DPD) 2011 and emerging policy PP1 of the Peterborough Planning Policies (DPD) 2012, which state;

CS16 - New development should respond appropriately to the particular character of the site and its surroundings, enhance local distinctiveness through the size and arrangement of development plots and make use of appropriate materials and architectural features.

PP1 - Development should make a positive contribution to the quality of the natural and built environment in terms of its location, size, scale, massing, density, proportions, materials and design and should not have a detrimental effect on the character of any immediately adjoining properties or the surrounding area.

- R3 The proposed development is considered to suffer from unacceptably haphazard fenestration; the range of sizes and shapes of both windows and doors contributes towards an incoherent design and will result in a dwelling of incongruous appearance, thus harming the character of the area. This is contrary to policies CS16 of the Peterborough Core Strategy (DPD) 2011 and emerging policy PP1 of the Peterborough Planning Policies (DPD) 2012, which state;

CS16 - New development should respond appropriately to the particular character of the site and its surroundings, enhance local distinctiveness through the size and arrangement of development plots and make use of appropriate materials and architectural features.

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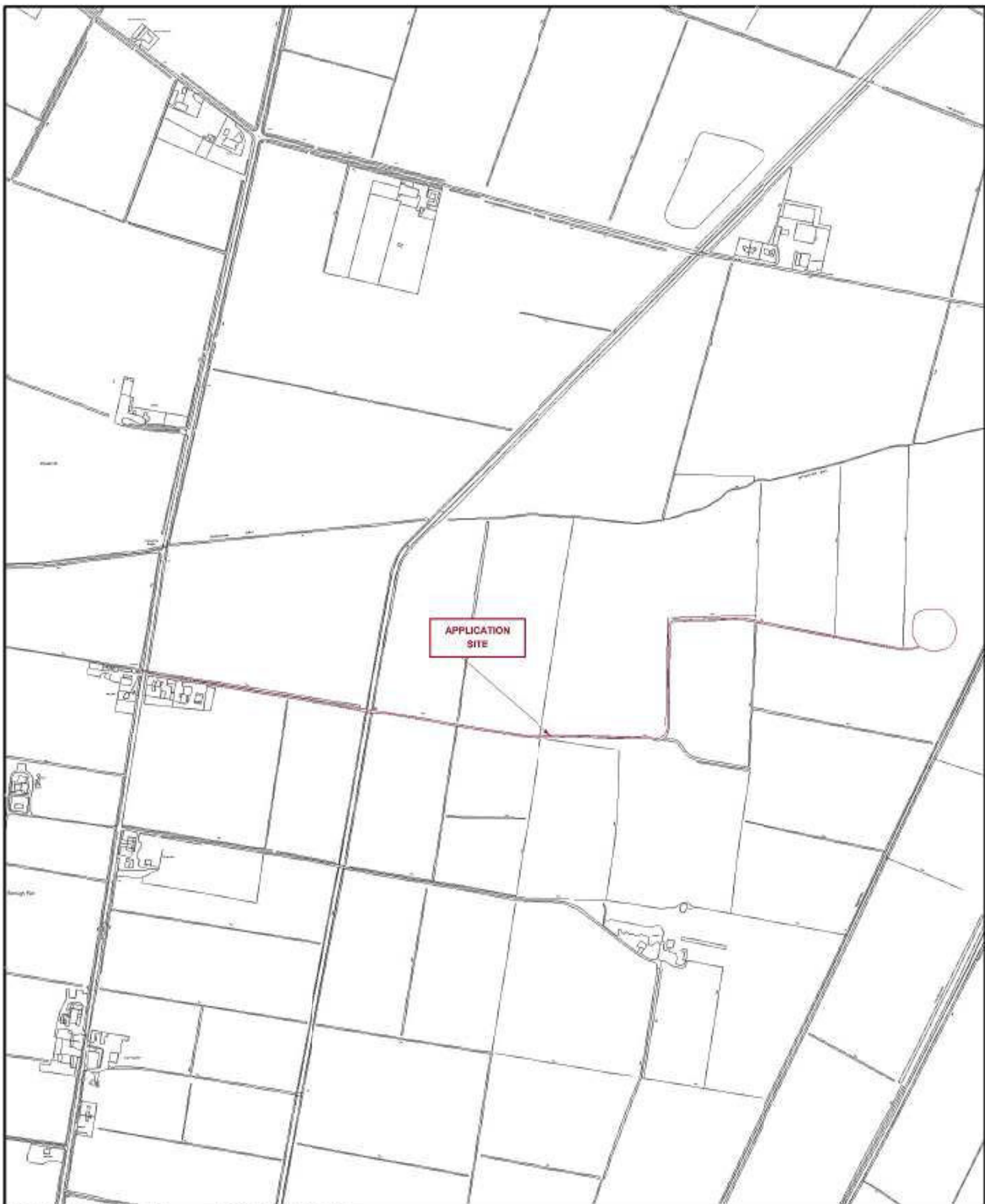
- R4 The proposal involves making the single storey dwelling two storeys. A consequence of this is that the roof of the dwelling will become a prominent and incongruous feature in the streetscene and when viewed from Home Farm Cottage, to the detriment of the character of the area. This is contrary to policies CS16 of the Peterborough Core Strategy (DPD) 2011 and emerging policy PP1 of the Peterborough Planning Policies (DPD) 2012, which state;

CS16 - New development should respond appropriately to the particular character of the site and its surroundings, enhance local distinctiveness through the size and arrangement of development plots and make use of appropriate materials and architectural features.

PP1 - Development should make a positive contribution to the quality of the natural and built environment in terms of its location, size, scale, massing, density, proportions, materials and design and should not have a detrimental effect on the character of any immediately adjoining properties or the surrounding area.

Copies to Councillors Holdich and Lamb

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LOCATION PLAN **12/01458/R3FUL**
Land at Newborough, North of the B1443 Bukehorn Road

Scale NTS **Date** 24/10/2012 **Name** AA **Department** Planning Services

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PETERBOROUGH
CITY COUNCIL

PCC GIS

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Application Ref: 12/01458/R3FUL

Proposal: Installation of a 70m meteorological mast for the purpose of measuring wind speed and rainfall for a period of 12 months

Site: Land At Newborough, North Of The B1443 Bukehorn Road, East Of Peterborough Road, Peterborough

Applicant: Peterborough City Council

Agent: AECOM

Referred by: Cllr D Harrington

Reason: Wider Public Concern

Site visit: 25th October 2012

Case officer: Miss A McSherry
Telephone No. 01733 454416
E-Mail: amanda.mcsherry@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site is located in the open countryside and currently comprises arable fields. It is bounded to the north by Old Pepper Lake Drain, to the east by Highland Drain, the south by the B1443 (Thorney Road) and to the west by the A1073 (Crowland/Peterborough Road). Hill Farm is located 700m south west of the proposed siting of the mast.

The Proposal

Planning permission is sought for a temporary 1 year period for the installation of a 70m high meteorological ("met") mast. The mast is a steel tube construction and is guyed at a number of levels in four directions.

Access to the site will be from Crowland/Peterborough Road via an existing track.

The met mast is required to measure wind speed and rainfall to gain a picture of the meteorological conditions in the area. This information would be required in the submission of any future planning applications made for wind farms on this and nearby sites.

2 Planning History

No relevant planning history

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 10 – Meeting the challenge of climate change, flooding and coastal change

Renewable energy development

Planning decisions should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and approve an application (unless material considerations indicate otherwise) if its impacts are or can be made acceptable.

Development and flood risk

New development should be planned to avoid increased vulnerability to a range of impacts arising from climate change and inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but where necessary, making it safe without increasing the risk of flooding elsewhere.

Section 11 – Conserving and enhancing the natural environment

Biodiversity

Planning decisions should avoid significant harm to biodiversity resulting from development and where it cannot be avoided, adequately mitigated, or compensated, refuse development. Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity in and around development should be encouraged.

Section 12 – Conserving and enhancing the historic environment

Archaeological assessment

Where a site on which development is proposed includes or has potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, field evaluation.

Peterborough Core Strategy DPD (2011)

CS11 - Renewable Energy

Opportunities to deliver on site or decentralised renewable or low carbon energy systems will be supported on appropriate sites where there are no unacceptable impacts.

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

CS20 - Landscape Character

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

Peterborough Local Plan (First Replacement) (2005)

LNE03 - Loss of Agricultural Land

Planning permission will not be granted where development would lead to a loss of agricultural land of grades 1, 2 or 3a except where there is overriding need and no other suitable site for that specific development.

4 Consultations/Representations

Drainage Team

No objections - no drainage implications

Wildlife Officer

No objection – Planning condition requested so that bird diverters are placed on the proposed guy support wires.

Transport and Engineering Services

No objection – However further information has been requested in respect of the type of vehicles and the number of vehicles movements required for construction.

Archaeological Officer

No objections - The proposed groundwork could disturb important buried remains, therefore a monitoring and recording archaeological condition would need to be applied to any granted planning permission.

Minerals and Waste Officer (Development Control)

No objections – Request a condition to achieve the removal of any footings/foundations upon removal of the temporary structure.

Landscape Architect (Enterprise)

No objections – It is unlikely that the proposal will have any significant landscape or visual impact, particularly as it is only temporary. At a distance of 700m, which the information suggests is the location of the nearest dwelling, any object below 150mm in width is unlikely to be discernable.

Police Architectural Liaison Officer

No objection – the height of the mast should not have a detrimental effect on the operation of the emergency services air operations unit. The applicant should be mindful of the risk of cable theft for scrap metal and should bury such cables at a suitable depth to prevent this crime risk.

North Level District Internal Drainage Board

No objections – Land drainage consent would be required if there are any proposed alterations to the culvert or bridge crossings. If there is any increased surface water run off a development levy payment will have to be made to the Drainage Board.

Anglian Water Services Ltd

No comments received

Environment Agency

No objection.

Natural England - Consultation Service

No objections – It is not likely the proposal would result in significant impacts on statutory designated sites, landscapes or species.

Civil Aviation Authority (CAA)

No objections – a 70m mast would not technically constitute an aviation en-route obstruction.

National Air Traffic Services (NATS)

No objections – no safeguarding objections to this proposal

Fenland Air Traffic

No comments received

Fenland Against Rural Turbines

No comments received

Cambridgeshire Constabulary Air Operations Unit

No comments received – but see the Police Architectural Liaison Officer comments.

Defence Infrastructure Organisation (Ministry Of Defence - Statutory)

No comments received

RSPB (Eastern England)

No comments received

South Holland District Council

No comments received

Parish Council

No objections

Local Residents/Interested Parties

Initial consultations: 41

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

5 letters of objection have been received from local residents, raising concerns on the following grounds:-

- Impact on Conservation Area
- Impact on local historical monument – Crowland Abbey
- Impact on landscape, not in keeping with surrounding area
- Impact on trees
- Impact on wildlife/protected species
- Impact on local community
- Location in open countryside
- Inadequate consultation
- Loss of view/ open aspect
- Loss of landscaping
- Loss of open space
- Loss of agricultural land and Council asset
- Loss of farmers livelihoods
- Noise pollution
- Hazard for aircrafts using the flight path above my property
- Why is the mast being erected on this site and what information will it provide?

- The mast will lead because of its purpose, to further detriment on the local area in future
- Insufficient detail on exact siting
- Inadequate evidence in feasibility study
- Funding for the temporary mast is dependent on future solar panels and wind turbines on the site which do not yet have planning permission or a submitted planning application. Local residents and Councillors are against the future solar/wind turbine proposals, so these potential planning applications may never receive planning permission. Therefore this application is premature. This could be a huge waste of tax payer's money.
- Contrary to Environmental Impact Assessment Regulations (EIA) Regulations
- The new A1073 has already blighted the residential amenity of local residents by way of noise and light pollution. The future development of the site for wind turbines and solar panels will be another eyesore in the area, affecting resident's amenity
- Affect on property values
- Affect on residents health

5 Assessment of the planning issues

a) Introduction

Temporary planning consent is sought for a 70m high meteorology mast for 12 months. The purpose of the mast is to measure wind speed and rainfall, to allow the collection of data of the meteorological conditions in the surrounding area. This data would be required to support any future submitted planning applications for wind turbines on this and nearby Morris Fen site.

Members can only consider the planning merits of the application before them and not any planning issues connected with any possible future proposals for wind turbines or solar farms, as they will be subject to consideration under separate planning applications.

b) Loss of agricultural land

Policy LNE3 of the Peterborough Local Plan (First Replacement) (2005) only permits the loss of agricultural land of grades 1, 2 or 3a where there is an overriding need and there is no other suitable site for the specific development. The mast needs to be sited in this location as its purpose is to collect the meteorological data of the surrounding area. In view of the small amount of agricultural land that would be lost and the fact that it would be for a limited period only, after which the land will be restored to its former condition. Its loss would be not conflict with Policy LNE3.

c) Design and impact on Landscape character

The 70m met mast column is approximately 100mm wide, and has guy wires attached to the mast at various heights to give support to the structure. Due to the narrow width of the mast column structure and the distance of it to surrounding dwellings it is likely to be significantly prominent on the landscape.

It is unlikely that the proposal will have any significant landscape or visual impact, to its narrow width, significant distance from neighbouring sites and roads and as it is temporary.

At a distance of 700m, which the information suggests is the location of the nearest dwelling, any object below 150mm in width is unlikely to be discernable. The mast is also temporary.

c) Impact on surrounding sites

It is not considered the proposed temporary mast would significantly reduce the amenity of any surrounding sites, by way of being overbearing or overshadowing. There may be some additional noise and disturbance and traffic movements during the construction/decommissioning period however; it is not considered this would be at a level that would be significantly harmful to any neighbouring sites and cannot be used as a reason for refusing the proposal. Many of the objections raised by residents have been addressed in other sections of the report, but for those that have not been covered:-

- Impact on Conservation Area or Listed/Historical Building – Officer response - it is not considered that there would be any significant harmful impact on any Conservation Area or Historically Important Building.
- The proposal is considered to be contrary to the EIA regulations – Officer response - It is not considered to be contrary to these regulations
- Impact on property values – Officer response - this is not a material planning consideration.
- Impact on health – Officer response - there is no medical evidence to suggest that the siting of a mast for a temporary 1 year period to collect meteorological data could be responsible for the reduced health of residents.

d) Ecology/birds

The application site is located in close proximity to a known Barn Owl breeding site and is in relatively close proximity to the Nene Washes, a Site of Special Scientific Interest (SSSI), Special Protection Area and Ramsar Site. Natural England and our Wildlife Officer have not raised any objections on the basis of any resulting harmful impact upon these sites.

In order to prevent any potentially harmful impact on birds, through them flying into the supporting guy cords', planning conditions requiring the installation and maintenance of bird diverters on the guy ropes will be required.

It is considered that these measures will adequately mitigate against any harmful impact upon ornithology and as such the proposal is in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011).

e) Archaeology

The proposed ground works may disturb important buried remains from the Mesolithic period and in particular the Bronze Age period (barrows) and Iron Age/Roman period (salterns) which are recorded in the surrounding area.

In line with the National Planning Policy Framework (2012), and Policy CS17 any development which would impact upon unidentified heritage assets must adequately assess the impact of a proposal and ensure that any archaeological finds are suitably recorded.

The Archaeological Officer therefore recommends that an archaeological planning condition be applied to any planning permission to monitor and record all groundworks.

f) Aviation safety

The Civil Aviation Authority has confirmed a 70m high mast would not technically constitute an aviation en-route obstruction. Aviation warning lighting on tall structures only becomes legally mandated for structures in excess of 150m. However in some instances lower height structures may need to be lit, if there was a navigation hazard. The National Air Traffic Services has no safeguarding objections to this proposal. No navigation lighting has been requested for this proposal.

It is not therefore considered the proposal would result in any significant navigation hazard.

g) Access and highway implications

The equipment needed to construct the mast will be brought to the application site via A1073, and the existing access track. The Local Highway Authority (LHA) have asked for some more information about the type of vehicles that will bring the equipment/mast to the site, and how many sections the mast will be in to be brought to the site.

Subject to the LHA being satisfied that the roads are suitable for the type and approximate numbers of vehicle movements required in the construction and decommissioning of the mast, there would be no highway objections. Members will be updated on the LHA response at the committee meeting.

h) Drainage/Flood Risk

The application site is located within Flood Zone 2, however wind farm development is classified as Essential Infrastructure and as such, does not require the submission of a site specific Flood Risk Assessment. The Environment Agency has raised no objection to the proposed development. The mast will only be operational on site for a 12 month period, to monitor the meteorological conditions of this area. The proposal is therefore not considered to be unacceptable in terms of flood risk. The Internal Drainage Board also raises no objections.

6 Conclusions

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

- The mast is required for the collection of meteorological data;
- It is not considered that the proposal would have any detrimental impact upon the Peterborough Fen Landscape Character Area and visual amenity of the surrounding locality in accordance with Policies CS16 and CS20 of the Peterborough Core Strategy DPD (2011);
- It is not considered the proposal would significantly reduce the residential amenity of any neighbours sites in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011);

- There is no flood risk issue National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011);
- The potential impact on birds can be addressed through the imposition of bird diverters, this is in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011);
- The potential impact on archaeology can be addressed the imposition of a condition, in accordance Policy CS17 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

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

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

C 2 The mast hereby permitted shall only be fully operational on site for recording purposes for a period of 12 months. Thereafter the land shall be restored to its former condition on or before 15 months from the date of commencement of recording. The developer shall notify the Local Planning Authority of the date of commencement and the scheme of work shall be submitted at least 3 months prior to the expiry of the date for the restoration of the site.

Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

C 3 No development (including groundworks) shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall meet the following requirements in terms of the monitoring and recording brief:

1. Soil removal under archaeological supervision
2. Inspection of subsoil for archaeological features
3. Recording of archaeological features in plan
4. Investigation of features present
5. Subsoil stripping under archaeological supervision
6. Inspection of natural substrate for archaeological features, their investigation and recording
7. Environmental sampling

The Scheme shall thereafter be implemented in accordance with the approved details and following completion of works, a report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with the National Planning Policy Framework (2012) and Policy CS17 of the adopted Peterborough Core Strategy DPD.

- C 4 Bird Diverters shall be installed at 10 metre intervals along the outer guy ropes supporting the wind monitoring mast and at the time the mast is erected. If during the period of this permission, any diverters become damaged, dislodged or removed, they shall be replaced within one month with a diverter of the same design.**

Reason: In order to prevent any harm to the migrating bird population, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (201)

Copy to Councillor Harrington D

PLANNING AND ENVIRONMENTAL PROTECTION	AGENDA ITEM No. 9
6 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Julia Chatterton, Flood and Water Management Officer Richard Kay, Group Manager – Strategic Planning, Housing and Environment	Tel. 452620 Tel: 863795

DRAFT FLOOD AND WATER MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT

RECOMMENDATIONS
FROM: Head of Planning, Transport and Engineering Services.
The Committee is requested to offer any comments on the Flood and Water Management Supplementary Planning Document (Appendix A), in accordance with the committee’s delegations under paragraph 2.5.1.5 of the Council’s Constitution, before it is presented to Cabinet for adoption.

1. ORIGIN OF REPORT

1.1 This report is submitted to the Planning and Environmental Protection Committee following recent and forthcoming changes in legislation around flood and water management, the adoption of the Core Strategy and the expected adoption of the Planning Policies Development Plan Document (DPD).

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to obtain the Committee’s views and comments on the attached report which is being presented to Cabinet on 10th December 2012 for adoption. The Committee’s views and comments will be taken into account and also reported to Cabinet at the meeting on the 10th December 2012.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 “to be consulted by, and comment on, the Executive’s draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation”.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
Date of Cabinet Meeting	10 th December 2012

4. BACKGROUND

4.1 The SPD forms part of a package of work arising following the Flood and Water Management Act (FWMA) 2010, which made Peterborough City Council a ‘Lead Local Flood Authority’. The Council is now responsible for co-ordinating surface water management.

- 4.2 Flood risk management is high on the agenda in Peterborough. Ensuring that the drainage network and watercourses are managed well, that sites are designed and constructed to drain well and that development is located in a safe environment are all key to reducing the likelihood and consequences of flooding in Peterborough.
- 4.3 It is predicted that the future will bring more frequent short duration, high intensity rainfall and more frequent periods of long-duration rainfall, meaning both river and surface water flooding are likely to be an increasing problem. Around two-thirds of the flooding across the country in summer 2007 was due to surface water (Environment Agency, 2007).
- 4.4 The council and all water management partners also have a responsibility under European legislation (the Water Framework Directive) to ensure that there is no deterioration in the quality of any water environments, particularly as a result of development.
- 4.5 The Council's adopted Core Strategy proposes a high level of growth in Peterborough up to 2026. The aims of the Flood and Water Management SPD are: to make sure that new development does not increase the risk of flooding from main rivers and surface water but also actively reduces it; and to expand on adopted policy in the Core Strategy relating to flood risk management and water quality.
- 4.5 The objective of the SPD is to provide guidance to applicants and decision makers on:
- a. How to assess whether or not a site is suitable for development based on flood risk grounds. This element supports the main river flood risk requirements of policy CS22 in the Core Strategy Development Plan Document (DPD).
 - b. The use of different sustainable drainage measures within Peterborough. This element supports the surface water requirements of policy CS22 in the Core Strategy DPD and policy PP20 of the Planning Policies DPD.
 - c. How development can ensure it protects aquatic environments. This element supports policies PP16 and PP20 of the Planning Policies DPD.
- 4.6 Once adopted, this SPD will form part of Peterborough City Council's Local Development Framework (LDF).

5. CONSULTATION

- 5.1 The draft SPD was written in consultation with Peterborough's Internal Drainage Boards, the Environment Agency, Anglian Water and council officers. These partners are all part of Peterborough's Flood Risk Management Partnership.
- 5.2 Following Cabinet approval on 12th December 2011, formal public consultation, for a period of 6 weeks, was undertaken in March 2012. All comments received have been reviewed and the draft document amended as appropriate. The draft SPD was generally well received among partners such as the Environment Agency and Anglian Water.
- 5.4 Further updates have also been made to take into account the latest national policy and guidance such as the National Planning Policy framework.
- 5.5 Following Planning and Environmental Protection Committee the policy document will be presented to Sustainable Growth and Environment Scrutiny Committee on 8th November.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that the Committee will comment on the SPD before it goes to Cabinet to be approved for adoption.

7. REASONS FOR RECOMMENDATIONS

- 7.1 There is no statutory duty to prepare this SPD. However, without it, developers could be confused or misinformed as to how they can deliver fit-for-purpose development schemes in Peterborough that meet flood and water management requirements. This could have an impact on development coming forward as additional time would need to be spent on applications where flood or water management issues occur.
- 7.2 This policy document, supported by Peterborough's water management partners, improves current and future service delivery through the more efficient processing of planning applications and future drainage approval applications.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Option 1 (*Recommended*) – Proceed to adoption of this SPD so that developers and water management partners have clear guidance and policy to assist development in meeting local, national and European flood and water management requirements. The SPD also allows planning and development to make a smoother transition to, and be better aligned in the long term with, the new sustainable drainage provisions to be commenced by government in 2013.
- 8.2 Option 2 – The Council could decide not to adopt this SPD and leave policy to be produced nationally. This would leave more areas of European and national policy open to wider interpretation which would reduce the efficiency of Peterborough's planning service. It could be harder for local considerations to be taken into account when developers try to meet national flood and drainage legislation. Working relations with water management partners would also be less efficient due to the lack of formal local agreement on water issues.
- 8.2 Option 3 - The Council could undertake another public consultation on the SPD. This would lead to a potential adoption date of summer/autumn 2013. In the interim there would be less clarity over the inclusion of drainage and water environment issues within planning applications. Development may struggle to understand what is expected of it by Peterborough City Council and other water management partners.

9. IMPLICATIONS

- 9.1 The Flood and Water Management SPD is relevant to the whole unitary authority area and is aimed predominantly at developers and their agents.
- 9.2 This matter is directly linked to the Priorities of the Sustainable Community Strategy (SCS), especially Growth and Environment Capital.
- 9.3 If adopted, the final document will be used as a material planning consideration in the determination of planning applications.
- 9.4 The SPD is not intended to introduce new financial or legal implications for the Council or developers, but instead to provide guidance to assist with the new obligations both parties have under national and European legislation such as the Flood and Water and Management Act 2010 and the Water Framework Directive.

10. BACKGROUND DOCUMENTS

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

- The Peterborough Core Strategy Development Plan Document, adopted February 2011.
- The Peterborough Planning Policies Development Plan Document Submission Version (April 2012)
- Flood and Water Management Act 2010
- Water Framework Directive
- National Planning Policy Framework March 2012

- Technical Guide to the National Planning Policy Framework, March 2012
- Environment Agency, River Basin Management Guide to Hydromorphology no.6,

Flood and Water Management Supplementary Planning Document

Version for Planning Committee
October 2012



**Growing the right way for
a bigger, better Peterborough**

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1 Introduction

1.1 Background

- 1.1.1 This supplementary planning document (SPD) focuses on managing flood risk and the water environment in new developments in Peterborough. In order to reduce the likelihood and consequences of flooding, it is necessary that water bodies and a site's drainage network and watercourses are both well designed and managed and that development is located in a safe environment. The city council, a Lead Local Flood Authority under the Flood and Water Management Act (2010), takes these issues very seriously.
- 1.1.2 It is predicted that climate change will bring more frequent short duration, high intensity rainfall and more frequent periods of long-duration rainfall, meaning both river and surface water flooding are likely to be an increasing problem. Firm application of national and local planning policy should mean risks can be managed allowing sustainable development to continue.
- 1.1.3 Under the Water Framework Directive water environments must also be protected and improved with regards to water quality, water habitats and biodiversity.
- 1.1.4 Once adopted, the SPD will form part of the city council's Local Development Framework (LDF), supplementing flood related policies found in the Peterborough Core Strategy and the Peterborough Planning Policies DPD.
- 1.1.5 Developers should initially consider the advice provided in this SPD. Thereafter, the city council offers a pre-application service for which there will be a charge. Further information on this service can be found on the [city council's planning web pages](#)¹.
- 1.1.6 To ensure that Peterborough has a consistent, locally specific approach to flood risk management, the SPD should be used by:

¹http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application/step_1_pre-application_advice.aspx

- Developers when selecting new sites for development
- Developers when preparing the brief for their design team to ensure drainage and water management schemes are sustainably designed
- Consultants when carrying out site specific Flood Risk Assessments
- Design teams preparing masterplans, landscape and surface water drainage schemes
- Development management officers when determining delegated planning applications, making recommendations to Committee and drawing up S106 obligations that include contributions for Sustainable Drainage Systems (SuDS)

1.1.7 Applicants and all water management related partners should be able to use this guidance to ensure Peterborough has a consistent, locally specific approach to flood risk management.

1.2 How to use this supplementary planning document

1.2.1 This SPD is set within the context of a water and flood risk management hierarchy to help developers and decision makers understand flood and water management and to embed it in decision making at all levels of the planning process.

1.2.2 As part of the site selection process for all new developments, developers must first assess the flood risk potential of a site, examining all sources of flood risk. Next, if the site is appropriate for development in principle, the site layout should be planned in a way that minimises flood risk as much as possible and prevents the deterioration of the water environment. This can be done by making appropriate use of site remediation, sustainable drainage systems, public open space and existing water features, as part of planning land uses and site layouts. Finally, flood risk mitigation measures may be considered. See flow chart in Figure 1-1 below.

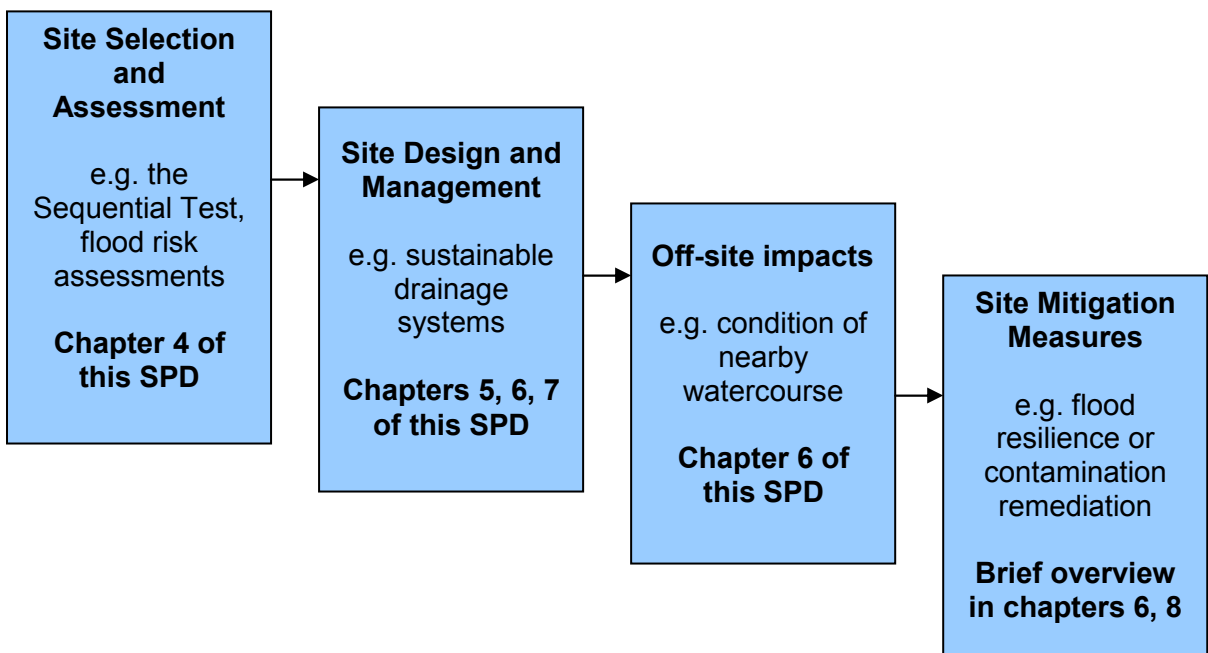


Figure 1-1: Flow chart demonstrating the contents of this Supplementary Planning Document

1.2.3 The design of water features and drainage systems is dependant on other constraints such as site contamination levels. This SPD does not provide detailed information on mitigation topics such as flood resilience or groundwater remediation measures (step four in the above flow chart). However, references are made throughout to assist with consideration of these issues.

2 Setting the scene

2.1 Legislation, policy and guidance

2.1.1 Flood and water management in Peterborough is influenced by legislation, national and local policy, local technical studies and local information. Figure 2-1 below attempts to capture those key elements, and the rest of this chapter gives some brief commentary on the most important ones.

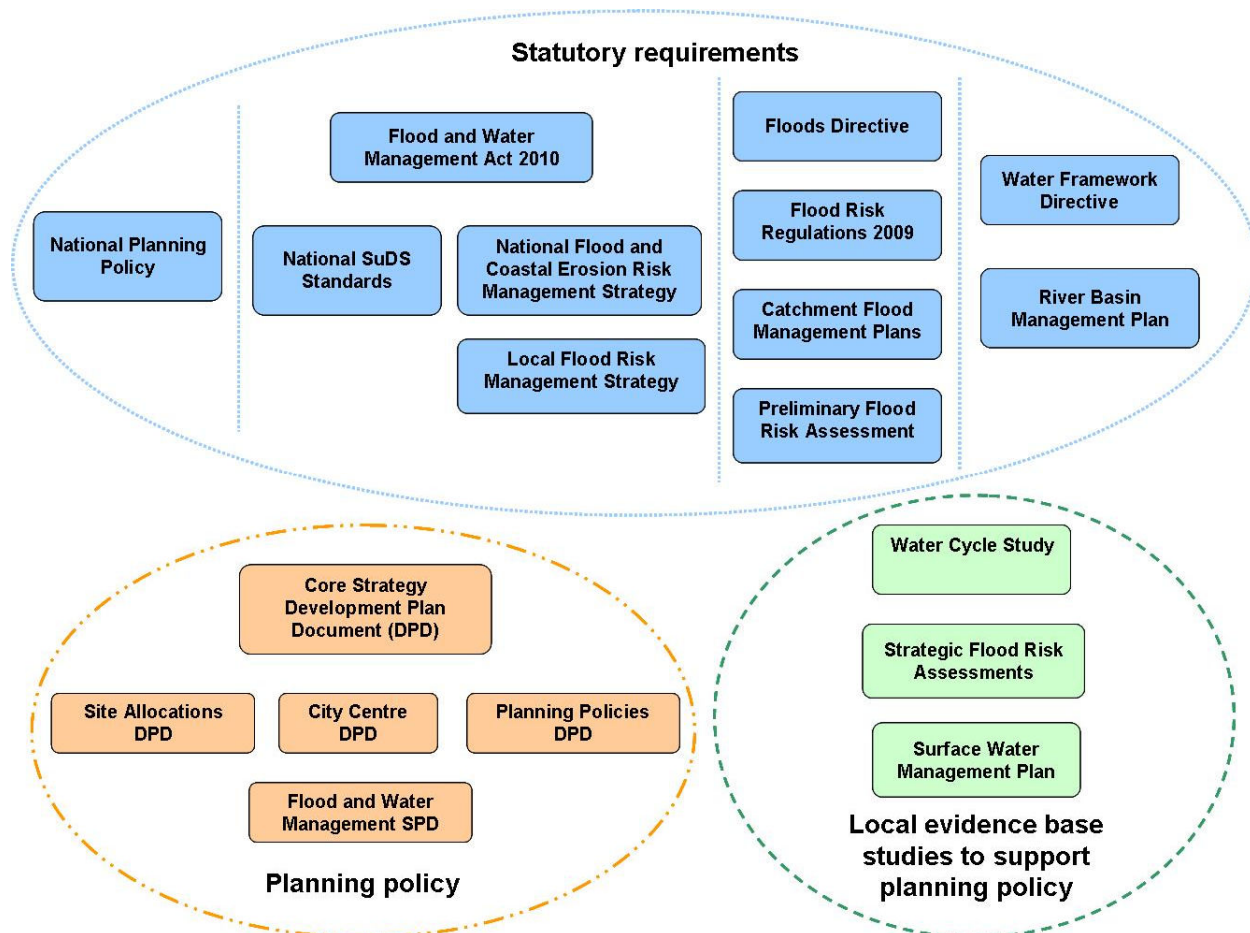


Figure 2-1: Linkages between relevant flood risk management documents and legislation

2.2 European context

The Floods Directive

2.2.1 The EU Floods Directive (2007/60/EC) came into force due to a need for EU countries to better understand and gather accurate data about the risks from surface water flooding. In the UK the directive came into force via the Flood Risk Regulations (2009) which in turn sets the requirement for Preliminary Flood Risk Assessments (PFRA) to be produced by all unitary and county councils. Peterborough's PFRA is discussed below under the heading on Local Background.

The Water Framework Directive

2.2.2 The Water Framework Directive – 2000/60/EC (WFD) is a piece of EU legislation that came into force in December 2000 and was enacted into UK law in December 2003. The legislation requires member states to make plans to protect and improve the water environment. It applies to all surface freshwater bodies, including lakes, streams, rivers and canals; transitional bodies such as estuaries; groundwaters; and coastal waters out to one mile from low water. There are four main aims of WFD, these are:

- To improve and protect inland and coastal waters drive wiser
- Sustainable use of water as a natural resource
- Create better habitats for wildlife that lives in and around water
- Create a better quality of life for everyone

2.2.3 The Directive requires Member States to:

- Prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters;
- Aim to achieve at least 'good ecological status' for all water bodies by 2015. Good ecological status is the objective the water body to have biological, chemical and structural characteristics similar to those expected under nearly undisturbed conditions. Where this is not possible to achieve by 2015 and subject to criteria set out in the Directive, aim to achieve good ecological status by 2021 or 2027;
- Meet the requirements of the Water Framework Directive Protected Areas;
- Promote sustainable use of water as a natural resource;
- Conserve habitats and species that depend directly on water;
- Progressively reduce or phase out the release of individual pollutants or groups of pollutants that present a significant threat to the aquatic environment;
- Progressively reduce the pollution of groundwater and prevent or limit the entry of pollutants;
- Contribute to mitigating the effects of floods or droughts.

2.2.4 River Basin Management Plans produced by the Environment Agency detail the pressures facing the water environment and what actions need to be taken in order for the WFD Directive to be met in each area. The [Anglian River Basin Management Plan](#)² covers Peterborough.

2.3 National context

Flood and Water Management Act 2010

2.3.1 The Flood and Water Management Act (FWMA) places the responsibility for co-ordinating 'local flood risk' management on the county or unitary authority,

² See Link: <http://www.environment-agency.gov.uk/cy/ymchwil/cynllunio/124725.aspx>

making them a Lead Local Flood Authority (LLFA). In this context, the act uses the term 'local flood risk' to mean flood risk from:

- surface runoff,
- groundwater and
- ordinary watercourses.

2.3.2 Peterborough City Council is a LLFA. The FWMA contains a range of different duties for LLFAs, including the need to prepare a Local Flood Risk Management Strategy and to maintain a register of significant flood prevention assets.

2.3.3 The Act also seeks to encourage the uptake of sustainable drainage systems (SuDS) by agreeing new approaches to the management of drainage systems and providing for LLFAs to adopt SuDS for new developments and redevelopments. In this regard, the city council intends to establish a SuDS Approving Body, which will review, approve and adopt drainage strategies and systems associated with/provided by new developments alongside the current planning approval system.

2.3.4 Schedule 3 of the FWMA, which introduces the need for SuDS Approving Bodies, is expected to be enacted in October 2013³. 'National SuDS Standards' prepared by the Department of the Environment, Food and Rural Affairs (Defra) will confirm the national requirements to which a drainage system must be built in order to be suitable for approval and adoption. Local guidance is also being prepared by many councils to supplement these standards.

National planning policy

2.3.5 Section 10 of the National Planning Policy Framework (NPPF) sets out the government's intention that planning should proactively help mitigation of, and adaptation to, climate change, including management of water and flood risk.

2.3.6 The NPPF states that both Local Plans and planning applications decisions should ensure that flood risk is not increased and that development should only be considered appropriate in flood risk areas where it can be demonstrated that:

³ As of the time of writing.

- a site specific flood risk assessment has been undertaken which follows the Sequential Test, and if required, the Exception Test; and
- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required; and
- that any residual risk can be safely managed, including by emergency planning; and
- the site gives priority to the use of sustainable drainage systems

2.3.7 Government has produced *Technical Guidance to the National Planning Policy Framework (March 2012)* which covers flood risk. This guidance provides some of the information that is needed in order to undertake a Sequential Test for development, including:

- Clarification of the aim of the test,
- Explanation of each of the flood zone classifications,
- Explanation of the land use vulnerability classifications, and
- Guidance on how to take climate change into account within a site specific flood risk assessment.

2.4 Local context

The Environment Agency and Catchment Flood Management Plans

2.4.1 The Environment Agency has prepared catchment based guidance to ensure that Main Rivers and their respective flood risk have been considered as part of the wider river system in which they function. Catchment Flood Management Plans (CFMPs) discuss the management of flood risk for up to 100 years in the future by taking into account factors such as climate change, future development and changes in land management. As well as informing councils' planning policy and local flood management practises, the CFMPs will be part of the mechanism for reporting into the EU Floods Directive. The relevant CFMPs for Peterborough are the River Nene, River Welland and River Ouse and these can all be accessed on the Environment Agency's [Catchment Flood Management Plan](#)⁴ web pages.

The role of Peterborough City Council

2.4.2 In addition to becoming a Lead Local Flood Authority, Peterborough City Council also continues its previous role in managing highway drainage. The city council works with a wide range of other water and risk management partners in order to deliver its aims and duties in a co-ordinated way. Developing relevant planning policy and co-ordinating management procedures are important parts of reducing flood risk and ensuring that developments are appropriately drained.

⁴ <http://www.environment-agency.gov.uk/research/planning/33586.aspx>

Local flood risk sources in Peterborough

2.4.3 Flood risk in Peterborough occurs from a variety of sources. These include:

- Main rivers (18 of the watercourses in Peterborough, of a variety of sizes, have been classified as main river)
- Ordinary watercourses (see glossary)
- Surface runoff
- Groundwater (high water table)
- Reservoirs
- The sewerage network – sewers, rising mains and pumping stations

2.4.4 Landscape and flood risk characteristics vary across Peterborough. Notably the Fens area to the east varies from the rest of Peterborough because it is managed by Internal Drainage Boards (IDBs). In the 17th century the Fens were drained and IDBs now continuously manage the water levels in these areas. Without such management, the Fens would once again flood over.

Peterborough Water Cycle Study (2010)

2.4.5 The detailed [Water Cycle Study for Peterborough \(2010\)](#)⁵ sets out a range of recommendations. Linked to some of those recommendations, guidance in this SPD is provided on:

- Removal of surface water from combined sewers
- Use of SuDS including the incorporation of green roofs, permeable pavements, swales and attenuation schemes
- Rapid surface water discharge from sites adjacent to the River Nene to avoid peak fluvial levels coinciding with peak surface water runoff volumes

2.4.6 The specific sewerage network options highlighted in the Study apply predominantly to the foul sewer system although these may have some impact where combined systems or cross connections are present.

2.4.7 A **developer checklist** sets out related issues and is available online within [Appendix I of the Water Cycle Study](#)⁵. This checklist aims to ensure that planning applications are accompanied by information on relevant water issues.

Peterborough Strategic Flood Risk Assessment(s)

2.4.8 A Strategic Flood Risk Assessment (SFRA) provides the essential information on flood risk, allowing local planning authorities to understand the risk across the authority area. This allows for the sequential test (see chapter 4) to be properly applied. SFRAs produced for Peterborough are available online on the city council's web library of [water management documents](#)⁵. The SFRAs provide breach and hazard mapping information for Peterborough that may

⁵http://www.peterborough.gov.uk/environment/flood_and_water_management/developers_landing/water_management_documents.aspx

be useful to developers in undertaking site specific flood risk assessments (FRAs).

- 2.4.9 The Level 2 SFRA (2010) recommends further exploration into Peterborough's different drainage and flood risk management subcatchments. This is suggested to assist understanding about the downstream and cumulative impacts of flood risk management and surface water drainage systems. Development across the city could be considered holistically by accounting for the variations in local constraints, catchment response, strategic opportunities and wider benefits. This SPD explains how the city council would like to continue developing its understanding about these subcatchments, making information available to developers to assist them with understanding site characteristics.

Peterborough City Council Suite of Sustainable Drainage Guides

- 2.4.10 The city council will have a suite of guides to assist partners and customers with understanding Peterborough's sustainable drainage procedures once the Schedule 3 of the Flood and Water Management Act 2010 has commenced. The guides will help customers by providing information on aspects of SuDS and the SuDS Approval Board (SAB). This will include what SuDS are, what SuDS will work in Peterborough and a guide to the SAB including adoption. The guides will be aimed at a range of audiences from individual homeowners and school children to developers' design consultants and experienced engineers. The guides will be published on the city council's [SuDS web pages](#)⁶.

Peterborough Preliminary Flood Risk Assessment (2011)

- 2.4.11 The Peterborough Preliminary Flood Risk Assessment (PFRA) is a statutory document completed under the European Floods Directive. The PFRA process is aimed at providing a high level overview of flood risk from local flood sources, including surface runoff, groundwater, ordinary watercourses and public sewers. It is not concerned with flooding from main rivers or the sea.
- 2.4.12 The Peterborough PFRA report of June 2011 confirms (based on the evidence collected) that there is no 'Flood Risk Area' of national significance within Peterborough's administrative area. However, the PFRA does not assess whether there are flood risks of local significance.

Local Flood Risk Management Strategy

- 2.4.13 The city council is starting work on developing its Local Flood Risk Management Strategy (which is one of its duties under the FWMA). It will largely be focused on tackling issues related to flood risk in existing areas of Peterborough, rather than addressing risks as part of new developments.

⁶ <http://www.peterborough.gov.uk/suds>

Local Planning Policy

2.4.14 The city council's local [planning policy](#)⁷, officially known as the Local Development Framework (LDF), includes:

- An adopted *Core Strategy (February 2011)* that sets the type and amount of development that will be accommodated in Peterborough up until 2026.
- An adopted *Site Allocations Development Plan Document (April 2011)* which identifies sites for development to meet the vision of the Core Strategy.
- An adopted *Planning Policies Development Plan Document (December, 2012)* which provides detailed policy to assist in the determination of planning applications.
- The emerging *City Centre Development Plan Document*, which identify sites for development and regeneration specifically within the city centre area.

2.4.15 This SPD provides detailed guidance to help implement policy CS22 of the Core Strategy and policy PP16 of the Planning Policies DPD. The document also supports and cross references policy PP20 due to the important links between site contamination and site drainage. These three policies are as follows:

Core Strategy policy CS22 - Flood Risk

"The allocation of sites for development and the granting or refusal of planning permission on such sites and any other site will be informed by:

- The Peterborough Level 1 SFRA (2008)*
- The Peterborough Level 2 SFRA (2009)*
- The sequential test and if necessary the exception test; and an appropriately detailed site specific flood risk assessment.

(* Or any equivalent subsequent assessment)

Development in Flood Zones 2 and 3 will only be permitted following the successful completion of a sequential test, exception test if necessary, suitable demonstration of meeting an identified need, and through the submission of a site specific flood risk assessment demonstrating appropriate flood risk management measures and a positive approach to reducing flood risk overall.

No development will be permitted in rapid inundation zones⁸, or areas not defended to an acceptable standard, other than in exceptional circumstances, unless the proposed development is classified as a water compatible use or essential infrastructure (subject to the exception test). In Zone 3a, residential development will only be permitted where the site consists of previously developed land.

⁷ http://www.peterborough.gov.uk/planning_and_building/planning_policy.aspx

⁸ See the glossary in chapter eight of this SPD for a definition.

All appropriate development should employ sustainable drainage systems (SuDS) to manage surface water run-off where technically feasible and appropriate to that part of the catchment. SuDS will be expected for all developments where run off or flash floods may threaten the integrity of any international or European site of nature conservation importance. Where such a threat exists and SuDS are not feasible, development will not be permitted. Long-term management and maintenance of SuDS should be agreed early on in the process. Economic constraints will not be accepted as a justification for non-inclusion of SuDS.

Where appropriate, development should help achieve the flood management goals from the River Nene and River Welland Catchment Flood Management Plans (CFMP).”

Planning Policies Development Plan Document policy PP16 - The Landscaping and Biodiversity Implications of Development

For any proposed development with potential landscaping and/or biodiversity implications, the city council will require the submission of a site survey report with the planning application, identifying the landscape and biodiversity features of values on and adjoining the site. The layout and design of the development should be informed by and respond to the results of the survey.

Planning permission for the development will only be granted if the proposal makes provision for:

- (a) the retention and protection of trees and other natural features that make a significant contribution to the landscape or biodiversity values of the local environment, provided that this can be done without unduly compromising the achievement of a good design solution for site; and
- (b) new landscaping for the sites as an integral part of the development, with new tree, shrub and hedgerow planting suitable for the location, including wildlife habitat creation; and
- (c) the protection and management of existing and new landscape, ecological and geological features during and after any construction, including the replacement of any trees or plants introduced as part of the development scheme which die, are removed or become seriously damaged or diseased; and
- (d) the protection and, where necessary and feasible, the enhancement of water quality and habitat of any aquatic environment in or adjoining the site. For riverside development, this includes the need to consider options for riverbank naturalisation (see Flood and Water Management SPD for further guidance).”

The city council will require all major developments which involved building facades incorporating in excess of 60 per cent reflective glass to include measures which reduce the probability of bird strike.

For significant landscaping proposals, the council will require submission of management and maintenance specifications to accompany the landscaping scheme.

**Planning Policies Development Plan Document policy PP20 –
Development on Land Affected by Contamination**

All new development must take into account the potential environmental impacts on people, buildings, land, air and water arising from development itself and any former use of the site, including, in particular, adverse effects arising from pollution.

Where development is proposed on a site which is known or has the potential to be affected by contamination, a preliminary risk assessment should be undertaken by the developer and submitted to the city council as the first stage in assessing the risk.

Planning permission will only be granted for development if the city council is satisfied that the site is suitable for its new use, taking account of ground conditions, pollution arising from previous uses and any proposals for land remediation. If it cannot be established that the site can be safely and viably developed with no significant impacts on future users or ground and surface waters, planning permission will be refused.

3 Consultation with water and flood risk partners

3.1 Partners and areas of interest

3.1.1 The city council recognises the importance of sharing expertise and information to be able to deliver effective and timely decisions. Flood risk should be factored into the earliest stages of applications and decisions.

3.1.2

Table 3-1 below presents a list of consultees and the relevant water related topics on which either the city council or the developer may need to consult them.

- 3.1.3 The following organisations will be statutory consultees for the SuDS Approving Body decision: Environment Agency, Peterborough's local water and sewerage company (Anglian Water), local Internal Drainage Boards and the Highways Agency. The exact consultation requirements have not been established yet but will be agreed between the partners and published well ahead of the commencement of Schedule 3 of the Flood and Water Management Act 2010. This is anticipated being October 2013.

Drainage authorities in fenland areas

- 3.1.4 A large proportion of Peterborough is part of the Fen landscape and is specially managed to ensure that the area retains its significant agricultural, leisure and residential functions. The management is generally undertaken by Internal Drainage Boards (IDBs). IDBs are a type of operating authority which is established in areas of special drainage needs in England and Wales with permissive powers to undertake work to manage water levels within drainage districts.
- 3.1.5 There are four fenland drainage authorities within the area of Peterborough City Council: North Level District IDB, Welland and Deeping IDB, Whittlesey and District IDB and the Middle Level Commissioners. The areas of each authority are illustrated in appendix A. Middle Level Commissioners is not technically an Internal Drainage Board but a Statutory Corporate. For ease of reference the Middle Level Commissioners have however agreed that the term IDB may be used loosely throughout this document to refer to all of the relevant drainage authorities.

Environment Agency

- 3.1.6 The Environment Agency is non departmental public body and has responsibilities for protecting and enhancing the environment as a whole (air, land and water), and contributing to the government's aim of achieving sustainable developing in England and Wales. The Environment Agency manages flood risk from main rivers, but also has a strategic overview role across all types of flooding.
- 3.1.7 The Environment Agency has produced a list which details when the Environment Agency needs to be consulted on specific issues. This [consultation guide](#)⁹ is available on their website.
- 3.1.8 A [flood risk consultation matrix](#)¹⁰ has also been specifically created to demonstrate in more detail the scenarios for which the Environment Agency has applicable standing advice. This is aimed at Local Authorities but could be of use to developer teams. For the larger, more complex developments, standing advice is not sufficient and the Environment Agency should be consulted on the development application with an accompanying FRA. For

⁹ <http://cdn.environment-agency.gov.uk/geho1211bvvv-e-e.pdf>

¹⁰ http://www.environment-agency.gov.uk/static/documents/Business/FRSA_LPA_v_3.1.pdf

some development types the city council makes its decision without advice from the Agency.

Water and sewerage provider

- 3.1.9 As the water and sewerage company in Peterborough, Anglian Water Services Limited has the responsibility to effectually drain their area and maintain foul, surface and combined public sewers. When flows are proposed to public sewers, Anglian Water need to ensure that the public system has capacity to accept these flows. This is therefore assessed when a developer applies for a sewer connection. The Flood and Water Management Act 2010 will remove a developer's right to connect to the public sewer, with the decision being made instead by the SuDS Approving Body, to which Anglian Water will be an important consultee.

3.2 Pre-application advice

- 3.2.1 Many of Peterborough's water management partners provide a pre-application advice service. There may be a charge for this service.

3.3 Contact information

- 3.3.1 Table 3-1 provides an overview of the principal organisations which may need to be consulted during the development of a planning application. This list is not exhaustive.
- 3.3.2 Contact information and links for partner organisations are included on the city council's [water management web pages](#).

Table 3-1: A simplified table of partner organisations with which it would be useful to consult during preparation of the water related elements of a planning application.

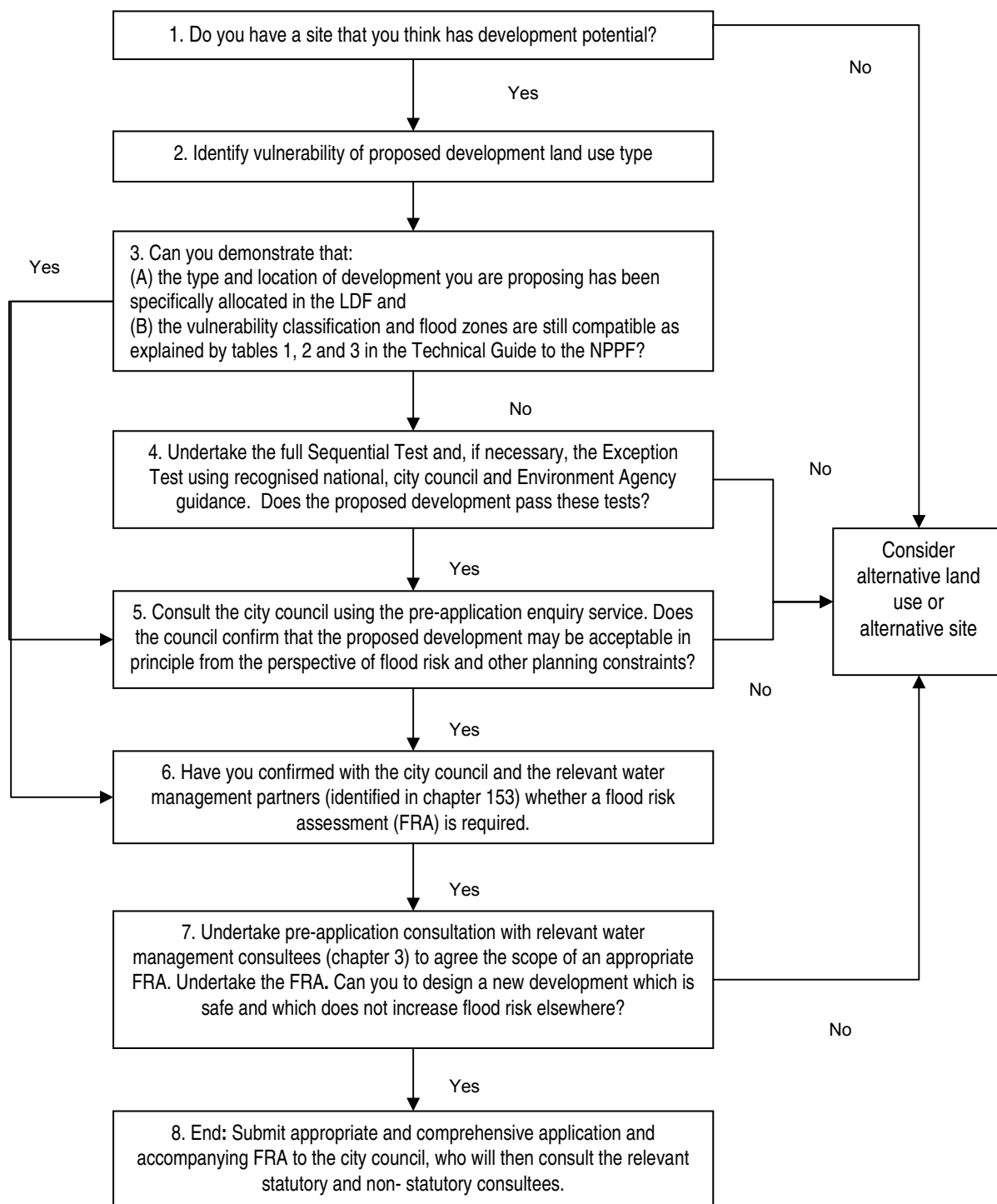
Organisation	Flood risk	Drainage	Water contamination	Water habitat (WFD, biodiversity, water quality)
Environment Agency	The Environment Agency should be consulted on any development on land of one hectare or more and any development requiring Environmental Impact Assessment. They are also consulted on specifically water related issues as detailed below:			
	All major and residential minor development sites within Flood Zones 2 or 3, sites within Flood Zone 1 that have been previously identified as having drainage issues and sites within 20m of a Main River. However please see section 3.1.6 for more details.		Where risk exists that pollution of controlled waters (includes groundwater) may occur or may have occurred in the past.	Where the city council thinks there may be a risk of deterioration in WFD potential of freshwater systems
Fen Drainage Authorities (IDBs)	the Fens or where development may affect or use an IDB managed watercourse – see section 0 and appendix A			
Anglian Water	Foul and/or surface water flood risk	Connection to surface water sewers or regarding foul discharge		
Peterborough City Council – through the pre-application service or the application process	Surface water risk - Drainage Team Residual risk - Emergency Planning Team	Site drainage - Drainage Team Highway drainage – Drainage Team and Highway Control	Risk to human health and property – Strategic Regulatory Services	Biodiversity, wildlife, WFD - Natural Environment Team
English Heritage	Where flood risk, drainage or contamination may affect a listed building, a conservation area or a Scheduled Ancient Monument.			
Natural England	Development is within or affecting a County Wildlife Site, SSSI, RAMSAR, SAC, SPA or protected species			
Wildlife Trust				Within or affecting a County Wildlife site, protected species or urban wildlife.
Cambridge and Peterborough Local	Where residual flood risk exists on larger sites or those with			

Organisation	Flood risk	Drainage	Water contamination	Water habitat (WFD, biodiversity, water quality)
Resilience Forum (includes Emergency Services)	vulnerable users			
Other organisations	Other organisations may need to be consulted depending on issues arising on site.			

4 Guidance on site selection for sites within flood zones

(to assist implementation of Core Strategy policy CS22)

4.1 Introduction



- 4.1.1 The aim of this chapter is to give advice to developers and decision makers on how to address flood risk in the planning process and implement the first three paragraphs of Core Strategy policy CS22. The preceding flow chart sets out **the steps a developer should take**. This chapter applies to all scales of development. Explanatory notes are also provided, where necessary, for each of the steps. Please note, the guidance here should be read in conjunction with national planning policy.
- 4.1.2 The notes in sections 4.2 to 4.8 explain what is meant and/or required by various stages in the flow chart.

4.2 Step 2 explanatory notes – site vulnerability

- 4.2.1 Identify how ‘vulnerable’ the proposed development is using the vulnerability classification in table 2 of the [Technical Guide to the National Planning Policy Framework \(2012\)](#)¹¹. This is important because different types of development are acceptable in different flood risk situations. In simple terms, the more vulnerable the development type is, the more important it is to locate it in areas of the lowest possible flood risk.

4.3 Step 3 explanatory notes – need for Sequential Test

- 4.3.1 If the site has been specifically allocated in the city council’s local development plan (i.e. the LDF) for the same land use type that is now being proposed, then an assessment of flood risk, at a strategic level, has already been done. This will have included assessing the site, against other alternative sites, as part of a ‘sequential test’ approach to flood risk.
- 4.3.2 However, despite passing part (A) of step three, there is a small chance that there has been a material change in the flood zoning of the development site since the adoption of the relevant part of the LDF. The site must therefore also pass part (B). For example, the site may have moved, in whole or part, from one Flood Zone category to another. If this has occurred, and the site has moved to a higher risk zone (e.g. from Zone 1 to Zone 2), it will be necessary to demonstrate that the proposed development passes the Sequential Test (see below).
- 4.3.3 The Flood Zones are the starting point for the Sequential Test. To check whether there has been a change in Flood Zones, please contact the Environment Agency. Zones 2 and 3 are shown on the online [Environment Agency Flood Map](#)¹², with Flood Zone 1 being all the land falling outside Zones 2 and 3. The Flood Zones refer to the probability of sea and river flooding only, ignoring the presence of existing defences. Peterborough’s SFRA sets out which areas of Peterborough are protected by formal flood defences and assesses the hazard associated with the failure of these defences. This information should inform the Sequential Test and if necessary, the Exception Test – see section 2.4.8 for more details on the SFRA.

¹¹ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115548.pdf>

¹² <http://www.environment-agency.gov.uk/homeandleisure/37837.aspx>

- 4.3.4 If 'yes' can be answered to step three, parts (A) and (B), then move to step five (optional) or six.
- 4.3.5 If it is not possible to answer 'yes' at step three, step four must be completed.

4.4 Step 4 explanatory notes – passing the relevant tests

Sequential Test

- 4.4.1 If the site is within Flood Zone 2 or 3 the Sequential Test should be undertaken following the process as discussed in the [NPPF](#)¹³ and set out in the agreed [Sequential Test Process note](#)¹⁴.
- 4.4.2 Using the table below, developers are required to check whether the vulnerability classification of the proposed land use is appropriate to the flood zone in which the site is located. Table 4-1, taken from the [NPPF Technical Guide](#)¹⁵ also shows when an Exception Test will be required.
- 4.4.3 However, this table cannot be taken as the final answer to whether or not a development is appropriate; the Sequential Test (and the Exception Test, where necessary) must be completed in full. For example, if a 'more vulnerable' development is proposed to be located on a site in Zone 2 (and hence receive a ✓ using the table below) it will then be necessary to compare this to other reasonably available similar sites within lower risk areas (i.e. in Zone 1 in this example).

Table 4-1: Flood risk vulnerability and flood zone compatibility
(source: Technical Guide to the National Planning Policy Framework, March 2012)

Flood risk vulnerability classification	Essential infrastructure*	Water compatible*	Highly vulnerable*	More vulnerable*	Less vulnerable*
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	✓	Exception Test required	✓	✓
Zone 3a	Exception Test required	✓	x	Exception Test required	✓
Zone 3b 'functional flood plain'	Exception Test required	✓	x	x	x

Key: ✓ = Development may be appropriate x = Development should not be permitted

- 4.4.4 For the comparison of reasonable available sites within the city centre the area of search will be Peterborough's city centre boundary. For regional

¹³ <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

¹⁴ http://www.environment-agency.gov.uk/static/documents/Business/SequentialTestProcess_v3.1.pdf

¹⁵ <http://www.communities.gov.uk/publications/planningandbuilding/nppftechnicalguidance>

infrastructure the area of search will be the East of England, Northamptonshire and Lincolnshire. For all other sites the **area of search** is the Peterborough Unitary Authority area.

- 4.4.5 The definition of the **functional floodplain** is land where water has to be stored in times of flood. It includes the land which would flood with an annual probability of 4% (1 in 25) and the associated water conveyance routes and flood storage areas (sometimes referred to as washlands). The annual probability has been formally agreed for Peterborough by Peterborough City Council and the Environment Agency, as recommended by national policy.
- 4.4.6 When designing a site layout, it is important that a **sequential approach** to flood risk is also used **within the site**, i.e. locating development in the areas of lowest flood risk within the site boundary.

Exception Test

- 4.4.7 As shown in Table 4-1, the **Exception Test** can be applied in a number of instances. Application of the Exception Test ensures that new developments which are needed in medium or high flood risk areas will only occur where flood risk is clearly outweighed by other sustainability factors and the development will be safe for its lifetime, taking climate change into account. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community¹⁶ that outweigh flood risk, informed by a SFRA where one has been prepared; and
 - a flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 4.4.8 Peterborough City Council advises the use of the outcomes set within the Greater Peterborough Partnership [Sustainable Community Strategy 2008-21](#) as the framework for demonstrating whether or not **wider sustainability benefits** can outweigh flood risk. There are sixteen outcomes (listed on page 11 and 12 of the Strategy) against which the development should be scored. These outcomes are those that Peterborough wishes to see delivered in order to benefit its communities. The Sustainable Community Strategy has been adopted by the city council and its partners as the overarching and guiding plan for Peterborough.

4.5 Step 5 explanatory notes – consultation

- 4.5.1 The city council offers a pre-application service that covers planning applications and drainage information (and in future SuDS applications). Further information on this service can be found on the city council's [pre-application advice](#) web page¹⁷.

¹⁶ http://www.gpp-peterborough.org.uk/documents/SustainableCommunityStrategy_003.pdf

¹⁷ http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application/step_1_pre-application_advice.aspx

4.6 Step 6 explanatory notes – need for flood risk assessment

- 4.6.1 National planning policy should be the first indicator of whether or not a site requires a FRA. Paragraph 103, footnote 20, of the [National Planning Policy Framework](#)¹⁸ provides detail of this.

A site specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1, all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to local planning authority by the Environment Agency); and where proposed development, or a change of use to a more vulnerable class, may be subject to other sources of flooding.

A flood risk assessment may also be required for some specific situations:

- If the site may be at risk from the breach of a local defence (even the site is actually in flood zone 1). See section 4.6.2 for more information.
- Where the site is intended to drain to the catchment or assets of a drainage authority who requires an FRA
- Where the site's drainage system meets the criteria of the Middle Level Commissioners as listed in section 4.6.3.

- 4.6.2 In areas of Peterborough that are defended the residual risk of breaching of the defence can mean that areas in Flood Zone 1 could actually be at risk of flooding. While the recognised Flood Zones maps show the areas that would be at risk if there were no defences, the failure of such structures can produce different results. The pressure the water may be under at the time of breach and the pathway that it is forced to take may not be same as if it were naturally overtopping the river banks. For this reason a flood risk assessment may sometimes be required for sites proposing people-based uses in defended areas that are actually within Flood Zone 1. If this situation applies **breach modelling** is also likely to be required as part of the planning process since this would enable determination of the actual risk to a site (see section 5.1.5). Please seek advice from the Environment Agency or the city council if further explanation is required on this point.

- 4.6.3 A large part of Peterborough is fenland. Since management practises in this area vary, there are some scenarios not listed by the NPPF, where an **FRA could be required within the Fens**. Development meeting the following criteria is required to submit an FRA to the Middle Level Commissioners:
- Development being either within or adjacent to a drain/watercourse, and/or other flood defence structure within the area of the IDBs overseen by Middle Level Commissioners.
 - Development being within the channel of any ordinary watercourse within the Commissioner's area
 - Where a direct discharge of surface water or treated effluent is proposed into the Middle Level Commissioners catchment.

¹⁸ <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

- For any development affecting more than one watercourse in the Commissioner's area and having possible strategic implications in an area of known flood risk.
 - Development being within the maintenance access strips provided under the Commissioners' Byelaws.
 - Any other application that, in the opinion of the Middle Level Commissioners' Chief Engineer, has material drainage implications.
- 4.6.4 The requirement for FRA should not be confused with the requirement to consult the Environment Agency on certain types of planning application and FRA. Chapter 3 provides more information about when the Environment Agency should be consulted. For clarity, the requirement for site specific FRA where the Agency does not want to be consulted on applications is in practise much simpler, as the FRA need consist only of the basic information listed under step 7 (4.7.3).
- 4.6.5 Flood risk assessments that the Environment Agency will not be consulted upon will be reviewed by the city council. For householder development this could be as simple as ensuring the development is being designed with an understanding of how the floor levels should relate to flood event levels. For most development this is likely to be as part of agreeing an appropriate drainage strategy for the site.
- 4.6.6 Please note that passing the Sequential Test does not remove the need for FRA.

4.7 Steps 7 and 8 explanatory notes – content of flood risk assessment

- 4.7.1 Flood risk, site design and emergency access and egress can affect the value of land, the cost of developing it and the cost of its future management and use. They should be considered, as part of the FRA, as early as possible in preparing development proposals.

Basic FRA for smaller application sites

- 4.7.2 A very simple FRA is required for the following types of development:
- Householder development and alterations in Flood Zones 2 and 3
 - Non-residential extensions with a footprint of less than 250 square metres in Flood Zones 2 and 3
 - Development of less than 1 hectare in Flood Zones 2 and 3
 - Any change of use that results in the developments vulnerability class becoming higher risk (e.g. water compatible to less vulnerable or less vulnerable to more vulnerable)
- 4.7.3 The requirement for FRA consists only of the completion of a simple flood risk table which must be completed and submitted along with supporting evidence, as part of the planning application. The relevant tables can be found in the Environment Agency's [online flood risk assessment guidance](#) by following the links from the relevant development type and Flood Zone.

Full FRA for other sites

4.7.4 The text box below sets out the requirements of a formal site specific flood risk assessment.

Flood risk assessments (FRAs) should:

- a) take a '**whole system**' approach to drainage to ensure site discharge does not cause problems further along in the drainage sub-catchment/can be safely catered for downstream of the site;
- b) **be proportionate** to the risk and appropriate to the scale, nature and location of the development;
- c) consider the risk of **flooding arising from the development** in addition to the risk of flooding to the development. This includes considering how the ability of water to soak into the ground may change after development;
- d) take the impacts of **climate change** into account;
- e) be undertaken **as early as possible** in the particular planning process, by a competent person, to avoid abortive work raising landowner expectations where land is unsuitable for development;
- f) consider both the potential adverse and beneficial **effects of flood risk management infrastructure** including raised defences, flow channels, flood storage areas and other artificial features together with the consequences of their failure;
- g) consider the **vulnerability of occupiers and users** of the development, taking account of the Sequential Test and Exception Tests and the vulnerability classification, including arrangements for safe access;
- h) consider and quantify the **different types of flooding** (whether from natural or human sources and including joint and cumulative effects). The city council will expect links to be made to the management of surface water as described in chapter 6. Information to assist with the identification of risk is available from the city council;
- i) identify relevant **flood risk reduction measures** for all sources of flood risk,
- j) consider the effects of a range of flooding events including the **impacts of extreme events** on people, property, the natural and historic environments and river processes;
- k) include assessment of the '**residual**' (**remaining**) **risk** after risk reduction measures have been taken into account and demonstrate that this risk is acceptable for the particular development or land use. Further guidance on this is given in chapter 5;
- l) be supported by appropriate **evidence data** and information, including historical information on previous events.

- 4.7.5 It should be noted that even if the development passes the Sequential Test and Exception Test (where necessary), there may be other material planning considerations that would render the development inappropriate. Likewise, if it is not possible to design a new development which is safe and which does not increase flood risk elsewhere, then it is unlikely that development will be permitted. Therefore pre-application discussions with the city council and other flood risk consultees are encouraged as soon as possible in the process.

4.8 Step 9 explanatory notes – submission

- 4.8.1 Once all these issues have been satisfactorily addressed, then a planning application, supported by a FRA where necessary, can be submitted. This will be formally reviewed by the city council and its partners in line with the information supplied in chapter 3. All partner comments are taken into consideration in the final decision.

4.9 Conclusions – responsibilities

- 4.9.1 **Landowners have the primary responsibility for safeguarding** their land and other property against natural hazards such as flooding. This applies during the construction period as much as it does when properties are sold or rented out. Individual property owners and users are also responsible for managing the drainage of their land in such a way as to prevent, as far as is reasonably practicable, adverse impacts on neighbouring land.
- 4.9.2 Developers proposing development in areas of flood risk have certain responsibilities as set out in the box below.

Those proposing development in areas of flood risk are responsible for:

- demonstrating that the proposed development is consistent with national and local planning policy (please refer to chapter 2);
- undertaking sufficient consultation with the flood risk consultees (chapter 3);
- providing a FRA, as part of the planning process, which meets the requirements of section 234.7.4;
- drawing up and building site designs that reduce flood risk to the development and elsewhere by incorporating appropriate flood management measures (chapter 5), including the use of sustainable drainage systems (chapter 6).
- ensuring that any necessary flood risk management measures are sufficiently funded to ensure that the site can be developed and occupied safely throughout its proposed lifetime;
- identifying opportunities to reduce flood risk, enhance biodiversity and amenity, protect the historic environment and seek collective solutions to managing flood risk (discussed throughout this document).

5 Managing and mitigating risk

5.1 Measures to control flood risk

- 5.1.1 This chapter covers ways of controlling and managing risk through site design to ensure that developments will be safe. The information in this chapter is intended for use only after it has been demonstrated that flood risk has been avoided as much as possible and the site and location are appropriate for the chosen type of development. Site specific flood risk assessments and the Exception Test must **detail how a site will be made safe** and this information will assist with this requirement.
- 5.1.2 It should be noted that the city council's overarching planning policy, within the Core Strategy, does not support residential development in Flood Zone 3a unless the site consists of previously development land. The city council believes that without a site providing the benefits that regeneration, for example, of previously developed city centre land can bring, it is very unlikely that residential development could be safe and sustainable in this location throughout its lifetime.
- 5.1.3 When undertaking a flood risk assessment or the Exception Test developers are strongly encouraged to work closely with the Environment Agency, the city council and Peterborough's emergency services partners (see chapter 3). Partners must agree that developments are safe and that flood risk management partners would be able to respond quickly and appropriately to any incidents.

Modelling

- 5.1.4 The following flood related factors can influence the design of new developments and should be considered in the site's FRA: flood source and mechanism, predicted flood level, duration, frequency, velocity of flood waters, depth and amount of warning time.
- 5.1.5 Some high level modelling of breaches and overtopping was undertaken for the Lower Nene as part of the [Strategic Flood Risk Assessment Level 2](#) and this may be of use. However, developers may need to undertake more detailed modelling for their sites to be able to accurately demonstrate the timings, velocity and depth of water inundation to their site. This could be particularly important where a defended site is proposed for people-based uses.

Climate Change information

- 5.1.6 For general guidance on how to take climate change into account in flood risk assessments please refer to paragraphs 11 to 15 of the [Technical Guide to the National Planning Policy Framework](#)¹⁹.

¹⁹ <http://www.communities.gov.uk/publications/planningandbuilding/nppftechnicalguidance>

Site layout

- 5.1.7 The inclusion of good quality **green infrastructure** has the potential to significantly increase the profile and profitability of developments. Low lying ground can be designed to maximise benefits by providing flood conveyance and storage as well as recreation, amenity and environmental purposes. Where public areas are subject to flooding easy access to higher ground should be provided. Structures, such as benches, provided within the low lying areas should be flood resistant in design and firmly attached to the ground.
- 5.1.8 The use of sustainable drainage systems which are designed to cater for **exceedance events** is important in reducing the risk of surface water flooding on site. Chapter 6 provides more information on the design of drainage systems and exceedance events are covered in section 0.
- 5.1.9 Short-term or employment related **car parking** may be appropriate in areas subject to flood risk provided that flood warnings and signs are in place. The ability of people to move their cars within the warning time should be considered (hence the unacceptability of long term and residential car parking where residents may be away from the area for long periods of time). Car parks should ideally not be subject to flood depths in excess of 300mm depth since vehicles can be moved by water of this depth and may cause obstruction and/or injury.

Raising floor levels

- 5.1.10 Where it is not possible to avoid flood risk or minimise it through site layout, raising floor levels above the flood level is a possible option to manage flood risk to new developments. This could include the placing of parking (see section 5.1.11) or other flood compatible uses at ground level with more vulnerable uses at higher levels may be appropriate in certain situations. Ensuring that safe access and escape will always be available to upper floors will be an essential part of design and of the ongoing maintenance and legal agreements for the development.
- 5.1.11 Single storey residential development is generally more vulnerable to flood damage as occupants do not have the opportunity to retreat to higher floor levels. For this reason single storey housing in risk areas must provide safe refuge about the flood level.

Modification of ground levels and floodplain compensation

- 5.1.12 Any proposals to modify ground levels will need to demonstrate in the FRA that there is no increase in flood risk to the development itself or to any existing buildings in any location. Where land on site is raised above the level of the floodplain to protect properties, compensatory land must be returned to the floodplain. This is to ensure that new flood risk is not created elsewhere in an unknown or unplanned for location. For undefended sites floodplain compensation must be both 'level for level' and 'volume for volume'. This applies, for example, in Peterborough city centre. Direct (onsite or opposite bank) flood compensation is preferable since it is easier and cheaper to ensure it functions correctly. If off-site flood compensation is to be considered developers should liaise with the city council to understand whether storage sites are available that could protect multiple developments and potentially

lead to shared costs. For example the reason that the Thorpe Meadows site is safeguarded in the Peterborough Site Allocations DPD is in case the location should require further investigation as a potential compensation site to protect the city centre against the risk of future (long-term) flooding. *CIRIA's report C624 entitled 'Development and Flood Risk - Guidance for the Construction Industry (2004)'* provides detailed advice on floodplain compensation.

- 5.1.13 In defended areas compensation need not normally be provided to the same extent. This applies, for example, to areas to the east of Peterborough in the Fens. Developers should however assess the risks to the area and undertake mitigating action should the raising of land have the potential to create additional flood risk elsewhere (particularly to life). Consultation should be undertaken with flood risk partners to determine what type of compensation land or other mitigating actions would be appropriate.

New defences

- 5.1.14 The construction of new flood risk defences to enable development to take place needs to be very carefully considered with the Environment Agency and the city council. New defences create new residual risks that can take significant investment to fully understand and plan for. The Environment Agency is also not obliged to maintain defences and could potentially reprioritise or reduce expenditure in this area. Where defences are required maintenance agreements will need to be reached through section 106 of the Town and Country Planning Act 1990 or section 30 of the Anglian Water Authority Act 1977. The latter can be used by the Environment Agency to adopt flood defences directly.

5.2 Managing the residual risk

- 5.2.1 Residual risks are those remaining after the sequential approach has been applied to the layout of the different site uses and after specific measures have been taken to control the flood risk. At this stage management measures are no longer about reducing the risk, but planning for it. Management of the residual risk must therefore be the very last stage of designing and planning a site where all options for removing and reducing risk have already been addressed.
- 5.2.2 This document only provides an overview of residual risk related management measures. For more detailed information readers are encouraged to read *C688 - Flood resilience and resistance for critical infrastructure (CIRIA, 2010)* or refer to the [Environment Agency's website](http://www.environment-agency.gov.uk/research/planning/116801.aspx)²⁰.
- 5.2.3 Where flood defence and drainage infrastructure has been put in place there will be risks associated with both its failure and with the occurrence of flood events more significant than the design level of the defence or system. These are residual risks which can be managed. The costs of managing residual risk may be low compared to the damage avoided.

²⁰ <http://www.environment-agency.gov.uk/research/planning/116801.aspx>

5.2.4 Different types of **measures to manage residual risk** include:

- Developer contributions towards publically funded flood alleviation scheme
- Designing sustainable drainage systems so that storm events which exceed the design standard are properly planned for and the exceedance routes are known and appropriate (requirement explained in section 0)
- Incorporating flood resistance measures into building design
- Incorporating flood resilience measures into building design
- Flood warning and evacuation plans

5.2.5 **Flood resistance** stops water from entering a building and can be referred to as dry proofing. Measures include doorway flood barriers and airbrick covers. The effectiveness of flood resistance products depends upon the occupier understanding the features, putting them in place correctly when required and carrying out any needed maintenance. Water pressure and carried debris can also damage buildings and result in breaching of barriers. As a result these measures should be used with caution and accompanied by resilience measures.

5.2.6 **Flood resilient construction** accepts that water will enter the building but thorough careful design minimises the damage to allow the re-occupancy of the building as soon as possible. Resilient construction can be achieved more consistently than resistance measures and is less likely to encourage occupiers to remain in buildings that could be inundated by rapidly rising water levels. Under this heading, the use of water resistant fixtures and materials for floors and walls may be appropriate along with the siting of sockets, cables and electric appliances at higher than normal levels.

5.2.7 **Flood resilience** also includes information based actions and planning such as:

- The use of **clear signage** within a development to explain residual risks or required responses such as on access doors, in car parks or on riverside walkways
- Ensuring that appropriate **flood insurance** is in place for buildings and contents. Further information and links about flood insurance are available on both the [city council](#)²¹ and [Environment Agency](#)²² websites.
- Businesses developing and maintaining **business continuity plans**. The city council encourages business continuity planning across all risk areas and can be contacted for further advice.
- Preparing and acting on **flood warning and evacuation plans**. These plans are an essential part of managing residual risk and advice should be taken from the [Cambridge and Peterborough Local Resilience Forum](#)²³ during preparation. Particular attention should be given to communicating warnings to and the evacuation of vulnerable people.

²¹ <http://www.peterborough.gov.uk/water>

²² <http://www.environment-agency.gov.uk/homeandleisure/floods/31654.aspx>

²³ http://www.cambridgeshire.gov.uk/policing/cemt/council_responsibility/forum/default.htm

- 5.2.8 **Evacuation plans must include dry access and egress routes** wherever possible. Any variation in this, particularly the consideration of on-site refuge must be agreed by partners from the Local Resilience Forum. In this situation the city council will seek to organise a technical meeting with the Environment Agency's development and flood risk officer and flood risk management officers from Cambridgeshire's Fire and Rescue Service and the Police Force in order to agree whether the development's strategy for access, egress and refuge is appropriate.
- 5.2.9 The areas of Peterborough covered by the **Environment Agency's flood warning scheme** can be viewed on the Agency's [online map](#). While this scheme provides prompt telephone calls and SMS text messages to registered individuals, it is dependant on residents signing up to the scheme. Developers must also bear in mind that warning areas may not be extended to cover new development areas. The Environment Agency's scheme also only covers flooding from main rivers. Flooding from rainfall, surface runoff and groundwater often occur much more quickly, making warning more difficult. No local or national warning system currently exists for these more localised mechanisms and developers will need to consider this in ensuring developments will be safe.

6 Guidance on surface water flooding and sustainable drainage systems

(to assist implementation of Core Strategy policy CS22)

6.1 Introduction

This chapter applies from the point of adoption of this document. It is intended to:

- raise awareness of issues that may need to be discussed as part of pre-application planning discussions.
- ensure that the consideration given by a planning decision to surface water and drainage is appropriate to prevent developments that have gained planning permission from being unable, at a later stage, to obtain sustainable drainage approval¹⁵; and
- bridge the medium term gap in policy and guidance before government introduces a need for all developments to have sustainable drainage systems approval
- be applicable to all development using or having the potential for sustainable drainage systems. While the bulk of the chapter is aimed at major development, minor development and minerals and waste management sites, section also specifically applies to householder development. All requirements will be considered by the council in proportion to the scale, nature and location of the site. Further advice on this can be provided by the council as part of the pre-application service.

Section 6.2 below provides further explanation of the role of this planning policy document in the context of the Flood and Water Management Act 2010.

- 6.1.1 Designing site layouts to ensure that drainage systems minimise local flood risk and are sustainable in the long term is an important part of the wider flood risk management strategy for a new development. This chapter therefore sets out what elements of drainage need to be considered to create a ‘sustainable’ system.
- 6.1.2 The expected increase in intense rainstorms (as a predicted result of climate change) and the nature of traditional drainage²⁴ means that the likelihood of surface water flooding will increase over time in Peterborough, with or without development. Loss of permeable (porous) ground as part of development could increase surface runoff flow rates and potentially increase the risk. Therefore the city council requires the drainage systems for all scales of development to be ‘sustainable’. In this context the city council defines this as minimising flood risk, improving water quality, bringing wider benefits other than just site drainage (improved local environment and biodiversity and safe public amenity) and being maintainable over the long-term.
- 6.1.3 Retrofitting of sustainable drainage systems (SuDS) particularly in the urban area is also something that the city council and its partners are looking to promote where possible.

6.2 The overlap between the planning system and the Flood and Water Management Act 2010

- 6.2.1 The Flood and Water Management Act 2010 creates a significant change in the way that development gets approval prior to construction. When fully commenced (anticipated in 2013), it will put in place a system that allows developers to build SuDS knowing that they can be adopted by the city council in the same way that, for example, roads currently are. The Act sets out a system of approval whereby drainage strategies for sites should be submitted for review to a body known as the SuDS Approving Body (in Peterborough this will be the city council). If the drainage strategy is approved, the city council will then inspect the construction of the SuDS as they are built, with a view to ultimately adopting a safe and fully functioning system. If approval is not given for the drainage strategy then development is not allowed to start on site, regardless of whether or not the site has planning permission.
- 6.2.2 The relevant sections of the Act are expected to be enacted during 2013 following the release by Defra of finalised National Standards. SuDS Approving Bodies must use these standards to determine whether drainage

²⁴ Public sewers are not generally designed to cater for more significant rainfall events than those of an annual probability of 3.33% (1 in 30). Larger, less common events are likely to result in surface run-off and sewer surcharging when the rainfall is very intense, as sewers cannot cope with those volumes of water in such a small period of time. It should be noted though that the drainage systems maintained by Internal Drainage Boards have a higher design standard, able to cope with a rain event of around 1.3% to 1% (1 in 75 to 1 in 100) depending on the specific drainage authority.

²⁵ At the time of adoption of this SPD, Defra have indicated that developers will be able to subject application for sustainable drainage approval at a different time to applications for planning permission. The city council is keen to prevent this from creating a situation where an abortive planning permission is gained because the agreed designs cannot meet the standards required for sustainable drainage approval.

strategies meet requirements and, if they do, such strategies should be approved. The National Standards are expected to leave some design elements open to local interpretation. For further information about the commencement of the SuDS provisions in the Act refer to [Defra's website](#)²⁶.

- 6.2.3 Defra may choose to phase the requirement for development to obtain SuDS approval. In this case major development may need this specific approval straight away but minor development may not require it until perhaps 2014 or 2015. This policy document aims to ensure a higher level of consistency across these enactment periods.
- 6.2.4 As confirmed in the NPPF, flood risk is a very important consideration in the determination of planning applications. There are often significant interactions between different sources of flooding and in some locations surface water flooding may also present a much greater risk to the development overall than risk from main rivers. For these reason the consideration of surface water flood risk and hence drainage cannot be removed from the planning process, just because of the requirement for sustainable drainage approval. For planning permission the city council must be content that the development will not increase risk from any sources of flooding and that an appropriate and long lasting drainage system can be designed. The SuDS Approving Body is however looking for more detail about how the system will function, its construction and how it will be maintained.
- 6.2.5 By using this guidance to assist with the designing of sites for planning permission, both the city council and developers can enable a much smoother transition to the new drainage regime and help to prevent conflicting planning and drainage approvals.
- 6.2.6 Note about the use of planning conditions:

If it is decided by the city council during the planning process that any elements drainage will be left to a planning condition the same information will be required to discharge that condition as would have been required as part of the original process. However, elements such as contamination and site permeability must still be explored as part of the application process to ensure that any significant constraints to site development and drainage are known about before potentially undeliverable site layouts are agreed.

²⁶ <http://www.defra.gov.uk/environment/flooding/legislation/>

6.3 How to use this chapter

- 6.3.1 The flow chart in Figure 6-1 below shows the route for preparing a sustainable drainage strategy. The information is applicable whether drainage is being considered as part of planning or whether the development site specifically requires SuDS approval and a SAB application is therefore required. The flow chart is principally relevant to major developments, minor developments and minerals and waste management sites.

Minerals and waste management sites

- 6.3.2 Minerals and waste management sites have to consider drainage as an integral part of site design. While site design may be further complicated by contamination-related issues, the principles of, and processes in, this chapter still apply.

Information for householder development

- 6.3.3 A simple drainage statement should accompany a householder planning application explaining where the site's surface water will go. There may, for example, be local options for connecting to an existing SuDS system instead of a piped sewer. If the city council highlights that there may be capacity issues in the area the statement will need to consider simple measures to reduce the quantity and flow rate of water discharged. Advice can be sought from the council's drainage team.

The process

- 6.3.4 This chapter should be referred to as early in the site design process as is possible. The city council recommends the consideration of site drainage begins as soon as a site with development potential has been identified; steps 1-4 of chapter 4 have been carried out; and it can be demonstrated that the Sequential Test, and if required the Exception Test, have been passed. The flowchart in Figure 6-1 starts at this point.

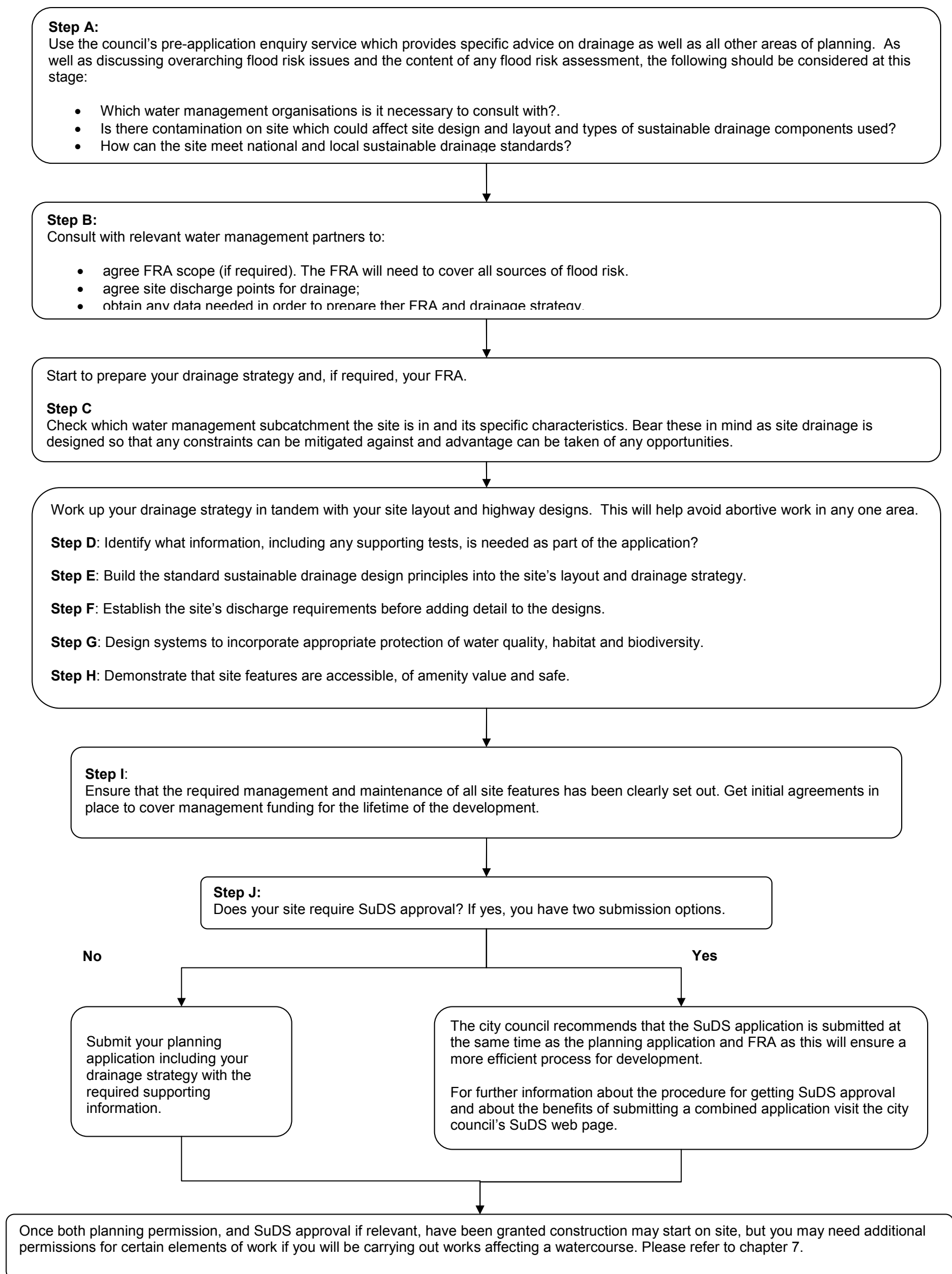


Figure 6-1: Flowchart showing the process of preparing a drainage strategy for a development site

6.4 Step A explanatory notes – council pre-application advice.

- 6.4.1 The city council has a pre-application enquiry service which based on information supplied by the developer provides advice on obtaining sustainable drainage approval and obtaining planning permission. To find out more about this service please visit the city council's [pre-application advice](#)²⁷ web page.

6.5 Step B explanatory notes – drainage subcatchment

- 6.5.1 When water draining from a site leaves the development, the water may flow through a variety of watercourses or surface water sewers before reaching its destination in the Nene, Welland or Ouse main rivers. The rate and quality of flow can therefore easily affect locations downstream. For this reason a drainage strategy must take a **catchment or subcatchment-based approach** and consider the route and impacts of flows after they leave a development site. Two examples of how this could affect a drainage strategy would be:

- if the post-site flow route takes water into a designated wildlife site and hence the water quality of the discharge might be particularly important
- if the post-site flow route takes water past properties that would be expected to flood if flow rates increased. Detailed consideration may be required to determine appropriate discharge rates in this case.

- 6.5.2 The city council is keen to understand more about the local catchments and make this information available to help those planning drainage schemes. Maps of Peterborough's subcatchments and some of the different characteristics of, and variations between, the subcatchments are therefore available online within the city council's [water management](#) web pages. It is intended that the information will be updated as more information becomes available. Web links are also included to valuable data sets such as the British Geological Society's SuDS Infiltration Maps.

- 6.5.3 **Different subcatchments have very different characteristics** and it will also be useful at any early stage to scope out the types of constraints and opportunities that may exist in the area around the site. Examples could be very permeable soil which would allow site infiltration, or significant numbers of combined sewers and hence limited sewer capacity in the area.

6.6 Step C: Consult with partners

- 6.6.1 There are a range of water and risk management organisations operating in Peterborough. They are used to working with developers on planning applications and working with other partners to resolve water management

²⁷

http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application/step_1_pre-application_advice.aspx

issues that arise. All of the partners listed in chapter 163 are keen to work together to consider the differing requirements demonstrated both by the flood and water management units and this chapter. It is in everyone's interest for the design of the site and its drainage strategy to go as smoothly as possible.

6.7 Step D: Submission and evidence requirements

Submission and evidence requirements

- (a) Developers must submit with their planning application enough information to explain how it is proposed to drain the site without increasing surface water flood risk.
- (b) Site drainage strategies should be undertaken alongside the site's flood risk assessment and submitted as part of the planning application.
- (c) **Ground conditions** must be understood at an early stage and in order to reduce abortive work on the developer's part, preferably before drainage designs are commenced. The presence of land contamination may influence whether infiltration is appropriate and therefore dictate the most appropriate discharge method.
- (d) Subject to contamination results, **soakage tests** to a minimum of BRE365 (BRE [1991] Digest 365 – Soakaway Design Building Research Establishment) will be required to help determine the scope for infiltration on site. In the Fens, some of the drainage authorities have their own standards for such testing. Several soakage tests may be necessary to provide a reasonable understanding of possibilities for infiltration across the whole site. The results of the tests must accompany the planning application.
- (e) In certain areas where there are assets of historical interest, work may be required to ensure that site drainage does not impact negatively on **buried archaeological deposits**.

6.7.1 Site drainage is a key part of flood risk management and must be clearly discussed within a site FRA. It is therefore strongly encouraged that site drainage strategies (whether for planning approval or SAB approval) are undertaken **alongside the FRA and the rest of the planning application**. If consultants are being used, it is also likely to be more cost efficient and result in better cross linkages for the same consultants to undertake both the drainage strategy and FRA. If drainage designs are submitted to the city council at the same times as the planning application, the process of receiving planning permission (and sustainable drainage approval when relevant) will be much more efficient. This significantly reduces the risk of abortive work being carried out at the expense of the developer through the site and highway design stages.

6.7.2 **Ground conditions** such as instability or contamination can have a significant effect on the design of a site drainage system. For this reason testing should be carried out before the initial planning application submission so that it can be established whether the results will affect flood risk management, drainage or site design. Increases in or the spread of **contamination** must be avoided. Should contamination be a potential issue,

policy 20 in the Planning Policies Development Plan Document must be followed and further advice should also be sought from the Environment Agency.

- 6.7.3 In the Fen areas of Peterborough, some of the drainage authorities have their own standards for **soakage testing**. If the site is within this area and it is proposed to drain into an IDB watercourse please contact the drainage authority for more information.
- 6.7.4 In the vicinity of the Flag Fen Archaeology Park (a Scheduled Monument) the planning application must include information about the impacts of site drainage on the **buried archaeological deposits**. This is likely to involve an assessment of groundwater and consideration through the drainage strategy of whether groundwater recharge would be possible for the benefit of the deposits. If it is proposed to develop within the fenland catchment of the North Level District Internal Drainage Board pre-application consultations strongly recommended with the English Heritage, the city council and the IDB.

6.8 Step E: Design principles

Design principles

- (a) A complete sustainable drainage system should meet all parts of **SuDS treatment train**. This is to ensure that the system functions exactly as it should and achieves the intended benefits.
- (b) The number of **treatment stages** within a drainage system must be appropriate to the uses onsite.
- (c) The **full range of SuDS techniques** must be considered for all sites with the most appropriate technique(s) taken forward.
- (d) All drainage strategies must demonstrate **flow paths and exceedance routes, mimic natural drainage paths**, and include appropriate mitigation measures.
- (e) Allowances for **climate change** must be factored into designs.
- (f) There should be appropriate **storage** incorporated within the drainage system to allow for rain events up to a 1% annual probability (1 in 100) and an allowance for climate change.
- (g) Where applicable, previously **culverted watercourses should be opened up** to create more natural drainage and reduce the likelihood of bottlenecks/blockages that can occur and cause flooding in localised areas
- (h) The **ease of maintenance** is an essential part of the design of sustainable drainage system
- (i) The use of **permeable** surfaces, both green and paved depending on the intended land use, is encouraged.

- 6.8.1 The layout and design of SuDS and other flood risk management measures must be considered at the beginning of the development process using the design principles set out in this document. A key element to successful SuDS is integrating the design into the development master plan/site layout at an early stage, while also considering how SuDS will be maintained. Good SuDS design also requires early and effective consultation with all parties that are

involved in the approval process including the city council, the Environment Agency and relevant stakeholders identified in chapter 3.

What is sustainable drainage?

6.8.2 Sustainable drainage means managing rainwater (including snow and other precipitation) with the aim of²⁸:

- reducing damage from flooding
- improving water quality
- protecting and improving the environment
- protecting health and safety
- ensuring the stability and durability of drainage system

The primary function of SuDS is to provide effective drainage. SuDS replicate as closely as possible the natural drainage of the site before development. This reduces the risk of flooding downstream that could otherwise be caused when surface water with an increased flow rate drains to a sewer of limited capacity; helps to replenish groundwater; and removes pollutants gathered during runoff.

6.8.3 Management train and treatment stages

6.8.4 *Figure 6-2* Different types of sustainable drainage components should be used in series throughout a development site in order to most effectively achieve the intended benefits of having SuDS. Figure 6-1 illustrates the hierarchy of use, known as the **SuDS management train** that should be followed when planning the drainage strategy. The benefits discussed in sections **Error! Reference source not found.** and **Error! Reference source not found.** are more likely to be achieved if the management train is followed.

²⁸ Definition taken from Schedule 3, para 2, Flood and Water Management Act 2010.

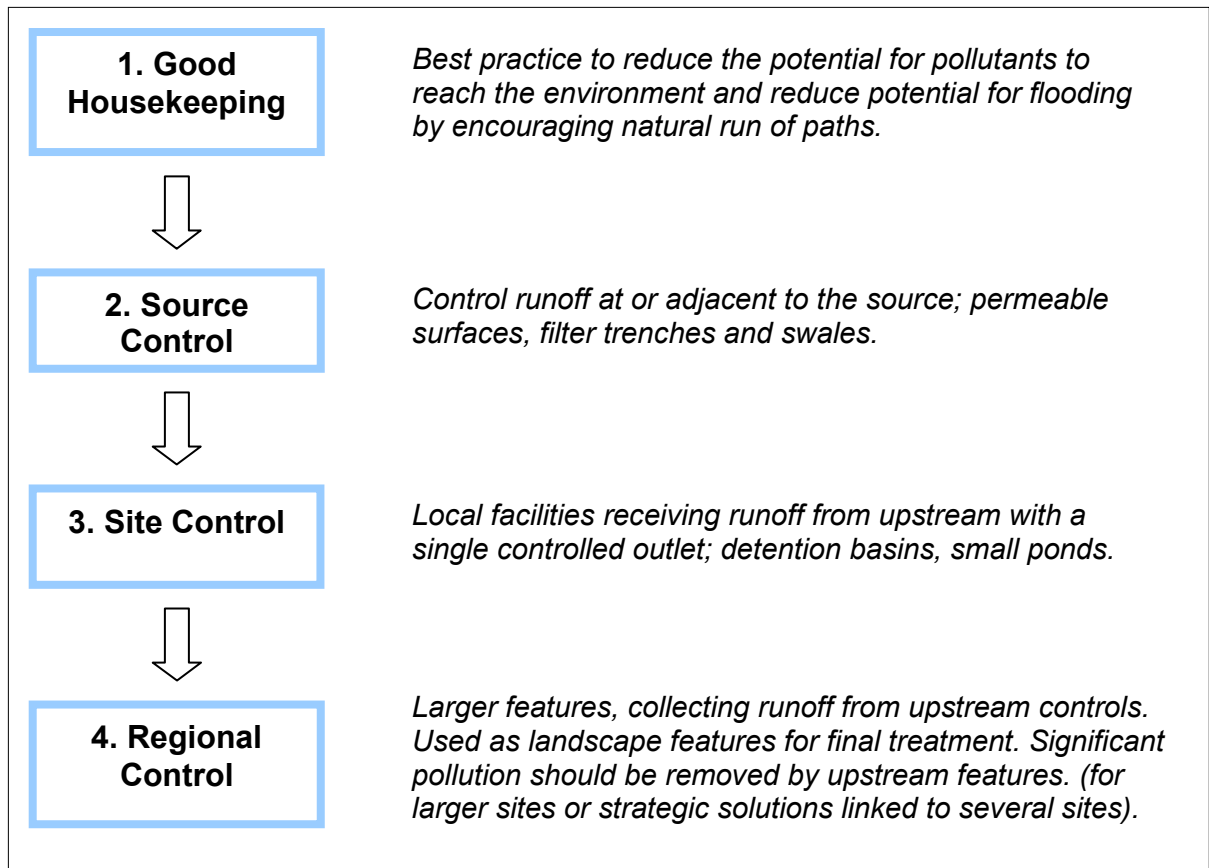


Figure 6-2: SuDS management train

- 6.8.5 There are a **wide range of sustainable drainage components available** each using slightly different techniques to manage water. It is likely therefore that there will be a technique and component suitable for each site. Bear in mind that it is still possible to include traditional or piped methods within sustainable drainage systems. The overall design just needs to ensure that the different components do work well together to achieve the end aims of sustainable drainage. [Appendix B](#) provides further detail about the SuDS management train, different types of SuDS components which can be used and the characteristics of each component. In addition, detailed information on SuDS components and design can also be found in the CIRIA SuDS manual²⁹.
- 6.8.6 Different land uses result in differing qualities of water leaving a site. For water running off a petrol station may be considerably more polluted than water from a residential roof. Each time water runs through a particular SuDS component the flow will be treated in some way to help reduce pollution – this is called a treatment stage. More **treatment stages** are required for more polluting land uses. Table 6-1 below shows how many treatment stages are

²⁹ CIRIA, C697 The SuDS manual, 2007

required for different land uses. Examples of appropriate treatment train combinations can be found in *The SuDS manual*³⁰.

Table 6-1: Number of treatment stages required for different land uses

Runoff catchment characteristic	Number of treatment stages required
Roofs only	1
Residential roads, parking areas, commercial zones	2
Refuse collection, industrial areas, loading bays, lorry parks, highways	3

Designing SuDS features

- 6.8.7 An **exceedance route** is a flow route that water will take over the land when the capacity of the drainage system (sewer or watercourse) is exceeded. In most cases this is a rain event with an annual probability of less than 3.33% (1 in 30). It is crucial to effective flood risk management that exceedance routes are understood so that unexpected residual risks are not created. If flow routes are known they can be directed (through site design) to areas of less vulnerability. The city council and emergency services can also be prepared with appropriate responses. The preferred option is for exceedance routes to flow to open space where surface flooding for short periods of time can be acceptable. Layout and landscaping should route water away from vulnerable property and avoid creating hazards to access and egress routes.
- 6.8.8 A well designed surface water drainage system should ensure that there is **no residual risk of property flooding** during events that are well in excess of the capacity of the medium to which the site is discharging. No flooding of property should occur as a result of a storm of 1% annual probability (1 in 100). Much more detailed information can be obtained from *Designing for exceedance in urban drainage*³¹.
- 6.8.9 It is important that sufficient **storage** is incorporated within all drainage systems to allow for rain events up to a 1% annual probability (1 in 100) and an allowance for climate change. Storage provided through water re-use methods like rain water harvesting is not usually counted towards the provision of on-site storage for surface water balancing. This is because there may be times where the water is not re-used as planned (e.g. for watering gardens or flushing toilets) and therefore storage will not be available for each new rain event. Rainwater harvesting is however recognised as very good practice for reducing the use of drinking water. The city council recognises that on new developments where other options for reducing surface water discharge are limited, water re-use is a better option than unattenuated discharge.
- 6.8.10 The **culverting** of watercourses is not generally supported by the city council. Culverting removes floodplain storage from a watercourse and can increase

³⁰ CIRIA, C697 - The SuDS manual, 2007.

³¹ CIRIA, C635 Designing for exceedance in urban drainage, 2006

the risk of flooding upstream when bottlenecks or blockages occur. The need for improved green infrastructure corridors and the requirement for water environments to be improved under the Water Framework Directive are two other drivers for ensuring a natural environment around channels, ditches and dykes. Any loss of access to the watercourse can also be a serious problem for the city council and riparian owners who need to maintain the watercourse.

- 6.8.11 The **ease of maintenance** is an essential part of the design of sustainable drainage system. As well as allowing for access, drainage designers should consider what kind of equipment would be required, e.g. to mow or remove sediment from a drainage system, and how often a certain types of SuDS component might need maintaining.

Special design rules for permeable paving

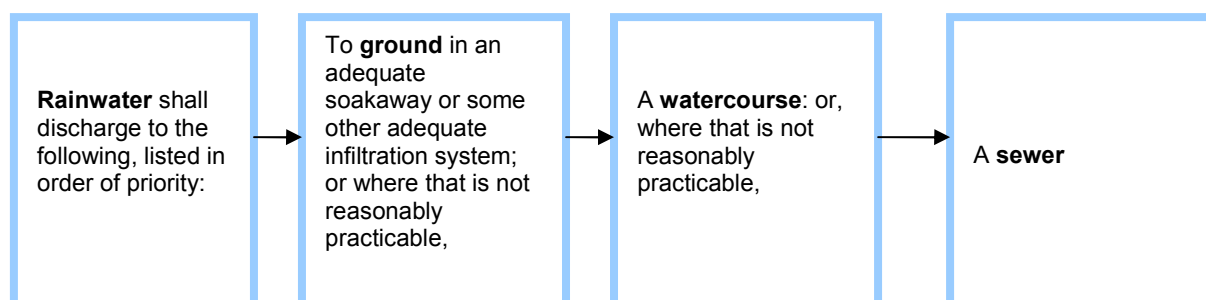
- 6.8.12 It is recognised that some parts of Peterborough have clay-based soils and so infiltration may be not be possible to the same degree as in other areas of the country. However, there is variation in soil type across Peterborough meaning that in some areas the soil may be more permeable. Soakage tests will help to confirm the situation onsite. Regardless of whether the ground can be a significant discharge point for the site, some water can usually be taken up by green areas and the presence of grass and larger vegetation will aid this. For this reason and the general importance of green infrastructure the use of **permeable** surfaces, both green and paved, is encouraged.
- 6.8.13 A **permeable area** allows rain water to drain into the ground rather than run over a surface. There are certain rules relating to the provision of permeable areas. If an area of proposed hard standing at the front of a dwelling house exceeds five square metres, it is required to be permeable (made of porous materials) or provision made to direct runoff water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling (part F of the General Permitted Development Order.
(http://www.legislation.gov.uk/uksi/2008/2362/pdfs/uksi_20082362_en.pdf)
- 6.8.14 Under Parts 8, 32, 41 and 42 of the 2010 amendments to the General Permitted Development Order, it is possible for Warehouses/Industrial, Schools, Offices and Shops/Retail to implement certain floor areas of hard standing without planning permission. Please refer to the 2010 amendments: <http://www.legislation.gov.uk/uksi/2010/654/contents/made>.

6.9 Step F: Discharge requirements

Discharge requirements

- (a) Drainage strategies must demonstrate adequate consideration of each stage of the Building Regulations **rainwater drainage hierarchy** before moving to the next discharge option.
- (b) New surface water connections to the **combined or foul systems** will not be permitted;
- (c) If the site is brownfield, options for use of SuDS must still be demonstrated ahead of discharge to **existing surface water sewer connections**
- (d) If the site is **brownfield and in an area of combined sewers**, the council and partners will seek betterment. It is expected through regeneration that surface water will be removed from the combined system and will be managed in line with the rainwater drainage hierarchy (see Figure 6-3). Alongside source control measures, sites will be expected to consider the full range of SuDS techniques. Since unattenuated discharge to sewers will not normally be permitted, sites finding little potential for many of the SuDS measures, will be expected to also consider on-site water re-use and recycling measures before final discharge; and
- (e) If the site is greenfield, the design of SuDS must take into account **original greenfield drainage** patterns and the rate of runoff must be no greater than the greenfield rate unless the adopting body is prepared to accept a different flow rates.
- (f) If an application site is **adjoining a watercourse**, once infiltration opportunities have been maximised it will be expected that any remaining flows from the development will drain to this watercourse;
- (g) Where a development will be discharging into an **Internal Drainage Board watercourse** or into the River Nene there are some specific circumstances where the council may allow a reduced level of attenuation prior to discharge to the watercourse. Source control and treatment of the 'first flush' of surface water will however still be required.

6.9.1 The [Buildings Regulations 2010 Part H3](#) (2002 edition incorporating 2010 amendments)³² provides a **rainwater discharge hierarchy**, shown below, that must be followed. As this demonstrates, discharge of surface water from new developments to a sewer should only be considered as a last resort:



³² <http://www.planningportal.gov.uk/buildingregulations/approveddocuments/parth/approved>

Figure 6-3: Rainwater drainage hierarchy

- 6.9.2 There will be **no new surface water connections to the combined or foul systems**. Where sewers take rainwater as well as foul, this puts significant pressure on the network in the event of heavy downpours. In an environment where urbanisation has increased the amount of surface runoff entering the sewers, the risk of both foul and surface water flooding is increased as capacity in the system is reduced.
- 6.9.3 The city council aims, where possible and appropriate, to reverse existing situations where surface water enters **combined sewers**. This measure applies to brownfield redevelopment sites where surface water has historically drained into combined and foul sewers. A map of the location of combined sewers in Peterborough can be found on the city council's [water management](#)³³ web pages. The city council and the local water company is seeking, through regeneration, to remove surface water discharging to combined sewers, leaving these to transport just foul water from existing and future developments. This work would be part of a partner project, ensuring suitable alternatives are explored.
- 6.9.4 **Discharge with reduced attenuation** of surface water may be appropriate to the River Nene from riverside sites, although source control for pollution management is still required. It is recognised that for riverside sites slowing down the discharge of water to the River Nene through the normally required attenuation measures might not be the preferred approach for wider flood risk management. In the event of large river flows coming down the River Nene from storms in Northampton, it might be better if Peterborough's surface water is removed from the system before these higher flows arrive. The city council is willing to consider this as an option for riverside sites subject to the developer undertaking modelling to justify that flood risk from the River Nene will not be increased under certain rainfall conditions if rapid discharge is allowed. If developers wish to pursue this route they should jointly contact the city council's Flood and Water Management Officer and the Environment Agency to discuss what modelling work is required. This could be considered if an application site is within an area managed by an Internal Drainage Board and the IDB is in favour of this proposal.

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http://www.peterborough.gov.uk/environment/flood_and_water_management/developers__landowners/water_management_documents.aspx

6.10 Step G: Water quality, biodiversity and habitat requirements

Water quality, biodiversity and habitat requirements

- (a) Opportunities to protect wildlife habitat or increase biodiversity on site should be taken ensuring that the wildlife requirements are fully compatible with the flood risk and drainage needs of the site.
- (b) All schemes must prevent deterioration of, or preferably enhance, water quality by reducing the risk of diffuse pollution in compliance with chapter 8. Where the ecological status of the affected water body is below 'good' or where biodiversity is particularly susceptible to change, a larger number of treatment stages might be required.
- (c) In designing infiltration systems, the depth of the water table must be appropriate for local peak groundwater levels, ensuring that no direct discharge to groundwater occurs from the SuDS.

- 6.10.1 The city council recognises that not all types of SuDS provide ecological benefits. However, the applicant is required to show that where practicable, the SuDS scheme will **benefit water habitats and biodiversity**.
- 6.10.2 As part of its role as the SuDS Approving Body, the city council is producing guidance to cover a range of different elements of the SuDS processes. The specially designed guides will cover information about the selection and/or encouragement of appropriate native planting and wildlife. These guides will be available on the city council's [water management web pages](#). High level biodiversity information is also available in the document *Integrating Biodiversity and Development; guidance notes for developers*. This document covers a variety of ways to incorporate biodiversity into development and is available from the planning pages of the [city council's website](#).
- 6.10.3 Chapter 8 provides more details guidance on the importance of protecting and enhancing water environments to meet the Water Framework Directive.
- 6.10.4 The **maximum acceptable depth** for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 metres clearance between the base of infiltration SuDS and peak seasonal groundwater levels. Deep bore and other deep soakaways present risks where aquifer yield may support or already supports abstraction. Deep soakaways increase the risk of groundwater pollution and direct discharge is not supported by WFD. If the surface of an infiltration system is too close to the water table, a rise in water levels during particularly wet periods could cause groundwater to enter the infiltration system, reducing the amount of storage available. Groundwater entering the infiltration system would also result in direct discharge from that infiltration system into groundwater, which may contravene permitting requirements and environmental legislation.

6.11 Step H: Health and safety, access and amenity requirements

Health and safety, access and amenity requirements

- (a) All SuDS schemes must be designed to ensure that the health and safety of people and animals is not put at risk. The environment created by SuDS must be a safe one. One of the council's SuDS objectives is to move away from the use of barriers by schemes being designed to be inherently safe. A **health and safety statement/risk assessment** must be submitted with all schemes to demonstrate that this principal has been applied;
- (b) If an application site adjoins a watercourse, development must be **set back** from it by a distance that allows appropriate access for maintenance or where relevant by the distance dictated in the byelaws of the responsible water management partner.
- (c) Schemes should consider how the site and incorporated **green infrastructure** can connect to the Peterborough Green Grid; and
- (d) All drainage schemes should have a **positive impact on the landscape**, create good quality spaces and where possible provide amenity value for residents

- 6.11.1 The Royal Society for the prevention of accidents (RoPSA) provides more detail guidance about safety around inland water sites. Their guidance is due to updated during 2013 to include more relevant references to sustainable drainage designs. Visit their [website](#) for further information and to read *Safety at inland water sites, 2010*.
- 6.11.2 An example of design that improves safety without the need for barriers is ensuring that the sides of SuDS features such as ponds and swales have very **gently sloping sides**. If a young children or elderly person can walk in they should be able to walk straight out again.
- 6.11.3 **Signage** can be an important accompaniment to larger SuDS features, but must not be used as a replacement for appropriate design. Those potentially at risk may not be able to understand the sign.
- 6.11.4 **Visibility** of and around the feature is also important, not only so that visitors are aware of the features, but also for the purposes of passive or active surveillance.
- 6.11.5 There must be appropriate space between the edge of a watercourse and development to allow for **access and the use of equipment** to maintain a watercourse. Even if maintenance of certain types is not envisaged initially consideration must be given to the long term situation. The required distance will vary according to the specific watercourse characteristics and any prescribed information contained within the byelaws of Peterborough's water management partners, see chapter 7.

- 6.11.6 Section 8.7.3 explains why **set back is also important for wildlife**, creating increased room for water based habitats and allowing wildlife access between habitats.
- 6.11.7 The inclusion of **green infrastructure** in development is of significant benefit in improving on-site drainage due to the increased interception and infiltration of water. SuDS can also provide an amenity for the local community when incorporated as part of well designed green infrastructure and provide opportunities to improve local biodiversity.
- 6.11.8 Further information about green infrastructure and *Peterborough's Green Grid Strategy* is available from the city council. The aim of the Strategy is to ensure that residents, visitors and wildlife have access to a complete network of open space for leisure, access and habitat.
- 6.11.9 The [Peterborough Trees and Woodlands Strategy \(2012\)](#)³⁴ provides information that could be useful when including trees within site design

6.12 Step I: Adoption and maintenance

Adoption and maintenance

- (a) All sites must have made provision for the **properly funded** management and maintenance of the sustainable drainage systems for the lifetime of the development

- 6.12.1 Until Schedule 3 of the Flood and Water Management Act is enacted, the responsibility for the **future maintenance** of drainage systems lies with the developer and hence it is possible that management companies will need to be established. The city council is however keen to support developers in finding alternative adoption arrangements. Where site discharge would naturally flow into the catchment of an Internal Drainage Board, discussions about adoption by the IDB would also be supported by the city council. The water and sewerage provider in Peterborough will also consider adoption of certain systems and developers may wish to enter discussions on this matter. Finally the city council also has the power to voluntarily adopt sustainable systems, with a commuted sum for maintenance, and hence developers may also wish to hold discussions with the Drainage Team about this option.
- 6.12.2 Once Schedule 3 is commenced the city council will become the approval and principal adoption body for surface water drainage systems. This should provide an increased level of certainty to developers about the intended procedures and pathways for their site drainage once construction has completed. It is expected that Defra will also confirm how the maintenance of

³⁴http://www.peterborough.gov.uk/environment/trees_and_hedges/trees_and_woodlands_strategy.aspx

on-site drainage systems should be funded in future. For further information and the latest updates please visit the [Defra website](#)³⁵.

³⁵ <http://www.defra.gov.uk/environment/flooding/legislation/>

7 Specific consents

7.1 When is consent required for works affecting watercourses?

- 7.1.1 If it is proposed to undertake **construction within the locality of, including over, under and within, a watercourse** a specific consent is needed from one of Peterborough's water management partners. This consent is not included within planning permission but may be sought at the same time.
- 7.1.2 The type of consent required and the distance from the watercourse for which it is needed depends on what area of Peterborough the site is in and the classification of the watercourse.
- 7.1.3 Consenting requirements may lead to **changes in design** or layout and hence developers are advised to contact the relevant partners (illustrated in section 3 and below) early in the design process to ensure a smooth path through the planning process.
- 7.1.4 Works that are in, over, under or within 9 metres of the top of the bank of a **main river** require Flood Defence Consent from the Environment Agency. Where the channel is embanked, consent is required for works 9 metres from the landward toe of the raised embankment.
- 7.1.5 **Ordinary watercourse consent** is required for works affecting the flow of an ordinary watercourse, i.e. any ditch, dyke or channel carrying water which is not designated as a main river. This consent will be required from Peterborough City Council unless the site is in an area managed by an Internal Drainage Board, in which case the IDB will manage the consent application.
- 7.1.6 To support the many provisions of the Land Drainage Act 1991, organisations managing ordinary watercourses are able to have **land drainage byelaws** setting out clearly the required practises in their area of management. The distance from a watercourse, for which permission needs to be sought for works, varies between organisations. Table 7-1 below sets out these distances for each organisation and indicates where copies of the byelaws are available online.
- 7.1.7 In general land drainage byelaws will cover issues such as those listed below. However, for a full list of the situations covered by byelaws or advice on how to gain approval please refer to the relevant organisation.
- Control of introduction of water into watercourses
 - Control of sluices
 - Diversion of stopping up of watercourses
 - Obstructions within a certain distance of the watercourse
 - Fishing
 - Repairs
 - Dredging
 - Mooring of vessels
 - Navigation of vessels

Table 7-1: The different types of consents required and when they are applicable

Watercourse type	Consent required	Byelaw distance from watercourse	Organisation	Related legislation	Where to access the byelaws or relevant information
Main river	Flood defence	Within 9 metres	Environment Agency	Water Resources Act 1991	Contact the local Environment Agency office.
Ordinary watercourse	Land drainage byelaw	Within 20 metres	Middle Level Commissioners	Land Drainage Act 1991	http://www.middlelevel.gov.uk/docs/Byelaws/mlc.pdf
		Within 9 metres	North Level District IDB		http://www.northlevelidb.org/administration/byelaws
		Within 7 metres	Peterborough City Council		http://www.peterborough.gov.uk/pdf/PCCLandDrainageByelaws.pdf
		Within 9 metres	Welland and Deeping IDB		http://www.wellandidb.org.uk/byelaws
		With metres	Whittlesey and District		Contact http://www.wcidb.org.uk/
	Land drainage ordinary watercourse	Within channel or affecting flow	Depends on site location	Land Drainage Act 1991 and Flood and Water Management 2010	http://www.peterborough.gov.uk/water

8 Guidance on water quality and aquatic environments

(to assist implementation of Planning Policies DPD policy PP16 and support Core Strategy DPD policy 12)

8.1 Context

8.1.1 This chapter provides guidance to assist implementation of point (d) of policy PP16 -The Landscaping and Biodiversity Implications of Development (see section 2.4.14 for the policy text). Part (d) has been driven by the Water Framework Directive – 2000/60/EC (WFD). Chapter 2 introduces the aims and requirements of this Directive.

8.2 Requirements of the Water Framework Directive

8.2.1 An important element of the WFD is the requirement for member states to aim to achieve 'good ecological status' in all surface freshwater bodies by 2015. This objective relates to the water body having biological, chemical and structural characteristics similar to those expected in nearly undisturbed conditions.

8.2.2 The Directive also sets out the need for there to be '**no deterioration**' in the ecological potential of the water environment. Development proposals affecting the water environment may impact the biological, hydromorphological, physicochemical and/or chemical quality elements. Impacts leading either to deterioration in the status of a water body or to the water body being unable to achieve its WFD objectives are unlikely to be permitted. New activities and schemes **must be assessed** to identify if they will:

- cause deterioration, or
- lead to failures to achieve ecological objectives.

8.2.3 For surface waters, 'good ecological status' is a statement of overall status, made up of ecological and chemical components. This is illustrated in Figure 8-1 below. A range of elements are measured in each water body, such as priority substances (e.g. lead) and physical structure (hydromorphology). Classification is produced based on a 'one out, all out' principle, so that the poorest individual element result sets the overall status. For groundwater good status has a qualitative component and a chemical component.

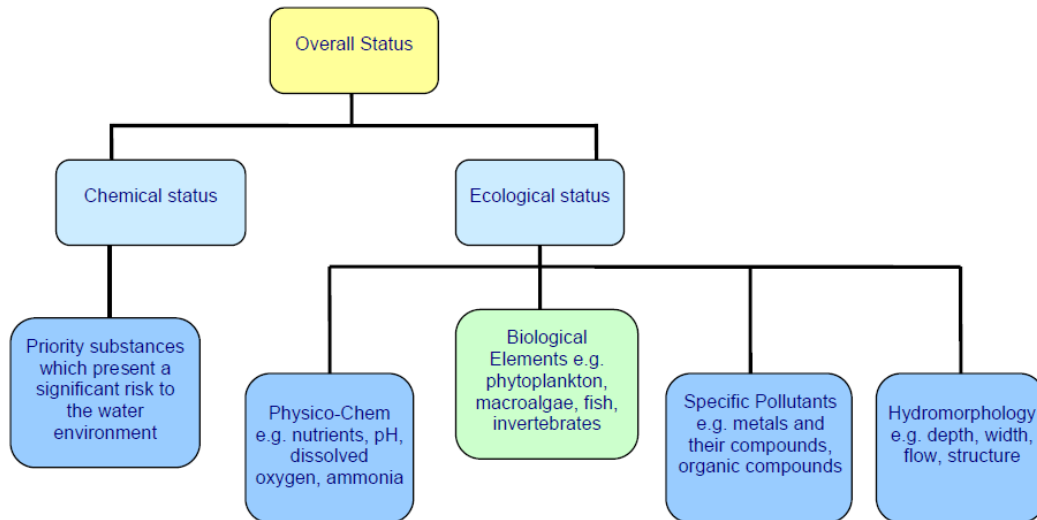


Figure 8-1: Elements making up the WFD status of a water body

- 8.2.4 The **Anglian River Basin Management Plan**, produced by the Environment Agency details pressures facing the water environment and actions that need to be taken by all partners in order to meet the requirements of the directive in the Anglian region.
- 8.2.5 The Water Framework Directive **applies to all waters** including inland surface waters, groundwater and transitional and coastal waters independent of size and characteristics.
- 8.2.6 Every river has a defined catchment area within which changes can affect the watercourse. However the reporting mechanism used in River Basin Management Plans is based upon a single river line within each catchment. The river line is an over simplified representation purely for larger scale reporting and provides an average for the catchment. This means that the potential or status of an individual watercourse could in fact be better or worse than indicated by the related water body status. Developers proposing large or industrial developments are strongly encouraged to liaise with the Environment Agency at any early stage in the planning process to gain further local information.
- 8.2.7 Information about locally reported water bodies is provided in Table 8-1 below.
- 8.2.8 Natural rivers with, for example, meandering courses and native vegetation tend to create good habitats for wildlife and may have a higher ecological status than a modified or artificial watercourse. The majority of watercourses in Peterborough are, however, not in their natural state. Modifications such as channel straightening or dredging have taken place over centuries for reasons such as transport, urbanisation, land drainage and flood defence. In most cases in Peterborough the rivers still serve these important purposes and hence channels cannot just be returned to a more natural state. Such watercourses have been designated as **heavily modified or artificial water bodies** by the WFD and are given the alternative objective of **'good ecological potential'**. This is the best ecology possible without compromising the use of the water body for which it has been designated. There are actions

that can be taken to help increase the ecological potential of these heavily modified or artificial watercourses, as discussed in section 8.7.6.

8.2.9 Table 8-1 illustrates the status of the locally reported watercourses. In the event that measures to improve a heavily modified or an artificial watercourse cannot easily be taken without affecting the important role that the watercourse plays, the legislation recognises this and water bodies may not require further assessment on a specific topic.

Table 8-1: A summary of the classification of the locally reported water bodies within Peterborough. This should be taken only as an indicator. Further consultation with the Environment Agency is encouraged.

Water body (or group of)	Water body reporting ID	Hydromorphology designation	2009 Ecological Potential	2009 Chemical Status	2015 Predicted Ecological Status / Potential	2015 Predicted Chemical Status	Priority
Welland (western boundary of Peterborough)	GB105031 050580	Heavily modified	Poor	Good	Poor	Good	High
Welland (north west boundary of Peterborough)	GB105031 050600	Heavily modified	Moderate	Good	Moderate	Good	Medium
Welland (north and east of Peterborough)	GB105031 050680	Artificial	Moderate	Good	Moderate	Good	High
Maxey Cut (WFD reference is Welland near Peakirk)	GB105031 050590	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Folly River	GB105031 050560	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Werrington Brook and Marholm Brook	GB105031 050540	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Brook Drain	GB105031 050570	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Southorpe Brook	GB105032 050370	Not designated as heavily modified or artificial	Moderate	Assessment not required	Moderate	Assessment not required	Medium

Water body (or group of)	Water body reporting ID	Hydromorphology designation	2009 Ecological Potential	2009 Chemical Status	2015 Predicted Ecological Status / Potential	2015 Predicted Chemical Status	Priority
Wittering Brook	GB105032050360	Not designated as heavily modified or artificial	Good	Assessment not required	Good	Assessment not required	Medium
River Nene (through Peterborough)	GB105032050381	Heavily modified	Moderate	Fail	Moderate	Fail	Medium
Morton's Leam and the Counter Drain	GB105032050382	Artificial	Moderate	Fail	Moderate	Good	High
Kings Dyke (WFD ref: Old River Nene)	GB70510037	Heavily modified	Good	Assessment not required	Good	Assessment not required	Medium
River Nene Old Course (WFD Ref: Middle Level Navigations)	GB70510035	Artificial	Good	Assessment not required	Good	Assessment not required	Medium
Stanground Lode	GB105032050340	Heavily modified	Moderate	Good	Moderate	Good	Medium

8.2.10 Most development near a river or watercourse will have the potential to impact on the water quality and, in turn, on the biodiversity of the water body.

8.2.11 There are other benefits to Peterborough of improved water quality, other than ecological ones. These include reducing the damage caused to people and property by flood waters and reducing the impacts of pollution on waterlogged archaeology. The latter is a potentially relevant issue in Fen areas.

8.3 Assessment of the impacts

8.3.1 The Environment Agency and the city council have a duty to ensure that WFD requirements are met by new development. They will therefore screen the development, during the planning process, based on three issues in this order of importance:

- **Causing harm** - Does the development have the potential to cause deterioration in the WFD status of a water body?
- **Preventing restoration** - Does the development prevent future improvement to the water body and therefore prevent it from reaching good ecological status/potential?
- **Taking positive action** – Are there opportunities for development to assist with improving the ecological status of water bodies and meeting WFD objectives.

8.3.2 Development which may require a WFD assessment includes, but is not limited to:

- Development within 20 metres of a watercourse where changes are proposed to the channel or bank form or where the long term management of the watercourse would be affected
- Development requiring EIA for reasons linked to the water environment.
- New water infrastructure
- Developments on contaminated land

8.3.3 In the event that a development in Peterborough requires a Water Framework Directive assessment, guidance is provided in Appendix C as to what would be expected. The Environment Agency may be able to provide additional guidance. Should future formal national guidance be released in this area then it will supersede the information in Appendix C. No WFD assessments have been required or undertaken in Peterborough as of 2012.

8.4 How do people and development influence the WFD status of rivers?

8.4.1 The following development-related factors can influence the WFD status of rivers:

- a) **Water supply, demand and abstraction**
- b) **Wastewater discharge**
- c) **Site drainage**
- d) **Location of development or works, in relation to water bodies**
- e) **Land contamination**
- f) **Highway provision**
- g) **Minerals and waste planning**
- h) **Tourism, recreation and navigation**
- i) **Community engagement**

8.4.2 The city council is keen that local policy supports the implementation of the European Directive and that development in Peterborough does not compromise, but rather aids, achievement of WFD requirements. The following section gives further explanation of how development affects the WFD status of watercourses so that this can be borne in mind by developers and planners in both planning decisions and future policy.

8.5 Water supply, demand, abstraction and wastewater discharge

8.5.1 If the water supply or wastewater discharge needs of any future development are likely to cause deterioration in WFD status, the city council and

developers will need to take this into consideration and **manage or determine impacts** accordingly. In some cases the city council and its partners may require an appraisal to be carried out to indicate how the works as a whole will affect the WFD status of the watercourse. When the control and monitoring of such water related issues need to be addressed in the planning process the city council takes advice from the Environment Agency, local Internal Drainage Boards and the local water and sewerage provider.

- 8.5.2 The supply of drinking water to Peterborough involves abstraction from the Nene. When water is removed from a river it can reduce water quality due to reduced dilution of pollutants. Regulations/ Standards are in place between the Environment Agency and the water company to ensure that most of the time water levels within the river are maintained at an appropriate level for fish and other wildlife. However, in drought periods or with increasing demand water companies may need to apply for a permit to increase abstraction, and hence reduce river levels.
- 8.5.3 New development also leads to an increase in demand for sewerage services and hence increased discharge flows from sewage treatment works (STW). Sewage effluent is collected and directed to the closest STW. For urban Peterborough this is at the Flag Fen and hence the impact of additional flows is likely to be some distance from the development site. It is important therefore that these are not forgotten as wastewater impacts can still be significant. Further information is provided in the Water Cycle Study and the Wastewater addendum.
- 8.5.4 If the local water and sewerage company reaches a point where it needs to apply for a permit for increased discharge flows from a STW, it is likely that the water quality limits will be tightened. This will be intended to aid achievement of the water quality objectives of the receiving water body under the WFD. The Counter Drain, into which the treated effluent from Flag Fen STW is discharged, currently has a chemical status of 'poor' and hence is far from reaching 'good' by 2015. Where consent limits are not achievable in terms of sustainability or scope for extending the treatment works, planning issues may arise and strategies for foul drainage and treatment should be investigated. Core Strategy policy CS12 (Infrastructure) requires that there is **sufficient infrastructure capacity to support new development**. This may require the phasing of development in line with infrastructure provision, in order to avoid environmental damage / WFD non-compliance.

8.6 Site drainage

- 8.6.1 Decisions made about how to drain a site need to consider the impacts on the **downstream water environment**, both in terms of flood risk and water quality. The Water Framework Directive does not allow for any deterioration in the downstream environment as well as in water bodies that are adjacent to or part of the site. An example of when deterioration could occur is if surface runoff, e.g. from construction, resulted in an increase in sediment being carried into the watercourse and then downstream within the catchment.
- 8.6.2 Where sewers are combined, taking both surface water and foul, heavy rainstorms leading to increases in the surface water flows can result in foul flooding. To reduce the likelihood of this causing damage, combined sewer overflows (CSOs) exist in certain locations. When the capacity of the sewer is reached, spills will result from the CSO into watercourses to reduce the

pressure in the system. The connection of surface water and highway drainage to combined sewers therefore increases the risk of flooding and pollution from CSOs and STW storm discharges. The transfer and treatment of this surface water is not normally sustainable. **Increases in flows should therefore normally be avoided upstream of CSOs.** Where this is not possible, if development will lead to an increase in population of more than ten percent in the wastewater catchment upstream of a CSO, the impact of growth should be assessed using Urban Pollution Manual (UPM) techniques to determine the mitigation required. Developers will be advised by Anglian Water and/or the council if there are CSO(s) near their site. Where the impact on the CSO is expected to be an issue, this should be included in the site's EIA or WFD assessment.

- 8.6.3 In order to reduce the frequency and duration of spills from CSOs, it is important to ensure that opportunities to **divert surface water and highway drainage from combined sewers** are fully explored.
- 8.6.4 As water runs over land it picks up pollutants and transports them ultimately into watercourses. Runoff from roads can contain heavy metals and hydrocarbons and run-off from farmland is more likely to contain nitrates and sediment. The impacts of this diffuse pollution can have serious implications for water quality and the WFD. Improving the quality of discharge from sites is one of the key aims of sustainable drainage systems, as discussed in section 6.10. By filtering runoff and slowing down flows **SuDS can significantly reduce the impacts of pollution** through mechanisms such as infiltration, filtration and evapotranspiration. SuDS can also create habitat for wildlife, which may help to improve the ecological potential of nearby waterbodies.
- 8.6.5 Management of **surface water flows during construction** is very important in order to prevent construction debris entering nearby watercourses.
- 8.6.6 In the long term, drainage related issues for many sites will be dealt with by the SuDs Approving Body (SAB) as part of Defra's intended SuDS approval process that will run alongside the planning process. The water quality of site drainage will therefore also become a potential SAB issue as well as a planning consideration.

8.7 Development location

- 8.7.1 Since the Water Framework Directive applies to all water bodies the location of development within Peterborough is not specifically relevant. However, the development's position within a catchment or its proximity to a watercourse can be relevant.
- 8.7.2 Location within a catchment will affect how many different watercourses the site drainage could impact on and whether or not the development could be a driver for improvement opportunities for a specific watercourse.
- 8.7.3 Proximity to a watercourse is relevant where, for example, development or engineering works could affect the ability of a water management partner to access, maintain or improve the water body, or where it could affect the flow in a watercourse. **Riverside development must therefore be set back a reasonable distance from the waters edge**, allowing a corridor between the two environments. While this corridor is crucial for access for maintenance, it is also the most effective means of ensuring there is potential for habitat and

ecological benefits. Appropriate form and landscaping of the riverbanks can then be fulfilled through good design. The distance of 'set back' may vary depending on the size of the watercourse, the type of maintenance that is required and the organisation responsible for maintenance. The distance will therefore be determined on a case by case basis with developers bearing in mind the need for access and green infrastructure.

- 8.7.4 Special consent is required from Peterborough's water management partners for development that takes place inside or within a certain distance of a watercourse. Chapter 7 explains what consents are needed, under what legislation and from which organisation. As well as the development or engineering works having the potential to affect flood risk, works (such as river straightening, dredging, putting in physical structures and impoundments and hard engineering) also all have the potential to cause deterioration and prevent WFD objectives being met. These works therefore require a level of WFD assessment.
- 8.7.5 Riverside development is likely to want to make the most of the river to enhance the aesthetics of the location. When landscaping measures are carried out these should be co-ordinated with the Environment Agency and other relevant partners in case methods would also provide ecological benefits or to help facilitate a locally desired partner project. **Naturalisation and improvement of river banks** and the surrounds of water environments has the most direct and measurable impact on water bodies and their status. Where hard surfaces or bank edges currently exist softening and planting the banks can make a significant contribution to biodiversity; creating and improving habitats for native species. It is recognised that there is significant scope in Peterborough for such improvements to be made and hence part (d) of policy PP14 in the Planning Policies DPD specifically addresses this issue.
- 8.7.6 Where a watercourse must still serve a function for which it has been modified or was originally created, naturalisation and habitat measures may need to be more subtle since they must not, for example, increase flood risk. This could be the case in Peterborough with some of the **watercourses in fenland areas** which are managed by an Internal Drainage Board. Smaller changes such as the installation of fish passes alongside pumping stations or bank-side planting can be particularly valuable to improve the habitat for native species.
- 8.7.7 The Environment Agency's [online mitigation manual](http://evidence.environment-agency.gov.uk/FCERM/en/SC060065.aspx)³⁶ provides examples of methods currently used (where appropriate to individual sites) to bring about river naturalisation and improve the ecological potential of Main Rivers.

8.8 Highways

- 8.8.1 There are several ways in which highways can interact negatively with water bodies. Construction waste and discharge points for highway drainage are important as discussed in section 8.6. Three other examples are also given here:

³⁶ <http://evidence.environment-agency.gov.uk/FCERM/en/SC060065.aspx>

- Where a bridge crosses a watercourse or a road runs down towards a river surface water exceedance flows may lead water to run off these surfaces directly into a water body, taking heavy metals and hydrocarbons with it.
- The design of new bridges may require river edges to be strengthened and hardened on both sides potentially cutting off a wildlife corridor.
- Culverting of a watercourse under a carriageway causes a loss of morphological diversity and habitat continuity which may interrupt the migration routes of animals. The newt tunnels installed at Hampton in Peterborough are a very good example of how action has been taken to mitigate such an impact.

8.9 Land Contamination

- 8.9.1 Groundwater beneath development sites can provide base flow to surface waters. **Ground conditions on brownfield land potentially affected by contamination** should therefore be investigated prior to decisions being made about site layout and design of drainage systems.
- 8.9.2 If there is potential for land contamination on site then this can have effects on more areas than just drainage and water environments. Policy PP20 in the Planning Policies Development Plan Document therefore requires that on sites with the potential to be affected by contamination a **preliminary assessment** should be carried out prior to a planning decision being made. This will identify if additional measures and investigations need be carried out before development should commence. Pre-application advice can be sought from the city council and the Environment Agency to ensure a smoother planning application process.
- 8.9.3 Planning conditions can usually control pollution during construction, but this are not appropriate for land contamination, which should be addressed in principle **prior to development decisions**. This is discussed in policy PP20 of the Planning Policies DPD.
- 8.9.4 Soakaways and other infiltration based sustainable drainage systems (SuDS) should not be constructed within contaminated ground. **Non-infiltration based SuDs** should be considered as an alternative. Section 6.10.4 provides further information on appropriate infiltration depths to prevent groundwater contamination.
- 8.9.5 Developers seeking further guidance about land contamination should visit <http://www.environment-agency.gov.uk/research/planning/33706.aspx> and refer to any guidance produced by government or by nationally recognised planning and/or contamination based organisations. The following Environment Agency documents may be of use:

- Risk management framework provided in CLR11 ‘model procedures for management of land contamination’; and
- EA’s ‘Guiding Principles for Land Contamination’ for the type of information required in order to assess risks to controlled waters from the site.

8.10 Minerals and waste planning

8.10.1 Developers should address site restoration options for minerals and waste sites at an early stage. The options for restoration can be an important factor in both the viability and suitability of a site for mineral extraction.

8.10.2 The restoration of minerals and waste sites to water habitats can:

- Offer opportunities to assist with creating areas for flood storage or with meeting water supply objectives. These must be incorporated within restoration schemes where there is a demonstrated need for them.
- Provide opportunities for biodiversity improvements
- Reduce the risks of pollution and enable natural groundwater flows to be maintained
- Offer local amenity benefits

8.10.3 Landfill sites have to have stringent controls in place to ensure contaminants are contained, controlled and treated. Leachate from a landfill site will be controlled separately from surface water to ensure no contamination occurs. Other types of waste sites where there is the potential for surface water contamination need to be controlled through ensuring appropriate sealed drainage systems are in place. Without these measures or in the case of spills significant pollution could result causing a deterioration of water quality and the ecological potential of the watercourse.

8.11 Tourism, recreation and navigation

8.11.1 The use of water bodies for leisure can bring both positive and negative impacts. Through enjoyment visitors can become more aware of how pleasant water environments can be and often watercourses and lakes, for example, might be improved aesthetically to encourage increased visitor interest. Where aesthetics favour natural presentation, measures may increase ecological potential. Conversely, trampling, litter and polluting emissions from boats may cause deterioration in the quality of an aquatic environment. Development wishing to make use of water bodies for leisure and recreation will need to consider the impacts of the specific uses. There is a risk that the insertion of structures and physical modifications to the watercourse, for example to facilitate boating, could potentially cause deterioration and therefore be non-compliant with the WFD.

8.12 Community engagement

8.12.1 Waterside development that encourages communities and companies to interact positively with their environment will be encouraged and commended. Informed and interested communities can do a lot to protect water resources that are important to them. This is demonstrated locally by the Peterborough RiverCare groups which have been established locally with help from Anglian Water. Such groups may carry out very beneficial works on a voluntary basis

such as undertaking wildlife surveys or removing litter or non-native invasive species from watercourses. Local people may also be able to help implement some WFD mitigation measures.

9 Implementation and monitoring

9.1 Delivery partners

9.1.1 Those that will help to deliver this SPD and put flood risk and water management policies into action are:

- Peterborough City Council
- Applicants and their agents
- The Environment Agency
- Anglian Water
- North Level District Internal Drainage Board
- Middle Level Commissioners
- Welland and Deeping Internal Drainage Board
- Whittlesey and District Internal Drainage Board

9.1.2 Appropriate indicators and targets have been identified to monitor the effectiveness of Core Strategy policy CS22 and Planning Policies policy PP14, which are set out in Table 9-1 below. An additional indicator has been developed on surface water flows into sewers. The results of annual monitoring will identify which policies are succeeding, and which need revising or replacing because they are not achieving the intended effect.

Table 9-1: Indicators and targets for this supplementary planning document

Indicator	Target
Number of brownfield developments reducing surface water flows into sewers.	All developments should minimise surface water discharge to the public sewer.
Number of planning permissions granted contrary to advice from the Environment Agency on WFD and water quality grounds and which adversely affect a waterbody's potential to achieve statutory WFD targets.	WFD assessments undertaken where detriment is possible and no planning permissions granted contrary to the advice of the Environment Agency.
Number of planning permissions granted contrary to advice from the Environment Agency on flood risk grounds	No planning permissions granted contrary to the advice of the Environment Agency.
Number of planning permissions granted contrary to the advice of any of Peterborough's water management partners	No planning permissions granted contrary to the advice of Peterborough's water management partner organisations
Number of new dwellings in flood zones 3b.	No dwellings in 3b.
The number of new dwellings on Greenfield sites in flood risk zones 3a and 3b.	None in 3a and 3b.
Number of permissions that are contrary to the SuDS guidance contained in this SPD.	None contrary to the SuDS guidance.

10 Glossary and acronyms

10.1 Glossary

Abstraction of water – the process of taking water from any source. Most abstracted water is treated to produce drinking water or used for irrigation.

Amenity - a general term used to describe the tangible and intangible benefits or features associated with a property or location that contribute to its character, comfort, convenience or attractiveness.

Annual flood Probability - The estimated probability of a flood of given magnitude occurring or being exceeded in any year. Expressed as, for example, 1-in-100 chance or 1 per cent.

Attenuation / detention of water – the process of slowing down the rate of flow usually to reduce peak flow downstream.

Biodiversity – all species of life on earth including plants and animals and the ecosystem of which they are all part.

Breach mapping – Mapping undertaken to show the extent of flooding resulting from a breach in defences. The likelihood of breaching is not considered. There are two types of breach modelling normally undertaken to assist with the preparation of site emergency plans. The first shows the maximum extent of one or more breaches. This information is required by the Environment Agency and is included in Peterborough's Strategic Flood Risk Assessment FRA Level 2. The second type of modelling involves modelling the spread of flood water from a breach over time so that the gradual impact on a development site can be assessed. This type of mapping does not exist centrally for Peterborough and developers in defended areas may need to undertake this modelling as carrying out the Flood Risk Assessment. The parameters, location and boundary condition of breach modelling should always be agreed with the Environment Agency before work begins.

Catchment – an area that serves a river with rainwater, this is every part of the land where the rainfall drains to a single watercourse is in the same catchment

Combined sewers – A sewer which carries foul sewage and surface runoff in the same pipe

Conveyance – movement of water from one location to another

Cross connections – any possible connection between a public surface water sewer and a foul sewer that could cause contamination

Defra – Department for Environment, Food and Rural Affairs

Discharge – Rate of flow of water.

Ecology – The study of environmental systems, particularly the relations of organisms to one another and to their physical surroundings.

Exceedance flow – Excess flow that emerges on the surface once the conveyance/carrying capacity of a drainage system is exceeded.

Exceedance routes – The route that exceedance flows take across the land

First flush – The initial runoff from a site/catchment following the start of a rainfall event. As runoff travels over a catchment it will collect pollutants and the "first flush" portion of the flow may be the most contaminated as a result. This is especially the case for intense storms and in small or more uniform catchments. In larger or more complex catchments pollution wash-off may contaminate runoff throughout a rainfall event.

Flood and Water Management Unit – an area of Peterborough identified as having similar flood risk and drainage characteristics

Floodplain - Area of land that borders a watercourse, an estuary or the sea, over which water flows in time of flood, or would flow but for the presence of flood defences where they exist.

Flood storage - The temporary storage of excess runoff or river flow in ponds, basins, reservoirs or on the floodplain during a flood event.

Flood zones – The national flood zones as mapped by the Environment Agency cover all watercourses with a catchment greater than 3 km² i.e. they cover some ordinary watercourses as well as all main rivers.

Functional floodplain – Land where water has to be stored in times of flood. This includes the land which would flood with an annual probability of 4% (1 in 25), as agreed between Peterborough City Council and the Environment Agency, and water conveyance routes and flood storage areas (sometimes referred to as washlands).

Greenfield land – land which has not been developed before, other than for agriculture or forestry buildings or buildings associated with parks, recreation grounds and allotments.

Green Infrastructure – a network of protected sites, nature reserves, green spaces, waterways and greenway linkages (including parks, sports grounds, cemeteries, school grounds, allotments, commons, historic parks and gardens and woodland). It offers opportunities to provide for a number of functions, including recreation and wildlife as well as landscape enhancement.

Green roof – a roof purposely covered in vegetation to retain, attenuate and treat water run-off and to contribute to local biodiversity

Hazard modelling – Modelling undertaken to demonstrate the hazard rating and 'hazard to people' classification of the failure and/or overtopping of defences. The velocity and depth of flooding is calculated and from this the hazard rating determined. Flood hazard ratings can be interpreted to provide 'hazard to people' classifications. Advice on this and modelling parameter should be sought from the Environment Agency.

Infiltration – the soaking of water into the ground.

Internal Drainage Board – a type of operating authority which is established in areas of special drainage needs in England and Wales with permissive powers to undertake work to manage water levels within drainage districts. Middle Level Commissioners is not technically an Internal Drainage Board although it undertakes many of the same roles.

Local Development Framework - the collective term for the whole package of planning documents which are produced by a local planning authority to provide the planning framework for its area.

Local Resilience Forum – a multi-agency partnership made up of representatives from local public services, including the blue-light emergency services, local authorities, the NHS, the Environment Agency and other partners.

Main rivers - watercourses designated as such on statutory main river maps held by the Environment Agency and Defra and can include any structure or appliance for controlling or regulating the flow of water in or out of a channel. The EA has permissive powers to carry out maintenance and improvement works on these rivers.

Ordinary watercourse - An Ordinary Watercourse is defined as any watercourse not identified as a main river on maps held by the Environment Agency and Defra.

Padholme Catchment – a catchment of Peterborough which drains to Padholme Drain, a main river.

Peak fluvial flow – the maximum flow rate of water in a river during a particular period

Permeable surface - A surface that is formed of material that is itself water resistance but, by virtue of voids formed through the surface, allows infiltration of water to the sub-base – for example, concrete block paving.

Rapid Inundation Zone – In Peterborough the eastern part of the unitary authority is currently protected by defences along the River Nene. A rapid inundation zone is an area which is at risk of rapid flooding should a flood defence structure be breached or overtopped. The zones at highest risk of rapid inundation are typically located close behind the defences. N.B the EA no longer use this term widely but the Core Strategy and PPS25 make use of this term. Hazard and breach mapping are now used to better define the residual risk of a site. The SFRA Level 2 contains hazard mapping for the Nene.

Residual risk – the risk that remains after all risk avoidance, reduction and mitigation measures have been implemented

Runoff - Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable or saturated, or if rainfall is particularly intense.

Sustainable drainage systems – a sequence of management practises and control structures often referred to as SuDS, designed to drain water in a more sustainable manner than some convention techniques. Typically these are used to attenuate runoff from sites.

10.2 Acronyms

DEFRA – Department for Environment, Food and Rural Affairs

FRA – Flood Risk Assessment

FWMA – Flood and Water Management Act (2010)

IDB – Internal Drainage Board

LDF – Local Development Framework

LLFA – Lead Local Flood Authority

NPPF – National Planning Policy Framework

PFRA – Preliminary Flood Risk Assessment

PPS – Planning Policy Statement

SAB – Sustainable Drainage Systems Approving Body

SFRA – Strategic Flood Risk Assessment

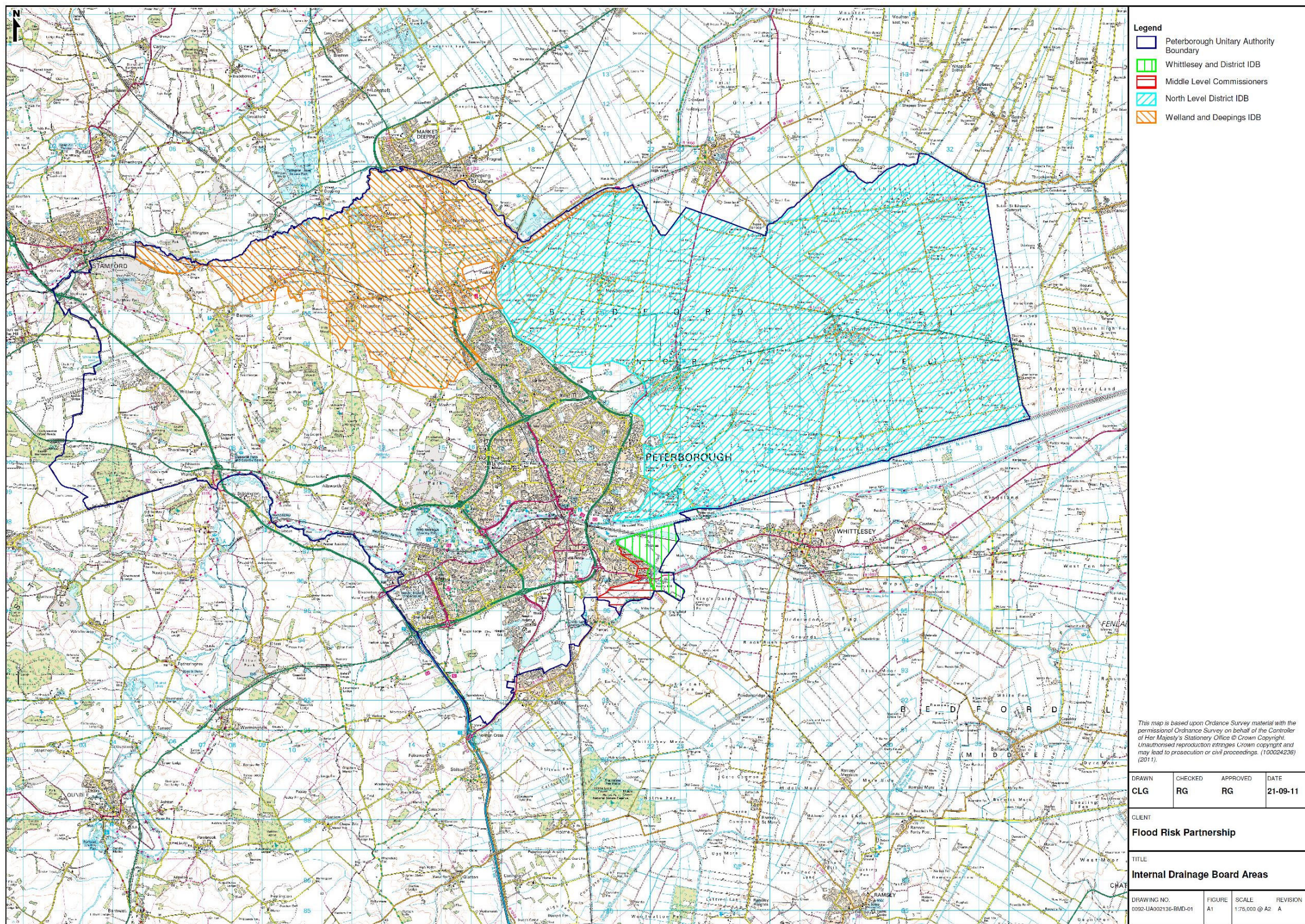
SPD – Supplementary Planning Document

SuDS – Sustainable Drainage Systems

SWMP – Surface Water Management Plan

WFD – Water Framework Directive

Appendix A - Internal Drainage Board areas



Appendix B - Using Sustainable Drainage Systems

Sustainable Drainage Systems (SuDS)

A range of different SuDS approaches exist and these can and should be used in combination to suit the circumstances of different development sites. The **SuDS management train** is discussed in section 6.8.4 of the Flood and Water Management SPD and further information is provided below.

Table B.1: Broad categories for how SuDS are used across a development. Source: National SuDS Working Group (2004) Interim Code of Practice for Sustainable Drainage Systems.

SuDS approach (stage in management train)	Description
Prevention	This involves the prevention of significant run-off or pollution through the sensitive design and management of development sites. Preventative measures include limiting the extent of hard surfaces, rainwater harvesting and sweeping roads and car parks to remove pollutants.
Source Control	The control of run-off at or close to its source, through the use of SuDS including permeable paving or green roofs, can limit negative impacts associated with run-off. Source control can be for quantity (flow control) and quality purposes.
Site Control	SuDS approaches used within or local to a site, for example within an industrial estate. Run off from upstream within the site is directed into SuDS components that encourage infiltration, attenuation, storage and passive treatment of polluted run-off.
Regional Control	Run-off from several sites, for example an industrial estate, retail park and housing development, can be directed into a pond or wetland site where it can filter into the ground which also enables its pollution load to be lessened. (NB the term 'regional' should not be confused with administrative regions, which are much larger).

Drainage control functions of SuDS

SuDS components perform one or more of control functions which help to address the flood risk, water quality and water resource challenges associated with conventional drainage.

Infiltration components allow water to drain into the soil in order that the quantity of surface run- and the quantity of water reaching watercourses can be reduced; polluted run-off can be treated as part of the infiltration process; and groundwater sources can be recharged (as long as there is no chance of contamination).

Detention and attenuation components lessen the speed at which the water is conveyed and usually reduce the quantity of run-off downstream. By providing passive treatment, these SuDS components can also improve water quality.

Treatment components improve water quality through sedimentation; filtration; biodegradation; adsorption; volatilisation; precipitation, nitrification and/or the absorption of pollutants by plants.

SuDS components

Table B.2 provides information about a range of different SuDS components. Often the components may perform several of the four SuDS functions described earlier.

Table B.2: Overview of different types of SuDS components

Drainage component	Description
Basins, ponds and wetlands	These devices, which are a key technique for site and regional control, receive and store surface run-off from other SuDS schemes within the surrounding area. They offer the benefits of attenuating the flow of surface water, providing a storage function, and improving water quality through filtration, sedimentation and biodegradation (for example, through the use of reed beds). Ponds and wetland, which usually retain water (in contrast to basins which are usually dry), can act as a wildlife habitat (for pollution tolerant species) and a focus for recreation activities.
Filter drains	Often linear drains filled with permeable material, these are a form of source control that can be used to improve the quality of water directed into them. They can also help to attenuate flow of run-off before it reaches a sewer or watercourse.
Filter strips	These are generally sloping areas of land, planted with grass and /or shrubs, and usually lie between a hard surface and a water body such as a stream or lake. Surface run-off is directed through the filter strip, thereby attenuating the flow, allowing for infiltration and the removal of pollutants. Filter strips and drains can be used in individual developments or as an element of a SuDS approach covering a larger site.
Green roofs	Roofs covered by turf can intercept rainwater at source, thus reducing run-off rates. They can also provide a treatment function by absorbing pollutants. Moreover, green roofs can encourage biodiversity.
Infiltration trenches and soakaways	Where ground conditions are suitable, infiltration devices such as trenches or soakaways in urban parks can be used to facilitate the absorption of run-off generated across a development site. In doing so, they also improve water quality via filtration and by encouraging the breakdown of organic matter.
Permeable surfaces	Permeable surfaces act as a form of source control and can be used in urban areas for car parks and pavements. They are made from materials that allow infiltration, and also help to filter out pollutants and aid the biodegradation of organic matter.
Rainwater harvesting	Rainwater harvesting, such as collecting run-off from roofs in water butts, can provide water for non-potable uses such as flushing toilets and watering vegetated areas. It is a preventative measure as run-off volumes are directly reduced.

Drainage component	Description
Swales	Swales are a form of source control. They consist of grass verges or channels designed to convey rainwater run-off allowing for infiltration, attenuation of flow and a reduction in sediment load and pollution levels.

Overview of the characteristics of different SuDS components

Table B.3 below can be used to help identify which SuDS components might be useful as part of a site's overall drainage system. The table sets out:

- different types of SuDS components
- where the components can fit in the SuDS management train
- how the components store and remove water
- whether the components can improve water quality
- the environmental benefits including aesthetics, amenity and ecology

Table B. 3 SuDS components and their characteristics
(adapted from the CIRIA SuDS Manual table 1.7)

SuDS component	Management train suitability						Water quantity				Water quality	Environmental benefits		
	Prevention	Conveyance	Pre-treatment	Source control	Site control	Regional control	Conveyance	Detention	Infiltration	Water harvesting	Water quality improvements processes	Aesthetics	Amenity	Ecology
Water butts, site layout & management	✓	◇		✓			◇	◇	✓	◇	◇	◇	◇	◇
Permeable pavements	✓			✓	◇			✓	✓	◇	✓	◇	◇	◇
Filter drain		✓		✓	◇		✓	✓			✓			
Filter strips			✓	✓			◇	◇	◇		✓	◇	◇	◇
Swales		✓		✓	✓		✓	✓	◇		✓	◇	◇	◇
Ponds					✓	✓		✓	◇	✓	✓	✓	✓	✓
Wetlands		◇			✓	✓	◇	✓		✓	✓	✓	✓	✓

SuDS component	Management train suitability						Water quantity				Water quality	Environmental benefits		
	Prevention	Conveyance	Pre-treatment	Source control	Site control	Regional control	Conveyance	Detention	Infiltration	Water harvesting	Water quality improvements processes	Aesthetics	Amenity	Ecology
Detention basin					✓	✓		✓			✓	◇	◇	◇
Soakaways				✓					✓		✓			
Infiltration trenches		◇		✓	✓		◇	✓	✓		✓			
Infiltration basins					✓	✓		✓	✓		✓	◇	◇	◇
Green roofs	✓		✓	✓				✓			✓	✓	◇	✓
Bioretention areas				✓	✓			✓	✓		✓	✓	✓	✓
Sand filters			✓		✓	◇		✓	◇		✓			
Silt removal devices			✓								✓			
Pipes, subsurface storage		✓			✓		✓	✓			◇			

✓ = High/primary process ◇ = Some opportunities subject to design

For more details on water quality and pollutant removal mechanisms in SuDS please refer to the [CIRIA SUDS manual](#)³⁷, section 1.3.4 and table 1.7.

³⁷ <http://www.ciria.org/SERVICE/Home/core/orders/product.aspx?catid=2&prodid=155>

Appendix C - Water Framework Directive Assessment Guidance

Introduction

At pre-application stage the city council will make applicants aware of the need to consider impacts on water bodies from the construction of structures in or near channel or from proposed changes to water quality, habitat and/or biodiversity.

If a development site requires Environmental Impact Assessment (EIA), applicants should include the impacts in this assessment, using information obtained from the Anglian River Basin Management Plan or directly from the Agency about the status of potentially affected water bodies.

If a development does not require EIA but has the potential to impact on water bodies then applicants should refer to the Environment Agency. A separate assessment might be required.

Overview of process for assessing impacts on water bodies

If a separate WFD assessment is required the process below for assessing impacts on water bodies, should be followed. The process is derived from European Commission guidance and includes:

- **Preliminary assessment** – including data gathering (water body and proposed development) and identification of impacts on water bodies;
- **Detailed assessment** – including options to avoid impacts on water bodies, mitigation to reduce impacts and opportunities to contribute to betterment.
- **Justification** is required where new modifications led to deterioration of a water body or failure to meet WFD objectives (WFD Article 4.7).

Preliminary assessment

The preliminary assessment of potential impacts on water bodies should follow these stages:

- **development impacts** – how development would impact on water quality elements and thresholds that trigger detailed assessment;
- **cumulative impacts** – how the proposed development together with existing physical modifications might lead to deterioration;
- **sensitive water habitat** – how development would affect water habitat including protected areas;

Where the water body already has a status less than 'good' the assessment needs to include information on:

- **the risk of preventing improvement** – whether the proposed development would prevent implementation of any measures in the RBMP;
- **improving water bodies** – other practical opportunities to improve the water body as part of the proposed development.

Detailed assessment

A detailed assessment should have the following stages:

1. **Deterioration assessment** – should consider impacts from development, including physical modifications, on:
 - a. water quantity and flow, river continuity and groundwater connectivity;
 - b. biological elements (flora and fauna);
 - c. recognize where permits, licences or consents that we issue will deal with other impacts including the risk of water pollution.
2. **Ability to achieve good status** – should consider whether the proposed development will prevent implementation of measures in the first RBMPs to achieve good status or good potential as appropriate.
3. **Impacts on other water bodies** – should consider whether or not proposed development would permanently prevent a different water body from the one in which it is located from achieving good status or good potential as appropriate. Consider opportunities to improve status.
4. **Other EC legislation** – the outcome of Detailed Assessment must give the same level of protection as any other EC legislation that applies, to that water body through the designation of protected areas. These include Natura 2000 sites, Bathing Waters, Shellfish Waters, Freshwater Fish Directive reaches and Drinking Water Protected Areas.

Justification

Where the detailed assessment shows that physical modification would lead to unavoidable deterioration then it will only be acceptable if a justification under WFD Article 4.7 can be provided. Such circumstances should be discussed with PCC and the Environment Agency given the limited scope to achieve this under WFD legislation.

PLANNING ENVIRONMENT PROTECTION COMMITTEE	AGENDA ITEM No. 10
6 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital. Cllr Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Gemma Wildman Principal Planner Simon Machen Head of Planning, Transport and Engineering Services	Tel. 863824 Tel. 453475

PETERBOROUGH CITY CENTRE DEVELOPMENT PLAN DOCUMENT (DPD)

R E C O M M E N D A T I O N S	
FROM : Paul Phillipson Executive Director of Operations	Deadline date : Cabinet 10 December
For the Committee to be informed of the proposals contained in the consultation draft of the City Centre Development Plan Document (DPD) (Appendix A) and to comment on the document before it is submitted to Cabinet for approval for the purpose of public participation.	

1. ORIGIN OF REPORT

1.1 This report is submitted to Committee following approval of the Council’s Local Development Scheme (LDS) by Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital, which identifies that the council will prepare a City Centre Plan during the period 2012 – 2014.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to obtain Committee’s view on the consultation draft of the Peterborough City Centre Development Plan Document (DPD) (**Appendix A**) before it is presented to Cabinet on 10th December 2012 for approval for public consultation in early 2013.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 “to be consulted by, and comment on, the Executive’s draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation”.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
Date of Cabinet Meeting	10 th December 2012

4. CITY CENTRE PLAN

- 4.1 The overall strategy for the development of Peterborough to 2026 has been established by the Peterborough Core Strategy, which was adopted by the council in February 2011. This established the broad growth and development principles for the city centre. The City Centre Plan sets out more detailed policies, in conformity with the requirements of the Core Strategy.
- 4.2 Peterborough will undergo significant growth over the next 10 to 15 years, including the city centre which is set for widespread improvements, growth and regeneration. This will see the city centre 'offer' expanded, its population base increased, and a general greater range of facilities.
- 4.3 To ensure that this planned growth in the city centre takes place in a way which meets the needs of the city's growing population now and in the future, there is a need for an overall plan, vision and strategy to guide new development and help create a diverse, lively and successful place.
- 4.4 The consultation draft version of the City Centre Plan sets out the council's long-term vision and objectives for the city centre; it sets out the policies and proposals that will help direct how new development and regeneration will be achieved and how the council's vision for the city centre will be met. The plan identifies and addresses a number of key themes which affect the strategy for the city centre as a whole, such as:
- retail
 - leisure
 - office development and employment
 - housing
 - historic environment
 - transport and other infrastructure
- 4.5 Within the Plan, the city centre is divided into eight distinct segments or "Policy Areas"; each one with its own policy setting out the vision, potential developments and planning requirements for the area. It identifies land that might be available for new development and, in some cases, "Opportunity Areas" where there is real scope for transformation of the area through some form of comprehensive redevelopment. The eight Policy Areas are shown on the attached map, together with a summary of the main emerging proposals for each Policy Area.

5. CONSULTATION

- 5.1 The next stages of public consultation are:
- Public consultation on the draft City Centre Plan – January to March 2013
 - Public consultation on final version of the plan - January to March 2014
 - Submission to government – Spring 2014
 - Independent examination – Autumn 2014
 - Adoption – late 2014 or early 2015.

6. REASONS FOR RECOMMENDATIONS

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

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The council is required to produce a City Centre Plan in accordance with its approved LDS and Core Strategy. The option of not producing a City Centre Plan would mean that

the council would not be working in accordance with its LDS and would not be in a position to deliver the growth and regeneration for the city centre. Therefore the alternative option of not producing the City Centre Plan was rejected.

8. IMPLICATIONS

- 8.1 The City Centre Plan will have implications for all sectors of the community and visitors to the city.
- 8.2 Legal Implications - The Council must follow due Regulations in preparing the City Centre Plan. Eventually, once the final document is adopted in 2014/15, the Council has a legal duty to determine planning applications in accordance with the plan.
- 8.3 Financial Implications - There are no immediate significant financial implications flowing from the approval of consultation draft of the City Centre other than costs associated with consulting on it, which can be covered by existing budgets. However, Members should be aware of two future financial implications:
 - (a) The council, owns land within the city centre and there could be financial implications on the value of that land. To be clear all council owned land has been assessed and treated like all other proposed areas for development.
 - (b) There could be indirect financial implications arising from the development of sites (e.g. provision of infrastructure and services for the new residents, s106 arrangements, and increased council tax or other receipts).

9. BACKGROUND DOCUMENTS

- Peterborough Core Strategy (February 2011)
- Local Development Scheme (April 2012)

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Peterborough Local Development Framework

Peterborough City Centre Development Plan Document

Consultation Draft

Officer recommended draft for consideration by Planning & Environmental Protection Committee (6 November 2012)

Peterborough City Council
Stuart House East Wing
St John's Street
Peterborough
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Peterborough City Centre Plan

Peterborough city centre is about to experience substantial growth, change and improvements on a scale not seen for 30 years. This is both an exciting time and an exciting opportunity for the city, and a chance for you to help decide how growth and improvements might take place.

Peterborough City Council is preparing a new plan for the city centre. This is an important document, as it will determine what the city centre will look like in the future and it will identify areas for new housing, employment, leisure and retail developments as well as improvements to main streets and transport links.

We cannot write the City Centre Plan on our own. The best people to help decide exactly what should be done, where and when it should happen is you and your family, whether you live, work, visit or have some other interest in the city centre.

This is a consultation draft version of the Plan. It is your chance to make a real difference in how the city centre changes over the next 10 to 15 years; your opportunity to help make it a great place to live, work and visit. Please help us to shape the future of the city centre.



How to get involved

We will be holding exhibitions in the Queensgate Centre in **February 2013**, where you can come along and find out more.

You can also see this full consultation draft version of the City Centre Plan at: www.peterborough.gov.uk/citycentreplan, where you can make comments on line.

Copies of the Plan and a comments form are available at all local libraries, including Central Library, and at the council's Customer Service Centre at Bayard Place.

You can send written comments to:

Planning Policy Team
Peterborough City Council
Stuart House (East Wing)
St John's Street
Peterborough
PE1 5DD

Or email planningpolicy@peterborough.gov.uk.

Please clearly let us know exactly which part of the document you are commenting on.

The closing date for all comments is 5pm on Thursday XX February 2013

Foreword

City Centre Plan Production

There are a number of different stages involved in the production of this City Centre Plan. We are currently at the consultation draft stage; this can be regarded as the council's preferred approach to planning for the future of the city centre.

However, this is not the 'final' plan. We want you to let us know what you think of our current preferred, but not final, proposals.

Consultation stages

The table below provides a summary of the main stages involved in the production of the Plan. We thank all those who submitted comments in the early evidence gathering stages. The table sets out what stages are left and how you will be able to influence the final version.

Main Stages		Date
Evidence gathering, issues and options and a consultant's recommended option	Initial evidence gathered; detailed studies undertaken; consultation undertaken with the community and stakeholders to identify issues and options; consultation on an option recommended by consultants	Up to December 2012
Consultation draft published	Public consultation on the council's preferred City Centre Plan	January to February 2013
Proposed submission	Final opportunity for formal representations (comments) on the City Centre Plan	January 2014
Submission and examination	City Centre Plan submitted to government along with all public comments received during the proposed submission stage Independent examination by a planning inspector	April to October 2014
Adoption	Council adopts final Plan	February 2015
Monitoring and review		

How does this Plan fit with other planning policy documents?

Preparation of this Plan has taken place within the context set by a number of other plans and strategies, including the Peterborough Core Strategy, which sets the overall growth requirements for Peterborough to 2026 and beyond. Details of the most significant of these appear in Appendix B. This City Centre Plan does not repeat any policies contained in other plans or strategies.

City Centre Plan Production

Who Prepared this Document?

This document has been drafted by Peterborough City Council (the local planning authority). For all general queries, please see the website www.peterborough.gov.uk

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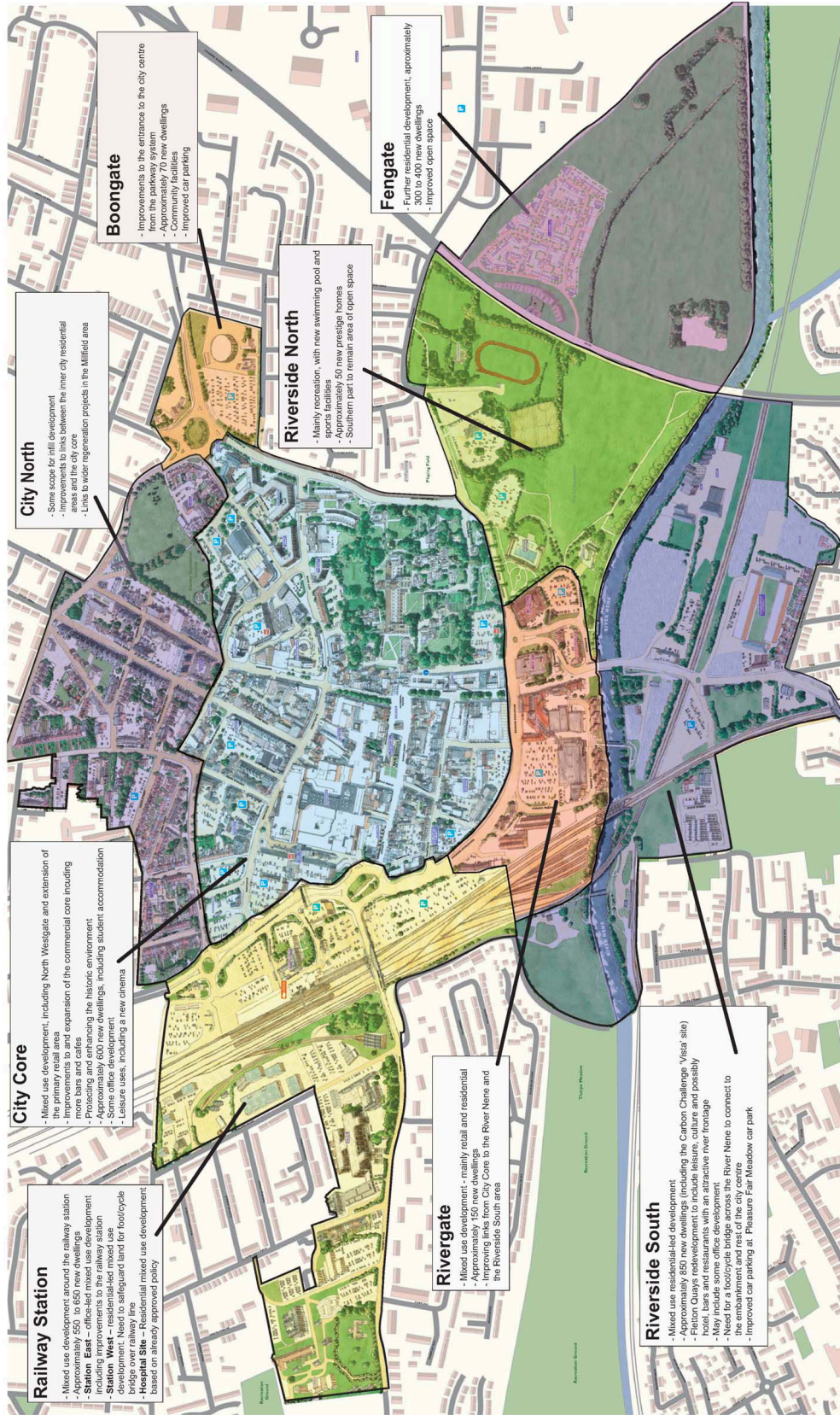
Map A: City Centre Plan Area



Summary Maps

Map B: Summary of Policy Areas

Picture 1



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Introduction

- 1.0.1** Peterborough city centre is set for widespread improvements, growth and regeneration. This draft City Centre Plan sets out the council's long-term vision and objectives for the city centre; it sets out the policies and proposals that will help direct how new development and regeneration will be achieved and how the council's vision for the city centre will be met.
- 1.0.2** Once the final version is adopted, it will form part of the council's statutory development plan and will be used to promote and coordinate investment, and help reach decisions on planning applications within the city centre.

What area is the "City Centre"?

- 1.0.3** The area forming the city centre and covered by this plan is shown on Map A. The city centre extends from the former District Hospital site in the west to Fengate in the east. It includes the residential areas in the vicinity of Lincoln Road and Bright Street in the north and the Peterborough United Football ground in the south, as well as the principal shopping, office and entertainment areas and Cathedral Precincts in the very centre. This boundary cannot be changed as it has already been set by the Site Allocations DPD.

The City Centre Plan

- 1.0.4** The Plan starts by identifying issues and then suggests the overall vision and objectives for the city centre. Chapter 3 then sets out an overall city centre strategy, with a focus on key issues such as, shopping, housing, employment, and the historic environment, which apply across the city centre.
- 1.0.5** The city centre area is then divided into eight "Policy Areas"; each one has its own policy setting out the vision, potential development opportunities and planning requirements for the area. They identify land that might be available for new development and, in some cases, "Opportunity Areas" where there is real scope for transformation of the area through some form of comprehensive redevelopment. The eight Policy Areas are shown on Map B.



Introduction

City Centre Issues

- 1.0.6** Peterborough city centre is a successful, lively and diverse place with many positive attributes; it is a major focus in the region for shopping, leisure and employment opportunities, attracting visitors from an extensive catchment area. Peterborough has a strong historic and cultural heritage and at the heart of the city centre lie the cathedral and many other important listed buildings.
- 1.0.7** However, there are a number of issues, identified through the previous consultation stages, which need to be addressed through this Plan to ensure its continued success.

City Centre Issues

Issue 1: Low levels of housing -Currently the city centre has relatively few houses and flats, resulting in a low city centre population, which results in an area that is not well used once the shops and offices have closed.

Issue 2: Cultural offer – The cultural offer is not fully developed and there is a significant opportunity to attract visitors, into the city centre, particularly in the evening.

Issue 3: Declining retail ranking - Although the city centre has a wide-ranging retail offer, until very recently there had been relatively little investment in new retail development for many years. As a result, Peterborough’s retail ranking has declined in the face of competition from other retail centres, other cities and internet shopping.

Issue 4: Lack of high quality office development - There has been little new office development in the city centre for many years. The city centre has not been able to successfully compete for investment with business parks located on the edge of the city.

Issue 5: Limited evening economy - The evening economy has improved in the last few years with new restaurants, particularly around Cathedral Square and linked to the wider public realm improvements. However, this is still a limited offer when compared to other towns and cities of a similar size.

Issue 6: River Nene - The River Nene is one of the city’s most important assets but it currently fails to maximise its potential as it is poorly connected to other parts of the city centre.

Issue 7: Access and Movement - The transport network in and around the city centre currently prioritises accessibility by car at the expense of pedestrians and cyclists. For example, Bourges Boulevard acts as a barrier to easy and attractive movement for pedestrians seeking to make their way between key locations.

- 1.0.8** This Plan aims to address these issues by promoting land uses that support businesses and shops, whilst creating new residential neighbourhoods that benefit from a diverse mix of uses, cultural activity and amenities that are available throughout the day and evening. Ensuring people are living within, and using the city centre at all times of the day will enhance the safety of city centre users and provide an attractive and vibrant location.

City Centre Vision and Objectives

2.1 Our Vision for the Future of Peterborough City Centre

2.1.1 This chapter sets out the overall vision for Peterborough city centre in 2026. It also includes a number of key objectives which will help in achieving this vision.



Our Vision for the Future of Peterborough City Centre

By 2026 Peterborough city centre will have become an even more attractive, vibrant and distinctive place to visit, work and live, with a greater range of attractions and facilities.

- **Peterborough will have regained its position as a top retail centre and will be a strong regional destination for shopping, leisure, culture, business and entertainment throughout the day and evening.**
- **It will be easy to walk around the city centre with improved connections to the river and railway station along pleasant, safe streets and paths.**
- **Those buildings and places that we love for their heritage value, for nature conservation, or simply for their sense of place, will be conserved and enhanced.**
- **The city centre will include a thriving riverside setting with bars, restaurants and housing, with continuous riverside walks and an iconic pedestrian and cycle bridge across the river to the embankment.**
- **The city centre will be the centrepiece of an exemplary "environment capital". New development will embrace sustainability principles in key areas such as travel options, use of technology, energy use and resource efficiency.**
- **The city centre will include new high-quality housing, offering a sought after place to live which meets 21st Century lifestyles.**

City Centre Vision and Objectives

Objectives

2.1.2 The following objectives have been refined through evidence gathering and consultation and, taken together, will help to deliver the vision. The table shows the fit with the objectives of the Peterborough Core Strategy, to demonstrate the consistency between the two documents.

Table one: Objectives

Objective ref	Objective	Link with Core Strategy objectives
1 - Shopping	To strengthen Peterborough city centre as a regional shopping destination, maintaining and improving its position with the top 50 retail centre in the UK.	OB13
2 – Culture, Leisure and Tourism	To enhance the city centre as a hub for culture, tourism and leisure, complementing other land uses throughout the day and evening.	OB13, OB21, OB22, OB23
3 – Economic Prosperity	To enhance Peterborough as a location for business and skills, providing the facilities and setting for a range of businesses from start-ups to multi-nationals with a particular emphasis on the environmental sector.	OB10, OB11, OB12, OB13
4 – Mixed Uses	To deliver a sustainable mix of complementary uses, which ensure vibrancy at different times of day, boost the night-time economy and assist in reducing travel demands. Uses must include residential (including affordable housing), retail, businesses, cultural and leisure facilities.	OB6, OB7, OB8, OB13, OB18
5 – Design Quality	To secure development with high standards of urban design and ensure that design issues are fully considered from inception to completion.	OB9, OB13, OB25, OB26
6 – Health, Safety and Wellbeing	To encourage opportunities to facilitate healthy and active lifestyles, with plentiful opportunities for people to walk, cycle or play in the open air and participate in indoor sports; and to create environments where people feel secure and their safety is not compromised.	OB5, OB13, OB16, OB22, OB26
7 – Environment Capital, Sustainability, and Climate Change	To contribute to Peterborough’s ambition to be an “Environment Capital”, with new development striving to be as environmentally, socially and economically sustainable as practically possible and addressing or adapting to issues presented by climate change.	OB2, OB13, OB19, OB20, OB24
8 – Local Distinctiveness	To promote the distinct urban character of the city centre, including the protection and enhancement of the natural, archaeological and heritage environment.	OB3, OB13, OB20
9 – Accessibility and Connectivity	To reduce, where possible, the need to travel (particularly by private cars), maximising the potential of sustainable transport modes; to enhance connectivity within the city centre	OB13, OB15, OB16, OB17

City Centre Vision and Objectives

Objective ref	Objective	Link with Core Strategy objectives
	(particularly to the River Nene and railway station) and to adjoining areas; and to ensure equality of access for all city centre users.	
10 - Delivery	To ensure all proposals are capable of being deliverable, including provision of appropriate utilities and taking account of flood risk issues.	OB1, OB13, OB27, OB28, OB29

2.1.3 Of the 29 Core Strategy objectives, 28 are listed above alongside a comparable objective for this City Centre Plan. The remaining Core Strategy objective not listed is OB14 which relates to district centres, and is therefore not applicable to the city centre.

City Centre Vision and Objectives

3.1 City Centre Strategy

3.1.1 The overall strategy for the city centre is to encourage and enable new development that will maintain and enhance the vitality and viability of the centre, whilst preserving and enhancing the quality of the local environment. This will undoubtedly involve changes: widening the retail, leisure, tourism and cultural offer, creating new jobs, making the best use of land that is currently vacant or underused and improving the experience and convenience for pedestrians and cyclists.

3.1.2 This chapter addresses the key features of this strategy via a number of topic areas:

- Sustainable Development
- Retail
- Economy and Employment
- Housing
- Leisure, Culture and Tourism
- Townscape and Heritage
- Green Spaces and the River Nene

3.1.3 As Transport issues are of such critical importance to the future of the city centre, they are addressed through a separate chapter of the Plan (Chapter 5).



City Centre Strategy

3.2 Sustainable Development

3.2.1 Peterborough has the ambition to be the UK’s “Environment Capital”. Policy CS10 of the Peterborough Core Strategy states that development proposals will only be supported where they make a clear contribution to this aspiration. The City Centre Plan can assist through the promotion of sustainable growth in the city centre and, particularly as part of the new development proposed for the Opportunity Areas, by creating cleaner, greener, healthier and more vibrant places to live, work and visit. Such an approach fits well with the overarching national policy in the National Planning Policy Framework (NPPF) towards sustainable development.

Policy CC 1

Presumption in Favour of Sustainable Development

Development in the city centre should contribute to Peterborough’s ambition to be the Environment Capital of the UK including, where appropriate, taking steps to address the following principles of sustainable development:

- **Achieving a mix of land uses**
- **Adopting best practice in design and construction standards**
- **Protecting and enhancing the existing environment**
- **Promoting sustainable modes of transport and reducing the need to travel**
- **Supporting the creation of jobs**
- **Contributing to healthy lifestyles**

When considering development proposals in the city centre the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will seek to work proactively with developers and investors to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan and other development plan documents in the Peterborough Local Development Framework (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.



3.3 Retail

- 3.3.1** For many people, the primary role of the city centre is that of a destination for shopping. It provides the greatest retail offer in the city, serving not only the residents of Peterborough but also those of surrounding villages and market towns well beyond the local authority boundary. Peterborough has an extensive range of well known “high street” shops. The Queensgate and Rivergate Shopping Centres are linked by a network of streets and public spaces, with an offer that includes a wide variety of cafes, restaurants, bars and financial and property outlets as well as retail shops and a market.
- 3.3.2** However, in recent years the city centre has experienced a decline in its overall retail ranking when compared to other towns and cities. Competition from internet shopping, out-of-town retail parks and neighbouring cities have reduced some of the trade that might otherwise have come to the city centre and there is an urgent need to extend and enhance the retail offer.
- 3.3.3** Until very recently there had been little investment in the heart of the retail area, but this is changing with improvements to the public realm around Cathedral Square, Bridge Street, Cowgate and Kings Street which have attracted new retailers, restaurants and bars to this part of the city. Extensions to Queensgate Shopping centre has accommodated national retail and restaurant operators.



- 3.3.4** Our strategy is to continue the focus of new investment into the heart of the centre, with the emphasis largely on consolidation within the existing shopping area. It is important that new retail developments complement and strengthen the main shopping area, which is defined as the Primary Shopping Area (PSA) in accordance with policies CS4 (The City Centre) and CS15 (Retail) of the Core Strategy.
- 3.3.5** This Primary Shopping Area includes the Queensgate Shopping Centre and the principal shopping streets around Westgate, Long Causeway and Bridge Street, extending south of Bourges Boulevard and into the Rivergate Shopping Centre and adjoining supermarket. The defined Area offers scope for physical expansion into the North Westgate Opportunity Area, as well as scope for intensification where there are existing unused or underused premises.

City Centre Strategy

- 3.3.6** The main shopping streets which attract the largest footfall and act as linkages to other areas of the centre are defined as Primary Retail Frontages. In order to protect their function and character, premises in these streets will remain primarily in A1 and A3 use except where an alternative use would provide an active street frontage and maintain or enhance the vitality and viability of the area.

Policy CC 2

Retail

The extent of the City Centre Primary Shopping Area and Primary Retail Frontages are defined on the Policies Map.

Proposals for retail development inside or outside the Primary Shopping Area will be determined in accordance with policies CS4 and CS15 of the Peterborough Core Strategy DPD and policy PP7 of the Peterborough Planning Policies DPD.

Within the Primary Retail Frontages development for uses within classes A1 and A3 will, in principle, be acceptable in particular the council will support A3 uses (Such as cafes and restaurants) around Cathedral Square. Development for any use outside classes A1 or A3 will only be acceptable if the development would maintain a built frontage with a window display, and would be likely to maintain or increase pedestrian footfall along the frontage and would not result in concentration of non A1 or A3 uses in that location.

- 3.3.7** The references to 'Primary Retail Frontage' in policy CC2 apply to the ground floor of the frontages defined on the Policies Map, except in the Queensgate Centre, where Primary Retail Frontages exist at ground and first floor level. Elsewhere, the use of upper floors above shops for a wide variety of uses, whether retail or other, is encouraged. In particular, the council would welcome proposals that make use of vacant property above shops for residential use, as part of the overall objective to increase the number of dwellings in the city centre.
- 3.3.8** Outside the Primary Shopping Area, the council may be prepared to permit additional small-scale convenience retail provision to meet the needs of residents in new residential areas, as well as ancillary retail uses in the Station East Opportunity Area. Details are contained in each of the relevant Policy Area statements in chapter 4.
- 3.3.9** Core Strategy policy CS15 (Retail) identifies five Local Centres which are located in the City Centre Plan area. The boundaries of these are defined on the Policies Map except for the London Road Local Centre which has been deleted as the majority of shops have been demolished as part of the redevelopment plans for the area.

3.4 Economy and Employment

3.4.1 Peterborough has a diverse economy, with a range of businesses and types of employment opportunities. It is an overall objective for Peterborough to enhance the city as a prime location for business investment and skills development. The city centre will be the focus of this and this Plan has an important part to play by ensuring the provision of modern office space in the right location to encourage inward investment and enable the expansion of existing businesses.

3.4.2 The city centre already offers a wide range of office provision, including many large purpose-built offices, particularly located in the Northminster area, as well as small-scale offices such as those in converted premises in the Priestgate area.

3.4.3 However, the city centre office stock is generally ageing and some is of poor quality, with increasing vacancy rates. Over the last 15 years there has been little investment in new office development in the centre and this has made it difficult to compete with out of town business parks.

3.4.4 Policy CS3 of the Core Strategy (Location of Employment Development) provides for the equivalent of at least 3.5 hectares of new employment land to be made available in the city centre, as part of Peterborough's overall provision for new employment development. This area of land would be capable of delivering in the region of between 52,500 and 87,500 square metres gross floorspace for development within B1 use class (primarily offices), depending on the average plot ratio that might be achieved.



3.4.5 It is expected that the majority of new office development will take place through the comprehensive redevelopment of the Opportunity Areas, particularly the Station East Opportunity Area. Together with the remainder of the Station Policy Area, this will become a prime location for high quality office development, mainly due to its strategic location with excellent access by rail to London and other major cities, as part of mixed-use retail, commercial and residential development. This transformation of the Station Policy Area is underway. Since March 2012 outline planning permission has been granted for approximately 22,000 square metres of office floor space.

3.4.6 The policies for each Policy Area (see chapter 4) identify suitable locations for new office and business development.

City Centre Strategy

3.5 Housing

- 3.5.1** There are a number of existing residential areas in the city centre consisting mainly of flats and apartments. However, when compared to other towns and cities of a similar size and scale, Peterborough has relatively few properties in the city centre, and particularly in the city core.
- 3.5.2** A key element of the strategy for the city centre, linked to the wider Core Strategy growth ambition, is to increase the number of dwellings in the city centre to help improve activity outside normal shopping and working hours.
- 3.5.3** There are already two new schemes under construction: the Carbon Challenge site, off London Road (295 dwellings), and at Potters Way, Fengate (272 dwellings), and there are further opportunities to significantly increase the number of dwellings. This will take place through the comprehensive regeneration of several large areas of vacant and underused land, such as land around the railway station and south of the River Nene, as well as through incremental change throughout the next fifteen years and beyond. Each Policy Area identifies suitable areas for new housing development, sometimes as part of a mix of other uses.



City Centre Strategy

Student Accommodation

3.5.4 The University Centre Peterborough (UCP), part of Anglia Ruskin University, formally opened in 2009, offering 30 degree courses for approximately 600 students. The University will expand over the next 15 years and the number of students living and studying in Peterborough is expected to increase. Therefore, there is a need to provide student accommodation, much of which could be in the city centre.

3.5.5 Student accommodation can be provided by the private rented sector (and accredited landlords) as well as being purpose built. The council will support the provision of student accommodation in the city centre and particularly within the Northminster area, as city centre sites are sustainable locations, providing easy access to the campus buildings. This will help to achieve the objective of increasing the city centre population.

The Scale of new Residential Development

3.5.6 The Peterborough Core Strategy anticipates the provision of approximately 4,300 additional dwellings in the city centre over the period from 2009 to 2026. Appendix C updates this figure and shows how sites allocated in this Plan will contribute towards meeting the Core Strategy dwelling requirements for Peterborough as a whole.

3.5.7 The following table presents the approximate number of dwellings that are planned from each Policy Area. Further details of the available sites and areas proposed for new housing development are included in the policies for each Policy Area (see chapter 4) and there is an explanation of the assumptions behind the table in Appendix C.

Table two: Scale of residential development

Policy Area	Committed At 1 April 2012	New Allocations	Opportunity Areas	Total
City Core	77	374	200	651
Station	0	0	650 - 750	650 - 750
Rivergate	0	100	0	100
Riverside South	295	175	400	870
Riverside North	0	50	0	50
Fengate	272	300 - 400	0	572 - 672
Boongate	0	70	0	70
City North	51	15	0	66
Total	695	1084 - 1184	1250 - 1350	3029 - 3229

City Centre Strategy

3.6 Leisure, Culture and Tourism

- 3.6.1** Peterborough city centre has a good range of existing facilities and attractions such as the Cathedral, Peterborough Museum, Key Theatre, Regional Pool, Lido and sports facilities, Peterborough United's Football ground and a range of bars and night clubs, all of which attract visitors to the city centre.
- 3.6.2** More needs to be made of the existing, cultural, leisure and tourism facilities as well as a need to attract new facilities such as a centrally-located cinema and more bars and restaurants which will meet the needs of the city and the surrounding areas. The city centre will be the focus for new cultural, leisure and tourism venues in line with Core Strategy Policy CS18.
- 3.6.3** New restaurants, bars and cafes will be encouraged around Cathedral Square, along the south bank of the River Nene and as ancillary uses around the railway station.
- 3.6.4** There is potential to create a cultural quarter which straddles the riverside north and south policy area, incorporating the Key Theatre and Lido.

3.7 Townscape and Heritage

- 3.7.1** Peterborough is a historic settlement containing a wide range of historic buildings and archaeological assets; most notably the Norman Cathedral and surrounding precincts.
- 3.7.2** Today's city centre lies at the heart of the city's historic core and includes parts of the original medieval town centre and street patterns. Although the centre has seen significant modern development over the last 30 years, many of the historic buildings and places remain. Therefore it is important that during the next phase of growth, the historic environment is protected and enhanced.



- 3.7.3** There are two conservation areas in the city centre, identified on the Policies Map. The City Centre Conservation Area is located in the very heart of the city centre and the vast majority falls within the City Core Policy Area. The Park Conservation Area falls partly within the City North Policy Area and extends northwards beyond the city centre boundary.
- 3.7.4** There are many buildings of heritage value including over 100 listed buildings and 100 buildings of local importance. Again, the majority are located in the City Core Policy Area, with almost 50 protected buildings within the Cathedral Precincts alone.
- 3.7.5** This plan proposes development on a significant scale over the next 15 years, with the potential for considerable changes to the townscape, including buildings with a 'city' scale and mass and. Therefore it will be important to ensure that the design of new developments responds with care and attention to the historic context and the setting of heritage assets, particularly the Cathedral.
- 3.7.6** Our strategy is to preserve and enhance the centre's heritage assets and their settings in a manner commensurate with their significance. There will be an emphasis on high quality of design in all new development. The overall character and quality of the built environment of the city centre will continue to be improved through the proposals set out in the Public Realm Strategy. Good quality, well designed streets with attractive street furniture, public art and green spaces will help to create a strong sense of place and a safe, welcoming environment.

City Centre Strategy



- 3.7.7** Policies CS16 and CS17 of the Core Strategy and policy PP15 of the Planning Policies DPD set out the council's policy for urban design, the public realm, the historic environment and heritage assets. They apply throughout Peterborough and require high quality and inclusive design and the protection and enhancement of the city's historic assets including listed buildings, conservation areas, scheduled monuments, historic parks and gardens, and locally designated assets. CS17 establishes a presumption against development that would unacceptably detract from critical views of Peterborough Cathedral by virtue of its height, location, bulk or design.
- 3.7.8** These policies form the basis for delivering the townscape and heritage strategy for the City Centre.

3.8 Green Spaces and the River Nene

3.8.1 A key part of the strategy for the future of the centre is the maintenance and improvement of the green spaces available for public enjoyment. The city centre has a number of public green spaces which serve a variety of functions, ranging from places for relaxation and play to places for festivals and events. Of particular importance are:

- The Embankment
- The Cathedral Precincts
- Stanley Recreation Ground
- Bishops Road Gardens
- St John's Square



3.8.2 The Cathedral Precincts form a distinct and clearly defined area within the city centre and include large areas of green open space. Their heritage value is protected through their inclusion in English Heritage's Register of Historic Parks and Gardens, their designation as a scheduled monument and their inclusion within the City Centre Conservation Area, but their open space value needs to be acknowledged in its own right.

3.8.3 The council has taken steps to improve the availability of public open and green spaces through the recent creation of St John's Square, but our strategy is to secure further areas of green space as an integral part of new developments to meet the needs of future residents in the city centre. These may include 'pocket' parks, gardens, terraces, squares, courtyards and green roofs, all in accordance with the open space standards set out in policy PP12 of the Planning Policies DPD. A new green space will be created as a natural habitat area within the Fengate Policy Area, known as Embankment End Marsh.

3.8.4 Wherever possible, new and existing green spaces in the city centre should help to improve connectivity for pedestrians and function as part of the wider Peterborough Green Grid network, providing links and access to the Nene Valley and to the open countryside.

City Centre Strategy

3.8.5 Reconnecting the River Nene with the City Core, by improving the links for pedestrians and cyclists, and making the most of this important asset are also key elements of the strategy for the city centre. Riverside locations have the potential to create highly attractive settings for new development, but it is generally acknowledged that the potential of the river and surrounding area has not been fully exploited. Much of the development during the course of the 20th Century served to isolate the river front from the remainder of the city centre and, with the notable exception of the Key Theatre; there are few leisure uses that take advantage of the riverside.

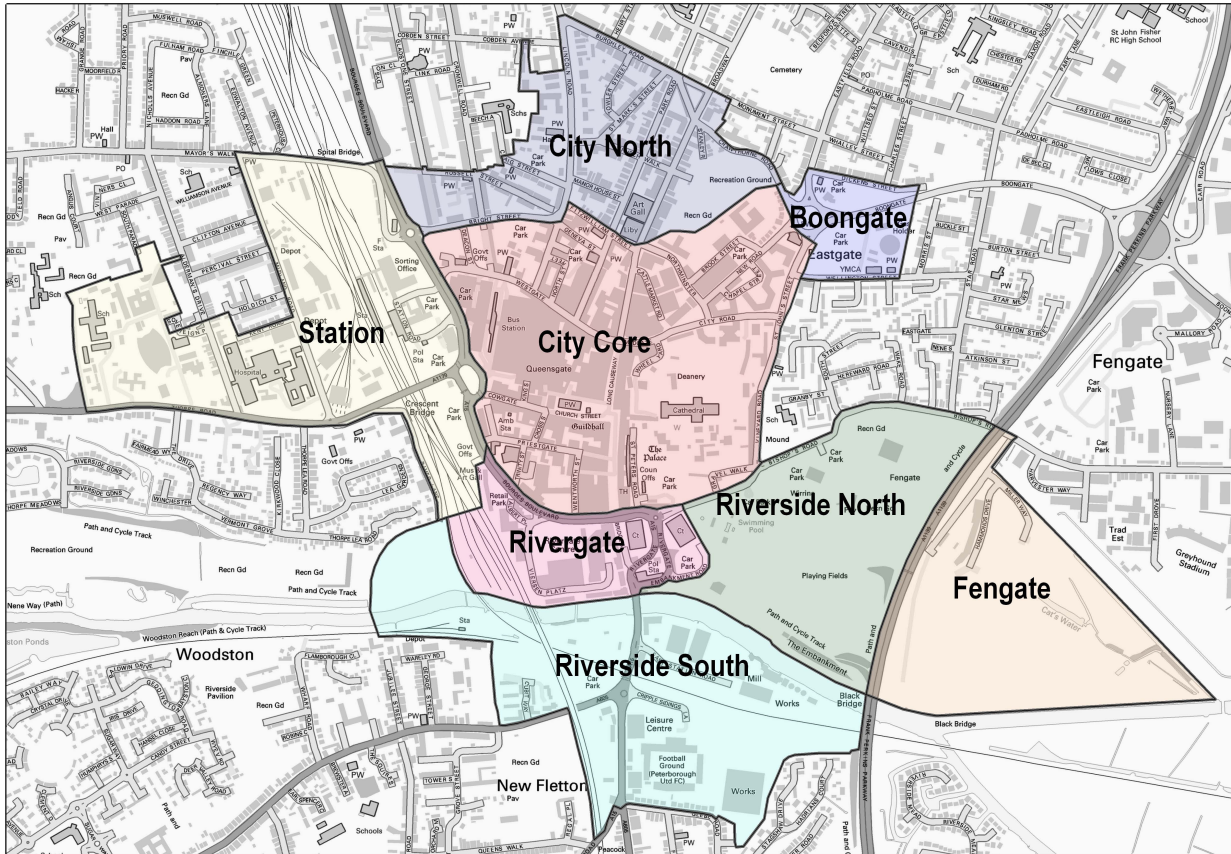


3.8.6 The council's overall approach to the River Nene is presented in policy PPXX of the Planning Policies DPD. This addresses the Nene Valley as a whole, seeking to balance the competing pressures on the waterspace itself, the banks of the river and its townscape and landscape settings. Amongst other things, it supports development which would enhance recreation or bring landscape, nature conservation, heritage, cultural or amenity benefits. It seeks greater public access and the achievement of continuous publicly accessible paths and cycle routes alongside the river.

3.8.7 These matters are addressed in more detail in the relevant Policy Areas in chapter 4 - the Riverside South, Riverside North and Fengate Policy Areas.

4.0.1 This chapter focuses specifically on individual parts of the city centre, with policies and proposals which set out what the council would expect to happen in each one. There are eight distinct Policy Areas; the location and name of each one is shown on the following map.

Map 1 City Centre Policy Areas Map



4.0.2 Each area has its own policy with specific planning requirements for that particular area. Where appropriate, the policies identify Opportunity Areas, which are large areas of underused or vacant land that have the potential for comprehensive redevelopment.

4.0.3 Although each area has its own policy, any development should not take place in isolation, but as an element which contributes towards the wider success of the city centre. It is also important to improve the links between areas so that pedestrians, in particular, can make their way between different destinations safely and conveniently.

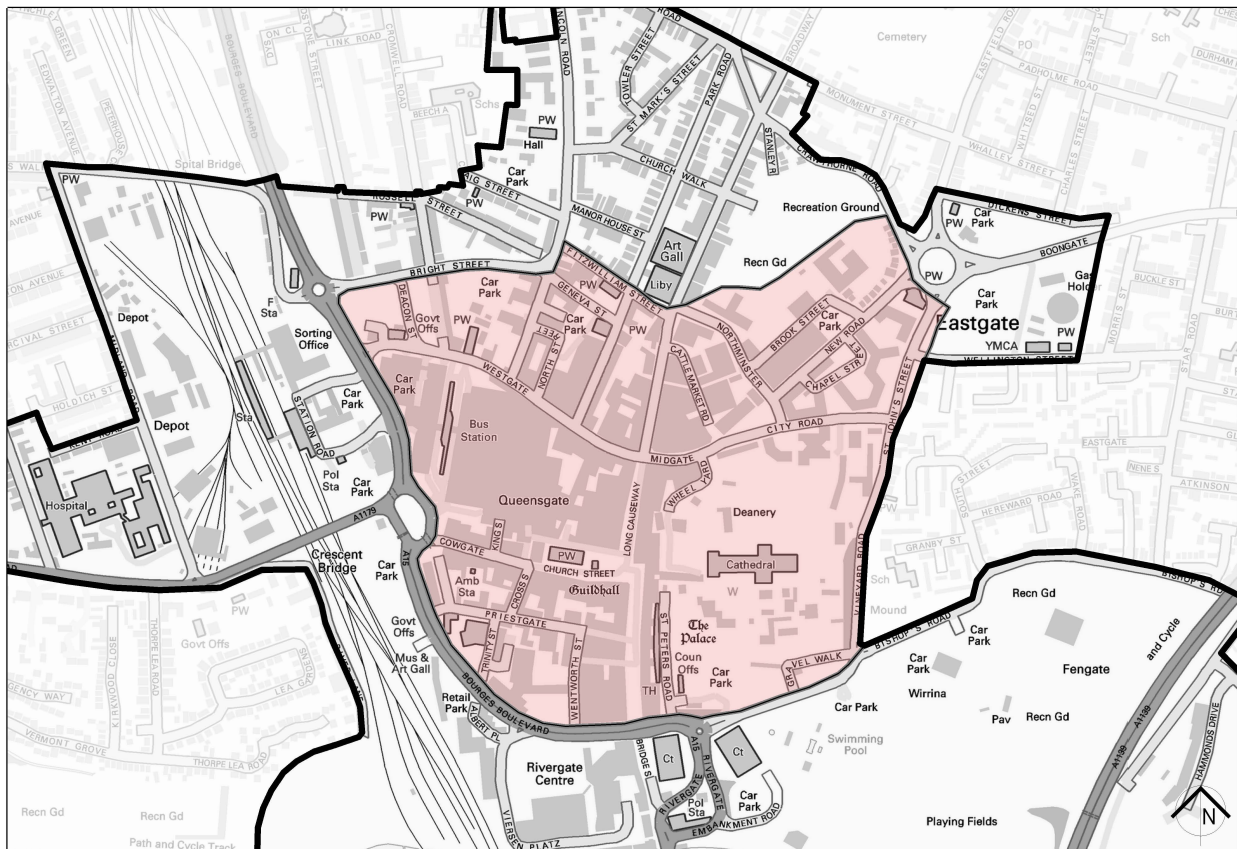
Policy Areas

4.1 City Core Policy Area

Description of the Area

- 4.1.1** This Policy Area is the heart of the city. It forms the established retail, commercial and civic focus, as well as the historic centre. It is the area most likely to attract visitors to the city. It is a special area which we should be very proud of, but there is always room for improvement.
- 4.1.2** The area forms the main shopping area. It includes the Queensgate shopping centre, and other shopping streets such as Bridge Street, Westgate, Long Causeway and Cowgate. It will continue to be the primary focus for new retail development.
- 4.1.3** The area has a street pattern which originates from medieval times. The Cathedral, Guildhall, St John's Church and the new public realm and the transformed Cathedral Square form the central focus point for the whole city.
- 4.1.4** To the north of the Cathedral is an area known as Northminster. This area includes offices, retail, hotel, nightclubs and bars as well as the market, with some temporary surface car parks. There are opportunities for development to achieve more efficient use of land.
- 4.1.5** Towards the south west is Priestgate which contains many historic buildings, but it is currently not well connected with the rest of the City Core. This area has a predominance of office use but also and includes the Peterborough Museum.
- 4.1.6** To the north, the area between Queensgate and Bright Street is currently an underused part of the city and it has been identified as the North Westgate Opportunity Area. There have been proposals in the past for substantial new retail-led developments, but changes in the nature of retailing and the wider economic context have meant that a more modest and mixed use development solution is now more likely. It is proposed for redevelopment for a mix of uses, including retail, leisure, community and residential.
- 4.1.7** This Policy Area, and particularly the proposed North Westgate Opportunity Area, provides an important transition between the central commercial core and the inner city residential area to the north, which is characterised by comparatively high levels of deprivation and inequality. Development proposals here will have to be very carefully designed to better link these two areas, provide local commercial opportunities and avoid the scheme 'turning it's back' on that adjacent residential community. It is anticipated that existing street patterns will be retained to maintain continuity. The council will use its compulsory purchase powers where necessary for land assembly to ensure the optimum redevelopment solution.
- 4.1.8** The area is bounded to the west and south by Bourges Boulevard, which currently acts a physical barrier for pedestrians, so that connections with the railway station (Station Policy Area) and to the River Nene (Riverside South Policy Area) are very poor.
- 4.1.9** This City Core Policy Area matches the City Core area identified in the council's Local Transport Plan 3.

Map 2 City Core Policy Area



Vision for the Area

- 4.1.10** The City Core Policy Area will see high quality mixed-use development and further improvements to the public realm.
- 4.1.11** There will be new retail and leisure provision, particularly further improvements to the Queensgate shopping centre and the North Westgate Opportunity Area. This will help to strengthen Peterborough's sub-regional role as a shopping destination.
- 4.1.12** Elsewhere, there will be more piecemeal new development, including residential, retail, cafes, bars and restaurants, combined with high quality public spaces. The evening economy will be diversified, for example through provision of a new cinema, to help create a more lively and attractive environment where people want to visit, work and live and which offers a wide range of uses for everyone of any age.
- 4.1.13** Building frontages will be protected and enhanced so that they remain active with a high footfall of customers during both the day and evening.
- 4.1.14** The transition between the area and inner city residential areas will be enhanced, with better connections more generally to other parts of the city centre, such as the station and the River Nene.
- 4.1.15** Despite these changes the key feature of the area will continue to be the historic core and all opportunities to protect and enhance these features will be taken.

Policy Areas

Policy CC 3

City Core Policy Area

Within the area designated as the City Core on the Policies Map, the city council will seek development of the highest quality which, in overall terms, strengthens the area as the retail, leisure, tourism and civic focus for Peterborough and its sub-region, broadens the range of land uses and enhances the visitor experience for all.

New development must, where appropriate:

- improve the quality of the townscape, architecture and public realm
- protect important views of the Cathedral
- preserve or enhance the heritage assets of the area, and their setting, in a manner appropriate to their significance
- protect and enhance existing retail areas
- contribute to the target provision of 600 new homes by 2026

The following sites, as identified on the Policies Map, are allocated primarily for residential use:

Site reference	Site Name		Indicative number of dwellings
Site less than 10 dwellings with Planning Permission at 31 March 2012			4
CC3.1	37-39 Brook Street	NS	10
CC3.2	49 - 55 Priestgate	NS	24
CC3.5	Unex Group car park, Brook Street	NS	39
CC3.1	North Westgate		200
CC3.2	Cathedral precincts		24
	(To be delivered in accordance with an agreed master plan)		
Other locations within the Policy Area	Including Flats above shops		100
	Northminster (As part of a wider masterplan for the area, including student accommodation.)		200
	Other areas in the City Core		
Total			601

Within the North Westgate Opportunity Area (CC3.1), as identified on the Policies Map, planning permission will be granted for comprehensive mixed-use redevelopment including retail, housing, office and leisure uses, which is well integrated with the existing retail area. This must also include improvements to pedestrian connectivity between the site and the railway station. The design, layout and access arrangements must enhance the transition between the residential area to the north and the city centre.

Individual proposals which would prejudice the comprehensive redevelopment of this Opportunity Area will not be permitted. Any proposals for North Westgate should complement existing community regeneration projects coming forward in the City North Policy Area.

Elsewhere in the City Core Policy Area, the city council will expect and support, in principle, proposals that would help to deliver the following:

- a net increase in dwellings, including apartments above existing commercial or new commercial development and the provision of student accommodation
- improved connectivity for pedestrians and cyclists within the Policy Area and with surrounding areas, particularly improved access to the railway station and riverside
- mixed-use development with active street frontages
- development which encourages trips into the city centre for shopping, leisure, social and cultural purposes
- additional high quality office space

The council will support proposals to improve the market or, if necessary, work with market traders to identify a new location.

Policy Areas

4.2 Railway Station Policy Area

Description of the Area

- 4.2.1** This Policy Area is located to the west of the city centre and primarily comprises the former hospital site (which relocated to a new site in 2011), the railway station and associated operational railway land.
- 4.2.2** The Policy Area is bounded by Bourges Boulevard to the east, which creates a physical barrier between the railway station and the City Core Policy Area. Current access to the City Core is either via an underpass or a footbridge, neither of which are attractive, clear or easy options.
- 4.2.3** The area comprises large areas of under-utilised railway land, low density and derelict industrial land. This offers significant opportunity for major mixed-use development and regeneration of a prominent part of the city.
- 4.2.4** Within this Policy Area there are three distinct Opportunity Areas: the former Hospital Site and the two Station areas either side of the railway.
- 4.2.5** The railway station is undergoing significant investment and enhancement. Peterborough station is on the East Coast Main Line approximately 45 minutes from London and 1 hour 30 minutes from Leeds and York and the Railway Station Policy Area is an excellent strategic location for new investment.

Hospital Site

- 4.2.6** A Supplementary Planning Document (SPD) was adopted for this site in 2010; it sets out the main requirements and land uses for the redevelopment of this area. This City Centre Plan does not seek amendments to that SPD.
- 4.2.7** The majority of the site is now vacant and forms a large area of underused brownfield land. The site is bounded to the south by Thorpe Road, which is a main arterial road to the city centre. The site is surrounded by existing residential areas with some low value employment sites on Midland Road; the surrounding properties are of varying age, style and density. There is an established local community.
- 4.2.8** The site is an irregular shape and not all of the land is available for development. The land is in several different ownerships, with the Primary Care Centre building to remain on site. The land available for development comprises pockets of, rather than fully connected, land available for redevelopment. This makes it essential that there is a clear, co-ordinated redevelopment scheme put in place, and why an SPD for this site has been produced.

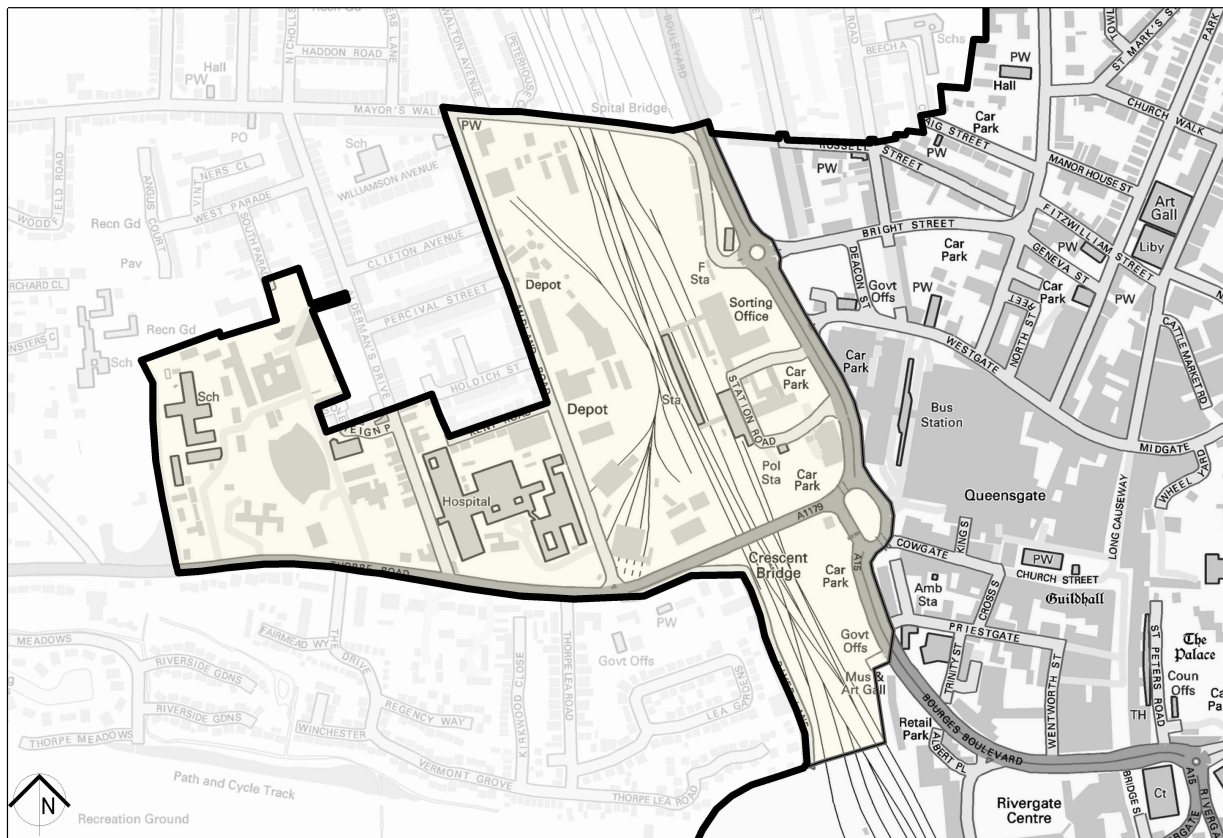
Railway Station

- 4.2.9** A Station Quarter brief was adopted by the Council in 2008. The development brief is not a statutory planning document, but it does set out the broad aspiration for the station area and what would be expected in terms of design. Developers are therefore encouraged to refer to it.
- 4.2.10** The two Station Opportunity Areas are bisected by the main railway line and are not well connected. This is why this area has been split into two Opportunity Areas to enable the delivery of the sites as separate parcels. The council will encourage extension of the station land bridge to provide passengers access to the station from Midland Road.
- 4.2.11** Many of the redundant industrial buildings detract from the overall quality of the area as well as presenting a negative visual impression of the city for passengers who are either passing through or arriving at the station.

Policy Areas

- 4.2.12** The Station East Opportunity Area includes a large area of open surface car parking for approximately 900 spaces to the south as well as a multi-storey car park for 600 spaces linked to the station and Queensgate shopping area.
- 4.2.13** Directly opposite the station entrance is the Great Northern Hotel, which is listed as a building of local importance. Outline planning permission has been granted for extension of the hotel and significant new office development. Outline planning permission has also been granted for office development and a supermarket on the adjoining, former Royal Mail site.
- 4.2.14** Within the Station West Opportunity Area, the southern part of the site was used as marshalling and goods yards and includes historic buildings, two of which are listed.

Map 3 Railway Station Policy Area



Vision for the Area

- 4.2.15** The redevelopment of this area is critical to the future success of the city. The overall vision for this Policy Area is to deliver a transformation from part of the city characterised by unused and underused land into one with a range of high quality modern developments. There will be an improved railway station with easier and more attractive pedestrian access into the rest of the city centre, including, in particular, the main retail area.
- 4.2.16** There will be a high quality new city centre office quarter in Station East. The large vacant hospital site provides an opportunity to create a new high quality residential neighbourhood which will integrate well into the existing local community and take advantage of the proximity to public transport and the city centre, reducing the need to travel by car.

Policy Areas

Policy CC 4

Railway Station Policy Area

Within the area designated as the Railway Station Policy Area on the Policies Map, the city council will support and encourage high quality mixed-use developments which create an attractive and legible gateway into the rest of the city centre.

Redevelopment in the following Opportunity Areas, as identified on the Policies Map, should provide approximately the number of dwellings indicated as part of wider mixed-use schemes.

Site reference	Site Name	Status*	Indicative number of dwellings
CC4.1	Hospital Opportunity Area		350
CC4.2	Station West Opportunity Area		200 -300
CC4.3	Station East Opportunity Area		100
Total			650 - 750

* Status at 1 April 2012. O = Outline. NS = Not started, with full planning permission. UC = under construction

Development proposals for the Hospital Opportunity Area should be in accordance with the adopted Peterborough District Hospital Site SPD.

Development proposals for the Station West Opportunity Area should:

- deliver predominantly residential development, although office development would also be supported
- provide community uses
- incorporate and enhance the listed railway sheds to the south of the site, or secure their relocation to an appropriate alternative site
- safeguard land for, and assist delivery of, a foot/cycle bridge over the railway line, connecting to the Station East Opportunity Area
- help to facilitate a new 'west' entrance to the station.

Development proposals for the Station East Opportunity Area should deliver a mixed-use, commercial-led development, including:

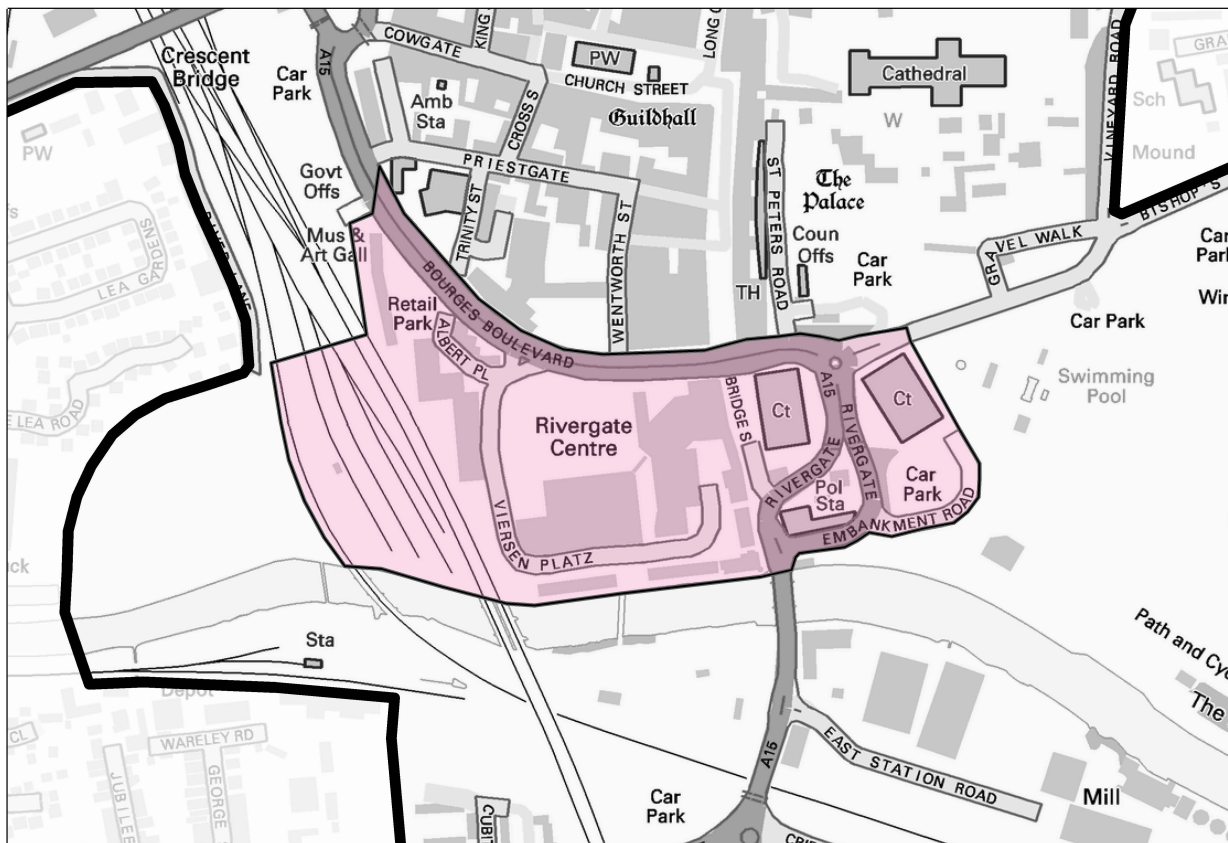
- high-quality office development
- retail uses ancillary to, and associated with, the railway station (other than the consented convenience retail development on the former Royal Mail site)
- bars, restaurants and leisure uses
- safeguarding of land for a footbridge over the railway line, connecting to the Station West Opportunity Area.
- Assisting delivery of improved connections between the Area and the City Core

4.3 Rivergate Policy Area

Description of the Area

- 4.3.1** The Rivergate Policy Area is an area of land between the City Core and the River Nene (Riverside South Policy Area). It is located south of Bourges Boulevard, with a supermarket, surface car park and the Rivergate shopping arcade at its centre. It also includes the Magistrates Courts and Crown Courts buildings and Bridge Street police station which appear as “islands” due to the Rivergate gyratory system. The mix of uses is completed with offices and shops in former railway warehouses to the west and flats overlooking the river Nene to the south.
- 4.3.2** This area provides an important link from the City Core to the River Nene and parts of the city centre further south, but Bourges Boulevard acts as a physical barrier to the ease of movement for pedestrians in both directions. Although Lower Bridge Street and the Rivergate Centre form part of the Primary Shopping Area they are seen as secondary retail areas by many visitors due to this physical separation.

Map 4 Rivergate Policy Area



4.3.3 Vision for the Area

- 4.3.4** The vision for this area is to create a more prominent retail location that is better integrated with the City Core and that provides a well connected, attractive and active route to the River Nene, helping to draw people to the river and the Riverside South Policy Area.
- 4.3.5** This will be achieved through public realm improvements along the historic route of Bridge Street as set out in the Public Realm Strategy, including a significant change to the function and character of Bourges Boulevard as set out in Chapter 5. There will be more active uses along Lower Bridge Street throughout the day and evening, with the possibility of some remodelling of the Rivergate Shopping Centre for retail and residential purposes.

Policy Areas

Policy CC 5

Rivergate Policy Area

Within the area designated as the Rivergate Policy Area on the Policies Map, the principle of a retail-led mixed use development, incorporating approximately 100 dwellings, will be supported provided that it:

- delivers an improved pedestrian and cycle link through the area, between the City Core and Riverside South Policy Areas;
- makes provision for active uses throughout the day and evening along Lower Bridge Street; and
- conserves the Listed buildings located in the area, incorporating them sympathetically into the design solution
- Assist delivery of improved connections between the area and the City Core, the Riverside North and Riverside South Policy Area

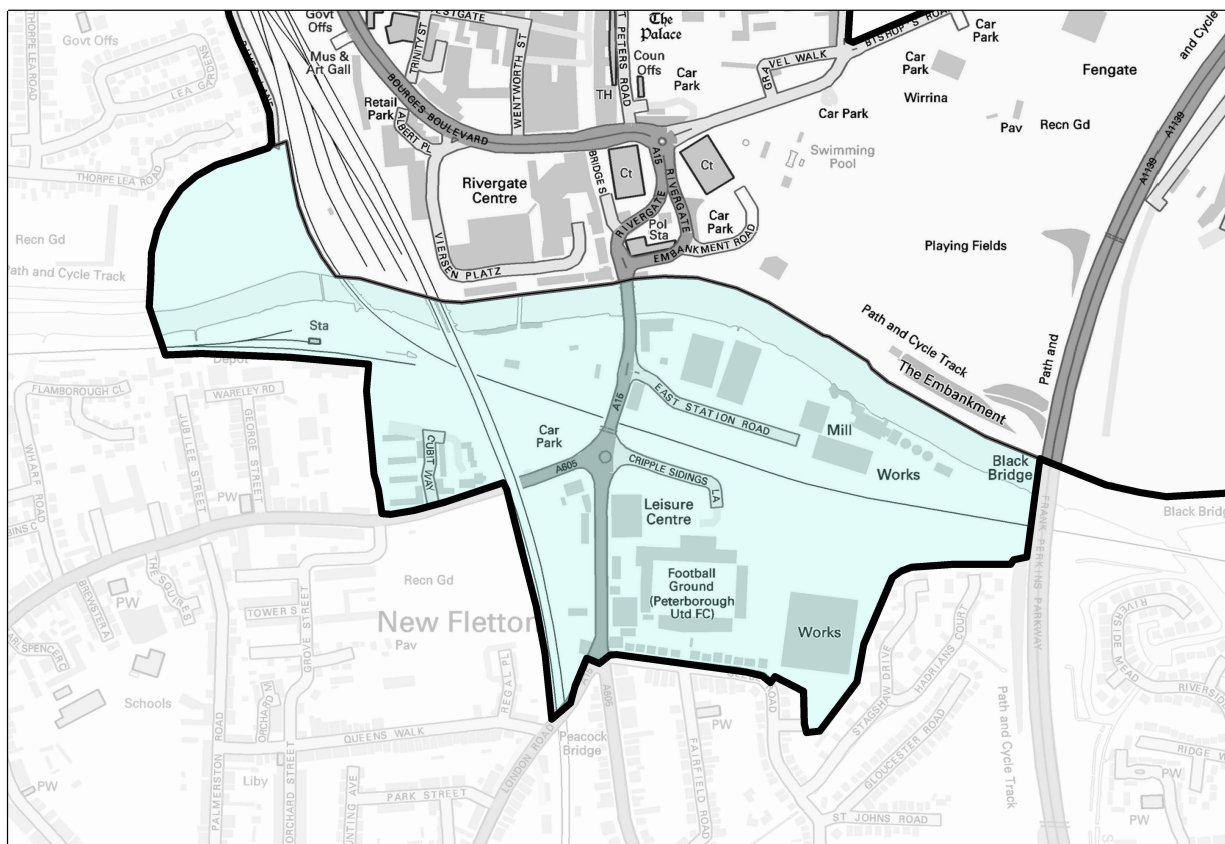
Any proposals that would result in a comprehensive redevelopment of this area including the Rivergate centre and/or the Rivergate gyratory system must be supported by a masterplan or SPD.

4.4 Riverside South

Description of the Area

- 4.4.1** This Policy Area is located to the south of the city centre and mainly south of the River Nene. The area includes former industrial land and contains a number of vacant and derelict sites in a prime central location.
- 4.4.2** The Fletton Quays Opportunity Area is located within this Policy Area, between the River Nene and the Peterborough to March railway line, and consists of approximately 6.8ha of derelict land which presents an excellent opportunity for high profile redevelopment of a major brownfield site.
- 4.4.3** The Carbon Challenge Site (Vista) is located south of the railway line; this site commenced construction in 2012 and will deliver 295 new homes.
- 4.4.4** This area also contains a variety of uses including the Peterborough United Football Ground, Pleasure Fair Meadow car park and Railworld land either side of the river.
- 4.4.5** Currently this Policy Area is poorly connected to the City Core and other surrounding residential areas, and the railway lines act as barriers to movement. Part of the area is located in Flood Zones 2 and 3, particularly the areas to the west.

Map 5 Riverside South Policy Area



Vision for the Area

- 4.4.6** This Policy Area will see substantial change over the Plan Period. There will be a number of major new mixed-use developments which will enhance the southern gateway into the city centre and make the most of the attractive riverside setting.

Policy Areas

- 4.4.7** The Fletton Quays Opportunity Area will be transformed from an underused and derelict part of the city into a vibrant and attractive residential, leisure and cultural area, providing active uses such as bars and cafes along the river frontage. These will help attract visitors to this part of the city and to establish the river as a prominent feature of the city. Development will incorporate a pedestrian route along the river and an iconic pedestrian/cycle bridge over the river, connecting to other parts of the city centre.
- 4.4.8** The football ground will see transformation into a community stadium and there will be an enhanced visitor attraction at Railworld, on the south side of the river. Residential development will take place on the opposite north side of the river, off Thorpe Lea Road.
- 4.4.9** A consistent theme running through all of the changes in this area will be measures to make the river and its banks more accessible and more attractive for all users, including opportunities for greater use by pleasure craft.

Policy CC 6

Riverside South Policy Area

Within the area designated as the Riverside South Policy Area on the Policies Map, development will be supported, in principle, where it helps to secure the transformation of disused and underused land, in order to create an enhanced gateway into the city centre.

Wherever appropriate, developments should help to improve pedestrian and cycle links between the area and rest of the city centre and adjacent areas, and provide pedestrian access along the river frontage. A site-specific flood risk assessment will be required for all developments which have flood risk implications and this will need to demonstrate that the development will be safe without increasing flood risk elsewhere.

Collectively, the development of sites within the Policy Area should provide approximately 820 dwellings, in accordance with the number of dwellings indicated for each site, or area, below:

Site reference	Site Name	Status*	Indicative number of dwellings
CC 6.1	Carbon Challenge Site	NS	295
CC 6.2	Fletton Quays Opportunity Area		400
CC 6.3	Railworld North (prestige homes		50
	Other locations within the Policy Area		125
Total			870

* Status at 1 April 2012. O = Outline. NS = Not started, with full planning permission. UC = under construction

Within the Fletton Quays Opportunity Area, planning permission will be granted for a mixed-use development which delivers approximately 400 new dwellings. Offices, culture and leisure uses (excluding cinema), with restaurants and bars along the river frontage will also be acceptable. Development should:

- maximise the advantages of the riverside setting with a high-quality design solution
- deliver an attractive public riverside walk and cycle path with a new foot/cycle bridge across the River Nene to the Embankment
- incorporate and enhance the Listed buildings (railway engine sheds and goods sheds) and building of local importance (the Mill), with imaginative new uses
- incorporate appropriate flood risk mitigation measures, as identified through a site-specific flood risk assessment
- Retail use should be limited to that ancillary to serve the Opportunity Area itself.
- Include where appropriate elements of naturalisation of the river corridor.

Individual proposals for development which would prejudice the comprehensive redevelopment of this Opportunity Area will not be permitted.

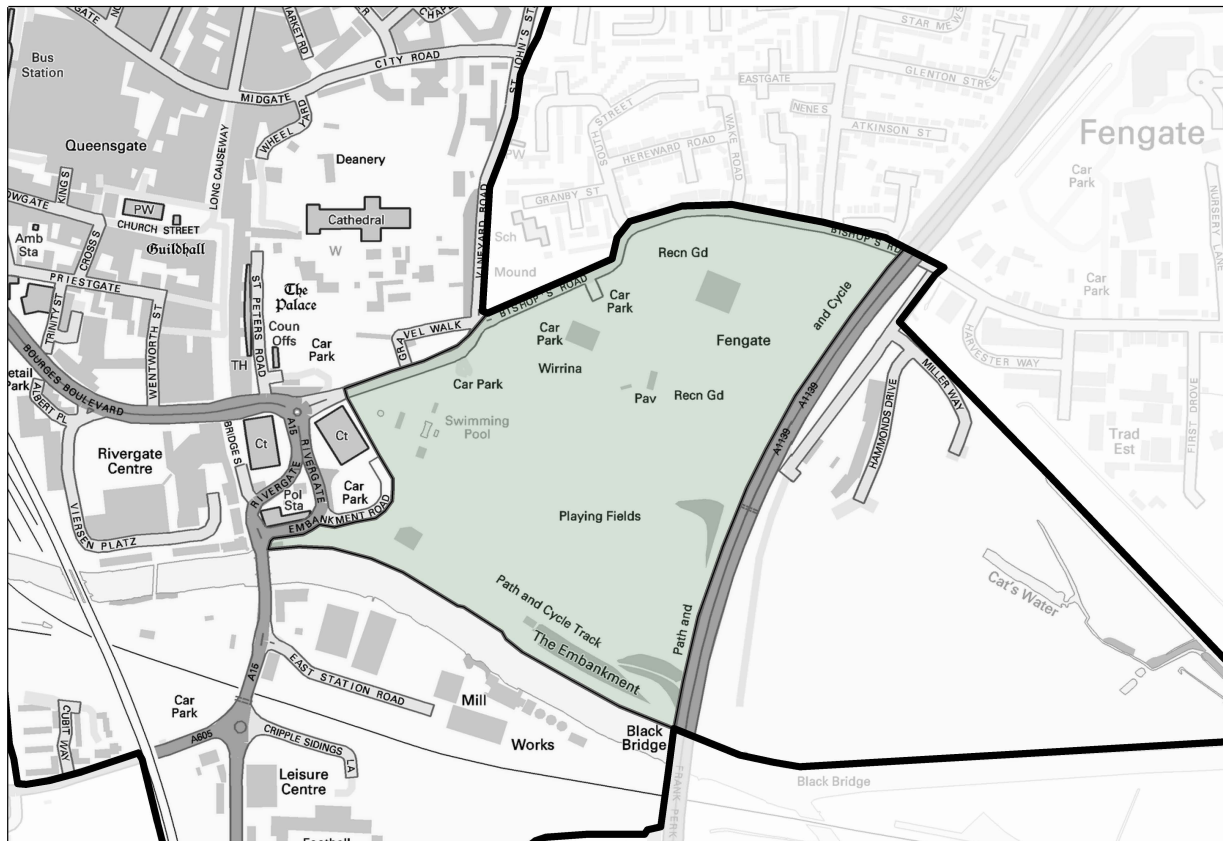
Policy Areas

4.5 Riverside North Policy Area

Description of the Area

- 4.5.1** This area is located to the south and east of the Cathedral and to the west of the Frank Perkins Parkway. It includes the Embankment which will remain a protected area of open space, and the regional pool and athletics track to the north of the Policy Area.
- 4.5.2** The Policy Area also includes the Key Theatre and Lido and large areas of surface car parks along Bishops Road as well as the derelict Worrina site.
- 4.5.3** To some extent, the area is seen as a secondary part of the city centre due to the poor links and connectivity with the City Core and Riverside South Policy Areas. This means that this high quality area of open space with a river setting in the city centre is relatively underused. Other than for formal events.

Map 6 Riverside North Policy Area



Vision for the Area

- 4.5.4** The vision for this area is to bring the southern part of the embankment into much greater use, making the most of its riverside setting. This will be achieved through improving connections with other parts of the city centre, including the provision of a new foot/cycle bridge over the River Nene from the Fletton Quays Opportunity Area and improved foot/cycle links between the Rivergate area and the new residential development which is proposed to the east of Frank Perkins Parkway.
- 4.5.5** It is also a citywide vision to improve the existing sports facilities towards the north of the Policy Area; this may include provision of a new 50 metre swimming pool. There will also be improvements to the entrance and access to the sports area.

Policy CC 7

Riverside North Policy Area

The Riverside North Policy Area, as shown on the Policies Map, will remain a generally open area for social, recreational, leisure and cultural uses.

Any built development will be confined to the northern part of the site and along the frontage to Bishops Road. Development proposed for this area will include provision for a new swimming pool and other sports facilities as well as approximately 50 prestige homes.

All new development must be of high design quality and improve the pedestrian and cycle links to the City Core Policy Area and Fletton Quays Opportunity Area, including a new foot/cycle bridge across the River Nene.

The council will support proposals which will improve and enhance the Key Theatre by making the most of the riverside location and links to Fletton Quays Opportunity Area.

Views of the cathedral from the south and south east and the setting of the Listed Lido should be preserved.

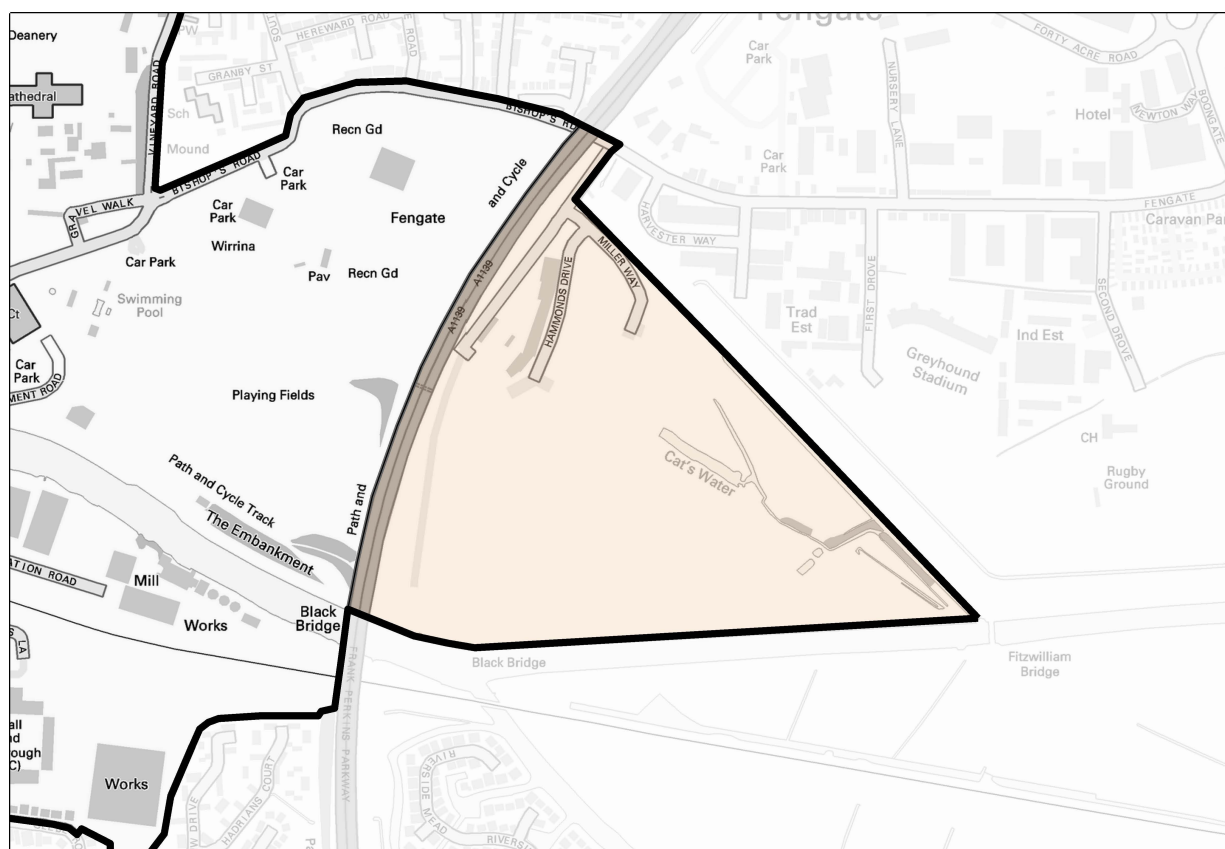
Policy Areas

4.6 Fengate Policy Area

Description of the Area

- 4.6.1** The Fengate Policy Area is located to the east of Frank Perkins Parkway. In the north of the area, a large area of former derelict land off Potters Way is being redeveloped for residential purposes, with the second phase under construction. The area to the south is currently an open area of land which is unused except on an informal basis for recreation. (This area was a former landfill site.)
- 4.6.2** In the east, the Policy Area includes an area of land of high biodiversity value which will become an informal nature reserve and this is protected as an area of green space.
- 4.6.3** The Policy Area is currently poorly connected to the wider city centre, although there are pedestrian links along the River Nene which form part of a river walk that runs the length of the site.
- 4.6.4** Part of this Policy Area is located within flood zone 3; therefore any future development will be restricted to the areas at a lower risk of flooding and will need to incorporate suitable flood mitigation measures.

Map 7 Fengate Policy Area



Vision for the Area

- 4.6.5** The vision for this area is the creation of an attractive river front residential development which will provide mainly family accommodation and associated community facilities.
- 4.6.6** Any development will incorporate and enhance the existing pedestrian route along the River Nene and improve the river frontage in accordance with policy PPX of the Peterborough Planning Policies DPD.

Policy CC8 Fengate Policy Area

Policy CC 8

Fengate Policy Area

Within the area designated as the Fengate Policy Area on the Policies Map, planning permission will be granted for residential and associated ancillary development on the following sites:

Site reference	Site Name	Status*	Indicative number of dwellings
CC8.1	Potters Way	UC	272**
CC8.2	Fengate South		300-400
Total			572 -672

* Status at 1 April 2012. O = Outline. NS = Not started, with full planning permission. UC = under construction

** Dwelling still be completed on this site.

Prior to the granting of any planning permission for residential development on the Fengate South site (CC8.2), the council will require the developer to submit a masterplan or other evidence documents that address the following matters:

- how flood risk issues are to be addressed, including the location of dwellings in areas at lowest probability of flooding and the proposed flood risk mitigation measures;
- the arrangements for the remediation of the site to a standard suitable for residential and associated uses;
- transport issues, including vehicular access arrangements, measures to address transport impacts beyond the site and measure to improve pedestrian and cycle infrastructure for the area to the City Core (Thus reducing the need to travel by car)
- impacts on biodiversity, including, in particular, any impacts on the Nene Washes SSSI, SAC, SPA and Ramsar Site;
- visual and landscape impacts (including countryside and cathedral views);
- a design solution that creates a high quality residential environment with associated community facilities, providing an attractive frontage to the river with the possibility of moorings; and
- the creation of an attractive public riverside walk and cycle path which runs the length of the site, connecting with the foot and cycle paths from the Embankment west of the Parkway.

The council will require the submission of sufficient information from the applicant to enable it to complete a project-level screening exercise under the Habitats Regulations, and, if that screening concludes that full Appropriate Assessment is needed, sufficient information to enable it to complete that Appropriate Assessment. This process will need to demonstrate that the development will not have an adverse effect on the integrity of the Nene Washes.

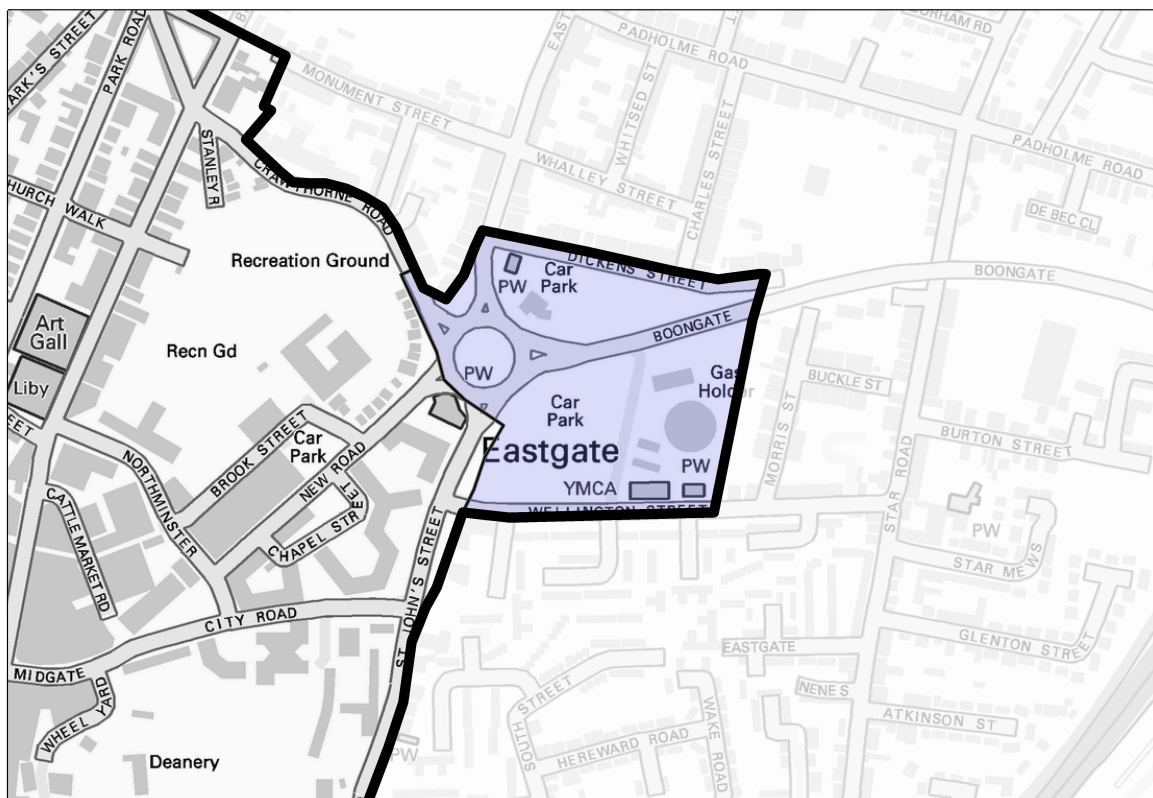
Policy Areas

4.7 Boongate Policy Area

Description of the Area

4.7.1 This area is located on the eastern edge of the city centre and forms an important entrance into the city centre from the east and particularly from the Frank Perkins Parkway. The area is dominated by the Boongate roundabout and includes the gasholder station and two surface car parks either side of Boongate. The Policy Area also includes a church and community centre along Dickens Street.

Map 8 Boongate Policy Area



Vision for the Area

- 4.7.2** The vision for this area is to create a more attractive gateway into the city centre. There will be more efficient use of the land around Boongate, including improvements to the existing car parks and new residential development.
- 4.7.3** Improvements to the Boongate roundabout are proposed. These will include signalization and improved pedestrian crossing arrangements for the benefit of residents from the Eastgate and Eastfield areas of the city.
- 4.7.4** Any development in this Policy Area must comply with guidance from the Health and Safety Executive in respect of proximity to the Wellington Street gasholder.

Policy CC9 Boongate

Policy CC 9

Boongate Policy Area

Within the area designated as Boongate on the Policies Map, planning permission will be granted for a high quality residential-led development which creates an enhanced gateway into the city centre.

The following sites, as identified on the Policies Map, are allocated primarily for residential use:

Site reference	Site Name	Status*	Indicative number of dwellings
CC9.1	Dickens Street Car Park		30
CC9.2	Wellington Street Car Park		40
Total			70

* Status at 1 April 2012. O = Outline. NS = Not started, with full planning permission. UC = under construction

The Wellington Street car park site will include residential development and a multi-storey car park providing at least the same number of parking spaces as exist on the site at present.

4.7.5 No residential development in this Policy Area will be permitted within the inner zone of the Wellington Street gasholder station.

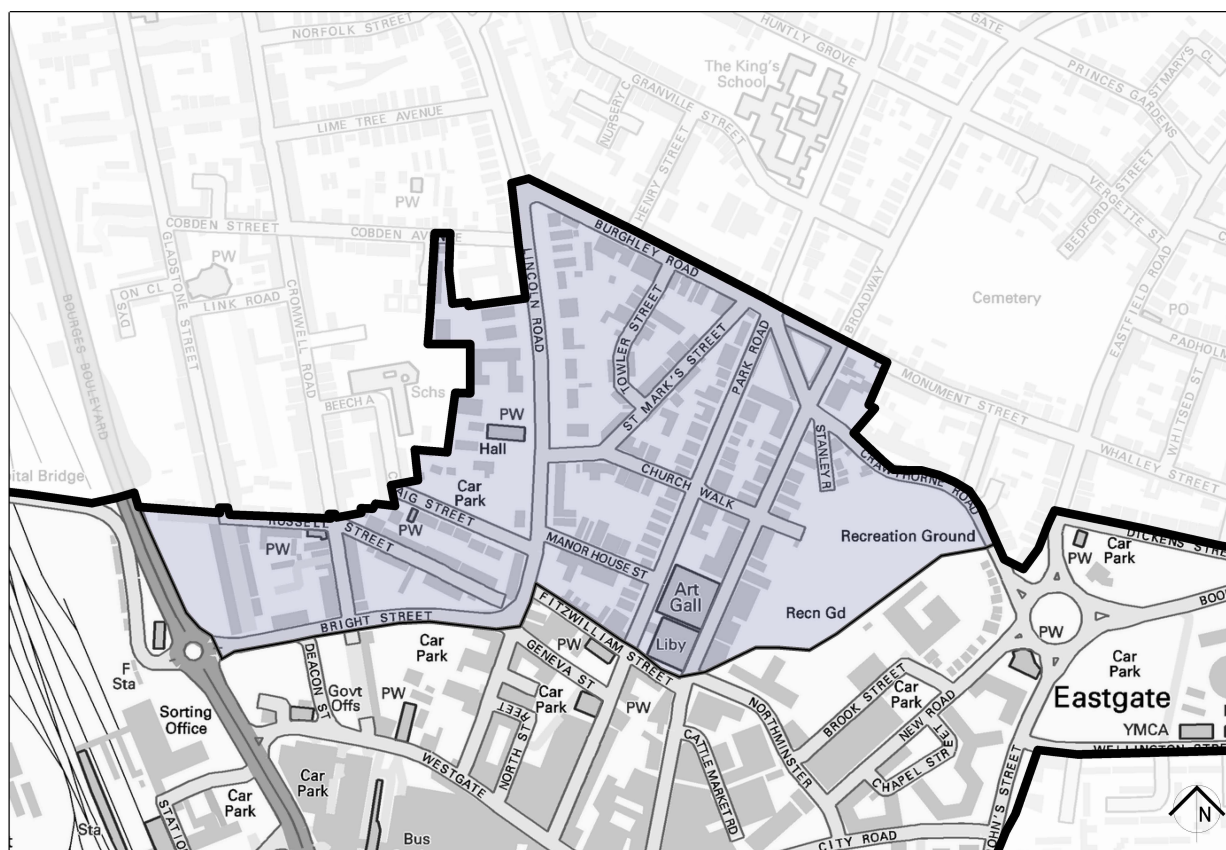
Policy Areas

4.8 City North Policy Area

Description of the Area

- 4.8.1** This area is towards the north of the city centre and is seen as a transitional area between the commercial City Core and the inner city residential areas. It includes many public buildings such as the Central Library and the Broadway Theatre building and a large part falls within the Park Conservation Area.
- 4.8.2** The area has a mix of commercial and residential properties, including substantial Victorian/Edwardian villas and terraced housing. It includes the Stanley Recreation Ground, which is a valued area of green space.
- 4.8.3** Broadway is a key thoroughfare approaching the City Core from outlying residential areas to the north. The traditional urban fabric has been partially replaced with large scale early 20th century buildings. This street includes small scale commercial uses and small retail units and the area is currently one of the main focuses for the evening economy, with several restaurants and bars.
- 4.8.4** The majority of this Policy Area forms part of the wider regeneration area covered by “Operation Can-Do”, which is a 10 year multi-agency initiative in the Gladstone, Millfield and New England areas, supporting a range of physical and community regeneration projects.
- 4.8.5** The area adjoins the North Westgate Opportunity Area, where it is proposed that there should be a major redevelopment of vacant and underused land. Care will be needed to ensure that any scheme creates an attractive and integrative frontage onto Bright Street.

Map 9 City North Policy Area



Vision for the Area

- 4.8.6** This is a part of the city that will see incremental, rather than fundamental change, over the lifetime of this plan. Development will seek to create a sensitive transition between high density commercial uses to the south and terraced residential streets to the north. Particular effort must be made to ensure effective and seamless linkages between the commercial core and outlying residential areas.
- 4.8.7** New residential development will take place at various locations, and there will be infill development where this can be achieved in a sensitive manner. Given the high density of residential use and the need to maintain a balanced housing offer including family homes, the subdivision of houses to flats will not be supported.
- 4.8.8** The overall vision for the area is to create pride, safety and community cohesion as part of the overall 'Operation Can-Do' initiative, with any new development in the Park Conservation Area preserving or enhancing its character.

Policy Areas

Policy CC 10

City North Policy Area

Within the area designated as City North on the Policies Map, the following sites are allocated primarily for residential use:

Site reference	Site Name	Status*	Indicative number of dwellings
Sites under 10 dwelling with planning permission at 31 March 2012			16
CC 10.4	57-71 Broadway	NS	10
CC 10.5	80 Lincoln Road	UC	25
CC 10.10	58 – 60 Lincoln Road		4
CC 10.11	69 – 75 Lincoln Road		11
Total			66

* Status at 1 April 2012. O = Outline. NS = Not started, with full planning permission. UC = under construction

Further infill development will be acceptable in this area provided that it respects the character and built form of the surrounding area. Sub-division of properties into flats and the subdivision of houses in multiple occupation will not be supported in this area.

The city council will support, in principle, development that would:

- improve the mix of uses
- complement and support any community regeneration projects
- improve connectivity for pedestrians and cyclists to the City Core and, in particular, to North Westgate

The Stanley Recreation Ground will be protected and enhanced with new facilities for local users. Proposals for development adjoining the Recreation Ground should help to reconnect it to the rest of the city centre and ensure activity and overlooking across the open space to enhance the sense of safety.

5.1 Transport

Introduction

- 5.1.1** This section sets out the transport strategy required to support the delivery of the City Centre Plan.
- 5.1.2** The levels of growth and major regeneration proposed for the city centre will have a significant impact on the wider strategic transport network and will require transport master planning to ensure improvements are in place to support growth.

Local Transport Policy

- 5.1.3** The main transport policies and infrastructure requirements are set out in the Peterborough Long Term Transport Strategy (2011 to 2026) (LTTS) and Local Transport Plan 3 (2011 to 2016) (LTP3), both of which were adopted in April 2011.
- 5.1.4** The LTTS covers the same 15 year timescale as the Core Strategy and this City Centre Plan. The overall growth targets and broad locations for growth set out in the Core Strategy, including city centre issues, were used to assess the transport situation and future impact on the network.
- 5.1.5** The LTP3 sets out the more short term transport policies, infrastructure requirements, funding and timescales. It also defines a spatial strategy for the authority area, as set out diagrammatically below. Two zones align with this City Centre Plan: the 'city centre', is the same boundary of the City Centre Plan, and a smaller sub-section called the 'city core', which is the same as the City Core Policy Area in this Plan.

Transport

5.1.6 The LTTS and LTP3 have policies and proposals covering a wide range of matters, only some of which have 'land use' implications. Taking the land use principles and policies set out in the LTTS and LTP3, an overarching land use Transport Vision has been prepared for this City Centre Plan and is set out below:

City Centre Transport Vision

In 2026 the city centre will have become cleaner and greener with improved local air quality. There will be fewer non-stopping vehicles passing through the city centre and less vehicles will enter the city core. Public transport will continue to increase, helped by improved transport interchanges and a transformed railway station.

Additional priority will be given to **pedestrians** in the city centre and the city core. Particular attention will be made to improving **accessibility** for all including those with disabilities. There will be improved facilities for **cyclists** to encourage them to access the city centre and city core, and to provide alternative routes to bypass the city core for those on through trips. More high quality, attractive and accessible public realm will be provided including improved wayfinding, making it easier for pedestrians to find the quickest, easiest and most pleasant routes through and around the city centre.

Bourges Boulevard will no longer act as a barrier to movement. It will be transformed to give greater priority to pedestrians, with additional pedestrian crossing points created including a new landmark entrance from the railway station to the city core. Phase by phase, the number of non-stopping vehicles using Bourges Boulevard will fall.

A transformation of **car parking** provision will have been undertaken, based on the principle of relocating car parks out of the city core towards the edge of the city centre. Priority parking (and charging points) will be given to low emission vehicles or other more sustainable vehicles and vehicle uses. New parking provision will allow for greater efficiency of land use, with less surface parking than today. New development will take advantage of this freed up space.

The River Nene and its banks will become a transport gateway, for boats, pedestrians and cyclists.

Retail and other commercial activity will continue to have access for service vehicles, but arrangements for this will be carefully controlled to minimise unnecessary disturbance to the public.

- 5.1.7 The deliver of the vision will require investment from a wide range of sources. However, development proposals can also play their part, by complying with the following policy:

Policy CC 1

Transport

All development within the City Centre Plan area will be expected to make contributions to the delivery of the Transport Vision set out above. This will be both on site contributions, such as: the provision of high quality public realm; cycling infrastructure; attractive pedestrian facilities; and, appropriate accessibility improvements for those with disabilities, as well as, and where reasonable and required to do so, off-site contributions by way of s106 agreements and through CIL in the future.

Developments which would have a negative impact on the ability of the council to achieve the transport vision will not be supported.

New car parking spaces associated with new developments will generally be discouraged or of a limited provision.

Explanatory text for the Vision

- 5.1.8 **Pedestrian Connections:** The city centre has a number of barriers to pedestrian movement. The council will seek to remove these barriers to help people move around the city centre easily, in comfort and feel safe and secure. Part of this improvement will be through enhanced public realm and part through the improvements to pedestrian footways and pedestrian zones.
- 5.1.9 **Accessibility:** The city centre should be as accessible as possible for all. The council will consult with DIAL, the RNIB and other local and national organisations on city centre and city core proposals to ensure that the maximum benefit to disabled people can be incorporated into schemes.
- 5.1.10 **Cycling Provision:** Infrastructure to support an increase in cyclists entering the city centre will be a priority for the council. Increased cycling leads to better air quality, less need for wasteful car parking spaces, less traffic on the city centre roads and healthier lifestyles.
- 5.1.11 However, the city centre should be regarded as a destination rather than a thoroughfare. This means cyclists are encouraged to get access into the city centre and core area but not to cycle through it. For those wanting to pass through, a number of city cycle routes will be created to allow cyclists to bypass the city centre.
- 5.1.12 **Bourges Boulevard:** Bourges Boulevard was constructed as a dual carriageway during the new town expansion of the city and designed to contain the city centre. Peterborough city centre has since grown and expanded and the city centre is now bisected rather than contained by Bourges Boulevard. This has led to access problems for residents and visitors, constraint on further growth and a lack of cohesion of the wider city centre. A number of options will be considered to improve Bourges Boulevard and the access points to the city core.
- 5.1.13 There are limited pedestrian and cycling crossing points. Visitors arriving at the railway station are forced into subways beneath the roundabout to access Cowgate and the city core. New pedestrian crossings will be provided at strategic points along Bourges Boulevard and the road itself enhanced through public realm improvements to create a much more attractive route into and through the city centre.

Transport

5.1.14 A phased approach to the treatment of Bourges Boulevard will be taken during the plan period. As development comes forward on sites adjacent to the road, additional pedestrian facilities will be provided. As a long term measure highway space will be reconfigured to enable greater priority for pedestrians, cyclists and public transport.

5.1.15 Parking: In the city centre there are over 8,800 publicly available car parking spaces providing plentiful and affordable parking, making the city centre highly accessible. However, car parks and particularly surface parks occupy a significant area limiting land available for development. The city's car parks are dotted around the city centre and city core which directs traffic to inappropriate roads.

5.1.16 Surface car parks within the city centre and particularly city core will be consolidated in the city centre to provide areas for new development, whilst maintaining a level of car parking consistent with current provision.

5.1.17 The council will develop a parking strategy that:

- Supports the vitality and viability of the city centre by providing, maintaining and managing an appropriate supply of parking space, for all motorised vehicles (cars, coaches, goods vehicles and motorcycles)
- Supports and promotes the use of more sustainable modes including vehicles with lower emissions (smaller engine size), low emission propulsion and multiple occupancy
- Makes more land available for development and higher use and reduces pressures on both car parking provision and the city centre and city core road network
- Except for the provision of parking bays for the disabled, reduce publically available spaces in the core through relocation to the periphery of the city centre.

5.1.18 The provision of park and ride or other modal interchanges will be explored to reduce parking demand and vehicles entering the city centre.

6.1 Infrastructure

- 6.1.1** This chapter identifies relevant supporting infrastructure required to deliver the proposed levels of growth in the city centre and support a growing population.
- 6.1.2** This includes transport, education, health and utilities such as water and waste.
- 6.1.3** How the infrastructure requirements will be met is set out in the Core Strategy (see section 6.6) Policies CS12 and CS13. The required infrastructure to support the Core Strategy, which included 4,300 new dwellings and 3.5 ha of employment land, was identified through the Peterborough Integrated Development Programme (IDP) (2009). This document provided a full breakdown of infrastructure needs based on the projected growth outlined in the Core Strategy.
- 6.1.4** Since 2009 and the adoption of the Core Strategy development has progressed, however in some areas development has slowed due to the recession. Therefore the IDP has been updated and a revised infrastructure list has been produced in October 2012 to support the Council's Community Infrastructure Levy (CIL) and is known as the Infrastructure Delivery Schedule (IDS).
- 6.1.5** This has been produced through close working with key partners and infrastructure providers and is drawn from a wide range of sources to reflect latest growth programme.
- 6.1.6** All projects included identify the likely funding source. However, it is important to note that the IDS is a live document that will be updated regularly and will be used to inform the monitoring and implementation of the Core Strategy and this City Centre Plan
- 6.1.7** Future housing development in the city centre is expected to greatly increase the population living the central area. It is important that these residents have access to health, education and other community facilities in convenient locations to minimise the need to travel.
- 6.1.8** There is a requirement for new education facilities to cater for a greater population and the surrounding areas.

Table three: Summary of infrastructure requirements in the IDS October 2012

Policy Area	Identified Infrastructure Projects
City Core	<ul style="list-style-type: none"> Bourges Boulevard Pedestrian Crossings (Inc. DDA Link Between Bus and Rail Station) Travelchoice Centre (Central Bus / Rail Information Centre)
Station	<ul style="list-style-type: none"> Bourges Boulevard Pedestrian Crossings (Inc. DDA Link Between Bus and Rail Station) Pedestrian and Cycle Bridge in Vicinity of Crescent Bridge Crescent Bridge / Bourges Boulevard Improvements Peterborough Station Enhancement West Town Primary School (IDS) 1 – 5 years Combined sewer overflow at river lane to support development at the station and hospital (IDS) 1- 5 years New Substation at railway station (IDS) 6 -10 years
Rivergate	<ul style="list-style-type: none"> Rivergate Gyratory improvements Upgrade Peterborough Central 132/11 kv substation 11 -15 years
Riverside South	<ul style="list-style-type: none"> South Bank Railway and River Footbridges London Road River Bridge Phase III

Infrastructure

Policy Area	Identified Infrastructure Projects
	<ul style="list-style-type: none"> • Up rate Peterborough southern Area PS (IDS) 1-5 years • Divert 132V cables south Bank north (IDS) 6 – 10 years • Flood Mitigation
Riverside North	<ul style="list-style-type: none"> • Cultural development on Embankment (IDS) 1 – 5 years • Centre of Sporting Excellence, Embankment North (IDS) 6 – 10 years • Primary school, North Embankment (IDS) 1 -5 years
Fengate	<ul style="list-style-type: none"> • Flood mitigation
Boongate	<ul style="list-style-type: none"> • East Embankment - Boongate Dualling • East Embankment - Fengate Capacity Improvements
City North	<ul style="list-style-type: none"> • No specific infrastructure identified for this Policy Area

6.1.9 The major infrastructure requirements identified in the IDS (October 2012) are listed within each Policy Area.

Implementation and Monitoring

7.1 Implementation and Monitoring

7.1.1 This section outlines how the City Centre Plan and its policies will be implemented and monitored. It seeks to show how specific policies will be delivered and by whom and when. In some cases, this will be via other policies such as the Core Strategy or through the production of Supplementary Planning Documents for specific areas of the city centre.

Implementation

7.1.2 Implementation of the City Centre Plan will be heavily dependent of providing necessary infrastructure such as roads, schools, and water and electricity capacity. The infrastructure requirements are explained in the previous chapter, which identifies the key infrastructure to be secured and demonstrates that there is a good understanding of infrastructure and reasonable prospect of timely provision, to support the planned growth of the city centre.

Monitoring

7.1.3 Monitoring is still a key element of the planning system as it allows the council to keep a check on targets and delivery. It allows the council and other partners the opportunity to identify any problems in the delivery of the policies and identify the need for intervention or management actions. It also highlights if there is a need to review any policies.

7.1.4 The council carries out comprehensive monitoring of all DPDs, which are reported on an annual basis for a year which begins on 1 April and end on 31 March. The results for the monitoring of all DPDs are brought together through the Peterborough Monitoring Report.

7.1.5 The overall housing and employment requirements for the city centre are established through the Core Strategy. Policies CS2 and CS3 sets the targets and this City Centre Plan identifies the available land to meet the targets. Therefore the housing and employment requirements for the city centre will be monitored in accordance with the indicators and targets set out in chapter 7 of the Core Strategy for policies CS2 and CS3.

7.1.6 Any housing or employment areas identified in policies CC6 to CC13 will be monitored along side all sites allocated in the Site Allocations DPD. The results of the housing and employment monitoring will be broken down by growth zones and will include a figure specifically for the City Centre

Implementation and Monitoring

City Centre Strategy

7.1.7 The following tables show how the City Centre Plan policies will be monitored and implemented. As many of these issues area covered by other city wide policies such as policies in the Core Strategy or Planning Policies DPD many of the monitoring targets are the same.

Policy CC1 Sustainable Development				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Peterborough Environment City Trust (PECT) Greater Peterborough Partnership (GPP) Public and private developers	Through the preparation of the Healthy living SPD Through the continual submission and determination of planning applications Ensuring that new development meets the latest design standards including sustainable construction, energy efficiency measures Sustainability Appraisal of City Centre Plan	This policy will be monitored along side Core Strategy policy CS10	See policy CS10	Additional cost to developers
Other relevant policies	Core strategy: CS10, CS11, CS16 Planning Policies DPD:			

Implementation and Monitoring

Policy Areas

7.1.8 The following tables show how the delivery of each policy area will be monitored and implemented. As mentioned the delivery of any sites or Opportunity Areas will be monitored via Core Strategy policies particularly CS2 and CS3.

7.1.9 Delivery of development in the policy area will rely on private investment and public funding, and willingness of landowners to make their land available.

Policy CC2 City Core Policy Area				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Private and public developers landowners Hammerson English Heritage Dean Cathedral	North Westgate development coming forward Implementation of wider public realm improvements Through continual submission and determination of planning applications Improvements to Bourges Boulevard Master Plan for Northwestgate Opportunity Area City Centre Conservation Area Appraisal Cathedral Plan	CS2, CS3, CS4, CS15 CC1		Number of different landowners owing small parcels of land. Fragmented approach. Lack of interest in retail in City Centre
Other relevant policies	Core Strategy: CS2, CS3, CS4, CS15, CS16, CS17, CS18 Planning Policies DPD:			

Implementation and Monitoring

Policy CC3 Station Policy Area				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council landowners Network Rail Hospital Trust (new land owners) ING (new land owners)	Hospital SPD IDS – Storage at river lane combined sewer overflow 1 -5 years Through continual submission and determination of planning applications Improvements to Bourges Boulevard Hospital – off site highway improvements Funding to deliver station improvements Site clearance and remediation Development that fits around constraints of operational railway land	CS2, CS3		Fragmented approach. Cost of site clearance and remediation
Other relevant policies	Core Strategy: CS2, CS3, CS4, CS15, CS16 and CS17 Planning Policies DPD:			

Implementation and Monitoring

Policy CC4 Rivergate Policy Area				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Landowners ASDA UNEX Rivergate Centre Private and public developers Police Courts	Through continual submission and determination of planning applications Long term reconfiguration of Rivergate gyratory – but not necessary to meet policy. Need for SPD or masterplan Through downgrading of Bourges boulevard, improving pedestrian access to the area	CS2, CS3, CS4 and CS15 CC2		Impact of increased retail at North Westgate
Other relevant policies	Core Strategy: CS2, CS3, CS4, CS15 Planning Policies DPD: City Centre DPD: CC2			

Implementation and Monitoring

Policy CC5 Riverside South				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Joint Venture Company Landowners – Railworld Milton Estates Peterborough United FC EDF	Establishing a joint venture company to support council in the delivery of the riverside south site. Flood risk and mitigation measures. Through continual submission and determination of planning applications	CS2, CS3, CS4, CS15, CS16, CS17, CS18, CS19, CS22		Lack of appetite for development
Other relevant policies	Core Strategy: CS2, CS3, CS4, CS15, CS16, CS17, CS18, CS19, CS22 Planning Policies DPD: City Centre DPD: CC2			
Policy CC6 Riverside North				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Vivacity Sport England landowners	Through continual submission and determination of planning applications. Working with vivacity on provision of new sports facilities	CS2, CS4, CS17, CS18, CS19		Lack of funding
Other relevant policies	Core Strategy: CS2, CS4, CS17, CS18, CS19 Planning Policies DPD:			

Implementation and Monitoring

Policy CC7 Fengate				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Private and public developers Landowners Milton Estate Kier Residential	Through continual submission and determination of planning applications. Delivery of committed housing site at Potter's Way	CS2, CS4, CS22		Landowners lack of interest in developing site during the plan period. Additional cost of remediation and flood risk
		CC4		
Other relevant policies	Core Strategy: CS2, CS4, CS22 Planning Policies DPD: City Centre DPD: CC3, Transport			
Policy CC8 Boongate				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Private and public developers	Through continual submission and determination of planning applications.	CS2, CS4,		
Other relevant policies	Core Strategy: CS2, CS4 Planning Policies DPD: City Centre DPD: Transport			

Implementation and Monitoring

Policy CC9 City North				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Peterborough City Council Private and public developers Health Police	Through continual submission and determination of planning applications. Park Conservation Area Appraisal Operation can do	Sub division of properties CS2, CS3, CS4, CS15, CS17 CC2, CC4	No increase	
Other relevant policies	Core Strategy: CS2, CS3, CS4, CS15, CS17 Planning Policies DPD: City Centre DPD: CC2, CC3			
Policy CC10 Transport				
Key responsibilities	Implementation	Monitoring		Risks
		Indicator	Target	
Other relevant policies	Peterborough Local Transport Plan 3 (Chapter 13)			

Local Plan Policies to be Replaced

Prior to the adoption of the Core Strategy, the 'development plan' for the Peterborough area was covered by a single document entitled the Peterborough Local Plan (First Replacement) (July 2005). Subsequently, the majority, but not all, of the policies in that Plan were saved by a Direction from the Secretary of State for Communities and Local Government beyond July 2008. Those which were not explicitly saved were therefore deleted and no longer formed part of the development plan.

The Core Strategy (February 2011), the Site Allocations DPD (February 2012) and Planning Policies DPD (December 2012) has further deleted most of the 2005 Local Plan policies.

This City Centre Plan is proposing to delete the remaining 14 Local Plan policies, and these are set out in the table below. Once the City Centre Plan is adopted for Peterborough, the intention is that there will be no policies remaining 'saved' from the 2005 Local Plan.

City Centre Plan Policy	Policies in the Peterborough Local Plan (First Replacement) 2005 which are to be replaced
CC1 - Sustainable Development	
CC2 - Retail	CC1, CC2, CC3
CC3 - City Core	CC10
CC4- Station Quarter	CC12, CC13
CC5 - Rivergate	
CC6 - Riverside South	CC11
CC7 - Riverside North	CC6
CC8 - Fengate	
CC9 - Boongate	
CC10 - City North	
CC11 - Transport	CC15, CC16
These policies in the Local Plan (First Replacement) 2005 are deleted as they are no longer necessary or are superseded by national policy	CC7, CC9, CC19, T12

Local Plan Policies to be Replaced

Relationship with Other Documents

This Appendix explains how the City Centre Plan fits with other plans and strategies; how these have influenced the production of this Consultation Draft version of the Plan; and how the policies and proposals aim to deliver wider objectives.

Planning Policy Context

The City Centre Plan will eventually be adopted by the council as a Development Plan Document (DPD). It will then form part of the council's wider statutory development plan, becoming part of the collection of DPDs to be taken into consideration in the determination of planning applications.

Figure X provides a basic summary of the documents that make up the wider development plan for Peterborough, and how the City Centre Plan fits within this context.

You will find definitions of all terms used in Figure X in the glossary (Appendix E)

Further information on specific documents listed above can be found in the council's Local Development Scheme (LDS). This also includes the main dates for production of all documents. The LDS can be viewed at:

http://www.peterborough.gov.uk/planning_and_building/planning_policy/draft_development_plans/local_development_scheme.aspx

The overarching plan for Peterborough is the Peterborough Core Strategy DPD. This defines the 'headlines' of development to be accommodated within the City Centre Plan area. The City Centre Plan will sit beneath the Core Strategy and provide more detailed planning policies and designations for the city centre.

National Planning Policy

Any DPD must be consistent with the principles and policies set out in the Government's National Planning Policy Framework (NPPF).

At the heart of the NPPF is the requirement for all development to be sustainable and with the presumption in favour of sustainable development.

The City Centre Plan has been produced to reflect this presumption in favour of sustainable development. It has separately been assessed against a wide ranging sustainability framework, looking at the social, environment and economic implications of the Plan. This assessment process is contained in a separate City Centre Sustainability Appraisal Report and there is a summary in Appendix E.

Peterborough Core Strategy (February 2011)

The Peterborough Core Strategy sets the overall strategic vision and objectives for Peterborough and broad principles for development.

The Core Strategy has a number of particularly important policies and 'headlines' which this City Centre Plan must conform to and expand upon, as necessary. Policy CS4 is the most relevant as it sets the broad requirements for the city centre. The policies of particular relevance to the city centre are summarised as follows:

Table 1

Core Strategy Policy	Applicable details for the City Centre, which this plan must conform to
CS2	Approximately 4,300 new dwellings in the city centre (at 1 April 2009)

Relationship with Other Documents

Core Strategy Policy	Applicable details for the City Centre, which this plan must conform to
CS3	Equivalent of at least 3.5 hectares of employment land; mixed use development in the city centre encouraged
CS4	Detailed policy on the city centre, including policy on: <ul style="list-style-type: none"> • City centre to be developed and maintained as a centre of regional significance • Major cultural and leisure developments encouraged • Confirms the 4,300 dwelling target • Promoted for employment, especially B1 uses • Areas of change identified, but not limited to, South Bank, Hospital site, land beside the River Nene, railway station area, land for university • Public realm and natural environment improvements • Protection of historic environment
CS14	Enhance the city centre in order to improve connectivity and reduce need to travel
CS15	Peterborough City Centre (Primary Shopping Area) identified as top in the hierarchy of retail centres. Preference for all comparison goods retail proposals to be directed to the city centre. Some additional convenience floorspace.
CS17	Protection of views of the cathedral
CS18	Focus of new cultural, leisure and tourism facilities in the city centre, which: <ul style="list-style-type: none"> • Making the most of existing assets such as the river • Promote a regional multi-use venue for large scale events • Improve the evening and night time economy • Make use of sustainable travel modes (walking, cycling, public transport and water taxis) • Linked use of any university facilities such as sport and libraries Large attractions should be located in the city centre
CS19	Promotion of the River Nene as a sub-regional corridor for biodiversity and landscape retention, restoration and creation; and the promotion of access, navigation and recreation

All other policies in the Core Strategy are applicable across the whole city council area, including the city centre, particularly policies CS12 Infrastructure and CS16 Urban Design.

Peterborough Site Allocations DPD (April 2012)

The Peterborough Site Allocations DPD was adopted in April 2012 and allocates sites for future housing and employment development to meet the requirements set by the Core Strategy. It applies to all of the local authority area except the city centre. The document identifies the boundary of the city centre and the area to be covered by the City Centre DPD.

Relationship with Other Documents

Planning Policies DPD (December 2012)

The Planning Policies DPD sets out the detailed policies and standards against which planning applications will be assessed. It applies throughout the local authority area, so all of its policies could be relevant to a development which is proposed in the city centre. There is no need to repeat policies in this Plan, but attention is drawn to specific policies from the Planning Policies DPD whenever relevant.

Peterborough District Hospital Site Supplementary Planning Document (SPD) (June 2010)

A Supplementary Planning Document for the former District Hospital site was adopted by the council in June 2010. It provides detailed guidance for the redevelopment of the land. The site falls within the City Centre Plan area and is identified as an Opportunity Area.

The Station Policy Area (policy CC7 below) provides more detailed policy for this Opportunity Area.

Peterborough Policies Map

The Policies Map is a separate document which shows the location and areas to which policies in this City Centre Plan and all other DPDs apply on an Ordnance Survey base map.

The Policies Map will be updated each time that the council adopts a DPD which has policies for specific geographical areas.

The City Centre Plan only applies to a specific area. Figure xx identifies the City Centre Plan boundary this is the area covered by Inset 2 of the Policies Map.

Relationship with other Documents

Certain other (non-planning) documents have influenced the production of this consultation draft City Centre Plan.

Peterborough Long Term Transport Strategy and Local Transport Plan 3 (April 2011)

The main transport policies for Peterborough, and their associated infrastructure requirements, are set out in the Peterborough Long Term Transport Strategy (LTTS) and Local Transport Plan 3, which were approved in April 2011.

The LTTS covers the same 15 year timescale as the Core Strategy and this City Centre Plan.

Chapter 6 City Centre Transport Plan contains policies and proposals to ensure that the required transport infrastructure is in place to support the proposed growth in the city centre.

Sustainable Community Strategy 2008-2021 (June 2008)

The Greater Peterborough Partnership (GPP) has produced the Peterborough Sustainable Community Strategy (SCS), which sets out a vision and overall strategy for the future of the city and surrounding villages and rural areas. It aims to substantially improve the quality of life of the people of Peterborough and to raise the profile and reputation of our city as a great place in which to live, visit and work. It is as much about empowering our existing communities, investing in new leisure facilities and enhancing our local neighbourhoods as it is about building new houses and encouraging the creation of new jobs. The vision, priorities and principles of the SCS have informed preparation of this City Centre Plan.

Relationship with Other Documents

Peterborough Public Realm Strategy (May 2008)

The Peterborough Public Realm Strategy includes initial sketch designs and concepts for a number of important streets, spaces and areas of the city centre, to show how the overall public realm and surrounding environment of the city centre could be improved. The document also identifies suitable materials and designs for specific areas.

Some of the projects identified in the Strategy have already been successfully implemented and others, such as improvements to Bridge Street and Cowgate are underway.

Residential Development to meet Core Strategy Requirements

Residential Development to meet Core Strategy Requirements

This Appendix explains how the provision made for new residential development in this Plan contributes to the overall requirements established by the Peterborough Core Strategy.

Policy CS2 of the Core Strategy (dealing with the location of new residential development) makes provision for approximately 25,500 additional dwellings across the local authority area between 1 April 2009 and 31 March 2026 and divides this figure between various areas of the city and surrounding villages, including approximately 4,300 dwellings for the city centre.

As the Core Strategy housing figures have a base date of 1 April 2009, the figures need updating to reflect completions that have taken place and permissions that have been granted over the last three years.

The updated Core Strategy housing figures are summarised in table xx. The table is split into three rows. The first row updates and presents housing figures for the local authority area, excluding the city centre. These are based on actual completions and permissions and the indicative dwelling figures for sites allocated in the Peterborough Site Allocations DPD. The second row shows similarly updated figures for the city centre only (including the dwellings proposed on sites in this Plan). The final row shows the total for the whole local authority area and demonstrates how the Core Strategy target will be met.

The second column of the table presents the approximate dwelling requirement figure from the Core Strategy, for which provision must be made over period 1 April 2009 to 31 March 2026. The third column provides details of the gross dwellings actually gained during the years from 1 April 2009 to 31 March 2012. Once these have been deducted from the original Core Strategy requirements from 1 April 2009, a revised Core Strategy requirement for 1 April 2012 to 31 March 2026 appears in the fourth column.

The column headed “Committed Sites 1 April 2012” provides details of the number of dwellings committed. Commitments are defined as dwellings which remain to be completed on sites under construction, dwellings which have full planning permission and dwellings which have outline planning permission as at 31 March 2012. The 2012 Housing Monitoring Report provides information on all committed sites.

The column headed “Required New Dwellings” shows the additional dwellings that are required in order to meet the Core Strategy target once the completions and commitments at 31 March 2012 have been subtracted from the original 2009 Core Strategy target. This identifies the approximate requirement for new dwellings that should be included in this Plan (3,412 dwellings).

For the City Centre, the column headed “New Allocations” shows the number of dwellings that are assumed to be deliverable from sites that are allocated in this Plan. These are sites without permission at 31 March 2012. The figure for the rest of the local authority area is the total number of dwellings from allocated sites in the Site Allocations DPD without planning permission at 31 March 2012. This figure is taken from the Housing Monitoring Report 2012.

Residential Development to meet Core Strategy Requirements

Dwelling Figures for the City Centre: Relationship with Core Strategy Dwelling Requirements

Table 2

	Core Strategy 2009 to 2026	Completed 1 April 2009 31 March 2012 (gross)	Core Strategy (as adjusted 2012 to 2026)	Committed Sites at 1 April 2012	Required New Dwellings	New Allocations	Total dwellings 2012 to 2026	Difference from Core Strategy Requirements (adjusted 2012 to 2026)
Local Authority Area Excluding City Centre	21,200	2,412	18,788	8,141	10,647	11,785*	19,926	+1,138
City Centre	4,300	193	4,107	695	3,412	2,434**	3,129*	-978
Total	25,500	2,605	22,895	8,836	14,059	14,219	23,055	+160

* Sites identified in the Site Allocations without Planning Permission

**Based on the mid-point of dwelling numbers where there is a range identified in this plan.

Residential Development to meet Core Strategy Requirements

The column headed “Total Dwellings 2012 to 2026” shows the sum of the dwellings in “Committed Sites at 1 April 2012” and “New Allocations”. The difference between the Total Dwellings in this column and those in the “Core Strategy (as adjusted 2012 to 2026)” column are presented in the final column. For the city centre, this reveals the extent to which dwellings from sites allocated in this Plan would meet the approximate requirements from the Core Strategy.

Although the dwelling numbers from allocated sites in the city centre fall short of the approximate Core Strategy requirements, the overall requirement to provide 25,500 new homes by 2026 across Peterborough as a whole will be more than met during the plan period.

The reduced anticipated amount of dwellings coming forward also reflects the market realities. Since the latter stages of finalising the Core Strategy (Around 2009/2010) the market for flats and high density residential development schemes has dramatically fallen. It is no longer realistic to expect developers to deliver high density flat-based development.

The lower level of housing is more realistic, will still deliver the overall Core strategy housing target and will still lead to a transformation of the City Centre into one which has a significant residential population.

In chapter 4 of this Plan, each Policy Area includes a list of allocated sites, some of which may already have planning permission (at 1 April 2012). For sites where no development has started, the indicative number of dwellings is the number of dwellings for which permission was granted. Where development has already started (at 1 April 2012), the figure is the remaining number of dwellings still to be completed in accordance with the permission.

For the Opportunity Areas and other allocated sites without permission, the indicative dwelling figure is an estimate based on the size of the site, the potential mix of uses and an assumption about density and net developable area; in some cases this is based on information from prospective developers. For the Opportunity Areas, the indicative number of dwellings is sometimes expressed as a range, in order to allow for some flexibility in the mix of other uses.

It is important to note that the indicative numbers of dwellings for each Policy Area are used to demonstrate how the approximate Core Strategy dwelling requirements can be met. It is emphasised that the dwelling numbers are only “indicative”, and do not represent a fixed policy target for each individual site.

Developers are encouraged to produce the most appropriate design-led solution, taking the mix of uses, all national policies and local policies into account, in arriving at a total dwelling figure, and they need not be constrained by a figure that appears in any of the policies in chapter 4.

Residential Development to meet Core Strategy Requirements

Glossary

Adoption - the formal decision by the Council to approve the final version of a document, at the end of all the preparation stages, bringing it into effect.

Amenity - a general term used to describe the tangible and intangible benefits or features associated with a property or location, that contribute to its character, comfort, convenience or attractiveness.

Appropriate Assessment (AA)- a requirement of the European Habitats Directive. Its purpose is to assess the impact of the plans and projects on internationally designated nature conservation sites.

Biodiversity - all species of life on earth including plants and animals and the ecosystem of which we are all part.

Brownfield Land (also known as Previously Developed Land) - land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. Development of such land is preferable to development of greenfield land under the sequential approach.

Community Infrastructure Levy (CIL) - infrastructure that is shared by large section of Peterboroughs populations, for example a country park, the parkway system or a community halls

Compulsory Purchase Order (CPO) - power given to a local authority to obtain land for redevelopment purposes. This may include development undertaken by the private sector.

Conservation Area - a formally designated area of special historic or architectural interest whose character must be preserved or enhanced.

Core Strategy - a Development Plan Document (DPD) which contains the spatial vision, main objectives and policies for managing the future development of the area.

Development Plan - see Statutory Development Plan.

Development Plan Document (DPD) - one of the types of LDD; they set out the spatial planning strategy, policies and/or allocations of land for types of development across the whole, or specific parts, of the LPA's area.

Examination - a form of independent public inquiry into the soundness of a submitted DPD, which is chaired by an inspector appointed by the Secretary of State. After the examination has ended the inspector produces a report with recommendations which are binding on the Council.

Greater Peterborough Partnership (GPP) - the group of public, private, community and voluntary bodies which form the local strategic partnership for the area and have responsibility for preparing the Sustainable Community Strategy.

Infrastructure - a collective term which relates to all forms of essential services like electricity, water, and road and rail provision.

Local Development Framework (LDF) - the collective term for the whole package of planning documents which are produced by a local planning authority to provide the planning framework for its area. The LDF includes LDDs, the LDS and the AMR.

Local Development Scheme (LDS) - a document which sets out the local planning authority's intentions and timetable for the preparation of new LDDs (including DPDs, SPDs and the SCI).

Local Planning Authority (LPA) - the local authority which has duties and powers under the planning legislation. For the Peterborough area, this is Peterborough City Council.

Glossary

Monitoring Report - a document produced by the local planning authority and submitted to Government by 31 December each year to report on the progress in producing the local development framework and implementing its policies.

National Planning Policy Framework (NPPF) - the government's national planning policies for England and how these are expected to be applied.

Previously Developed Land (PDL) - see Brownfield Land.

Policies Map - a map on an Ordnance Survey base map which shows where policies in DPDs apply. For an interim period it will also show where saved policies from Local Plans apply. It needs to be revised as each different DPD is adopted.

Statutory Development Plan - the overall term for a number of documents which, together, have a particular status under the planning legislation in decision-making. The Development Plan includes the Regional Spatial Strategy and all adopted DPDs for the area. For an interim period it may include all or part of certain structure plans and local plans.

Submission stage - the stage at which a DPD or SCI is sent to the Secretary of State as a prelude to its examination, having previously been published for public inspection and formal representations.

Supplementary Planning Document (SPD) - one of the types of LDD; they expand on policies or provide further detail to policies contained in a DPD.

Sustainability Appraisal (SA) - a formal, systematic process to assess the environmental, economic and social effects of strategies and policies in an LDD from the start of preparation onwards. The process includes the production of reports to explain the outcomes of the appraisal.

Sustainable Community Strategy - a document which plans for the future of Peterborough across a wide range of topics, setting out a vision and a series of aspirations. The local strategic partnership (Greater Peterborough Partnership) has responsibility for producing the document which sets out four main priorities that all partners work towards. It does not form part of the LDF.

Sustainable Transport - can be any form of transport other than the private car. Generally, the term most commonly relates to travel by bus, train or light rail, but walking and cycling are sustainable means of transport as well.

Draft Policies Map

A Policies Map is a map for Local Planning Authority's areas (forming part of the statutory development plan) which shows the location and extent of sites allocated for development, and areas within which, or outside planning policies will apply. It may include Inset Maps for Specific areas, showing information in greater detail at a larger scale.

The Current Adopted Proposals Map for Peterborough

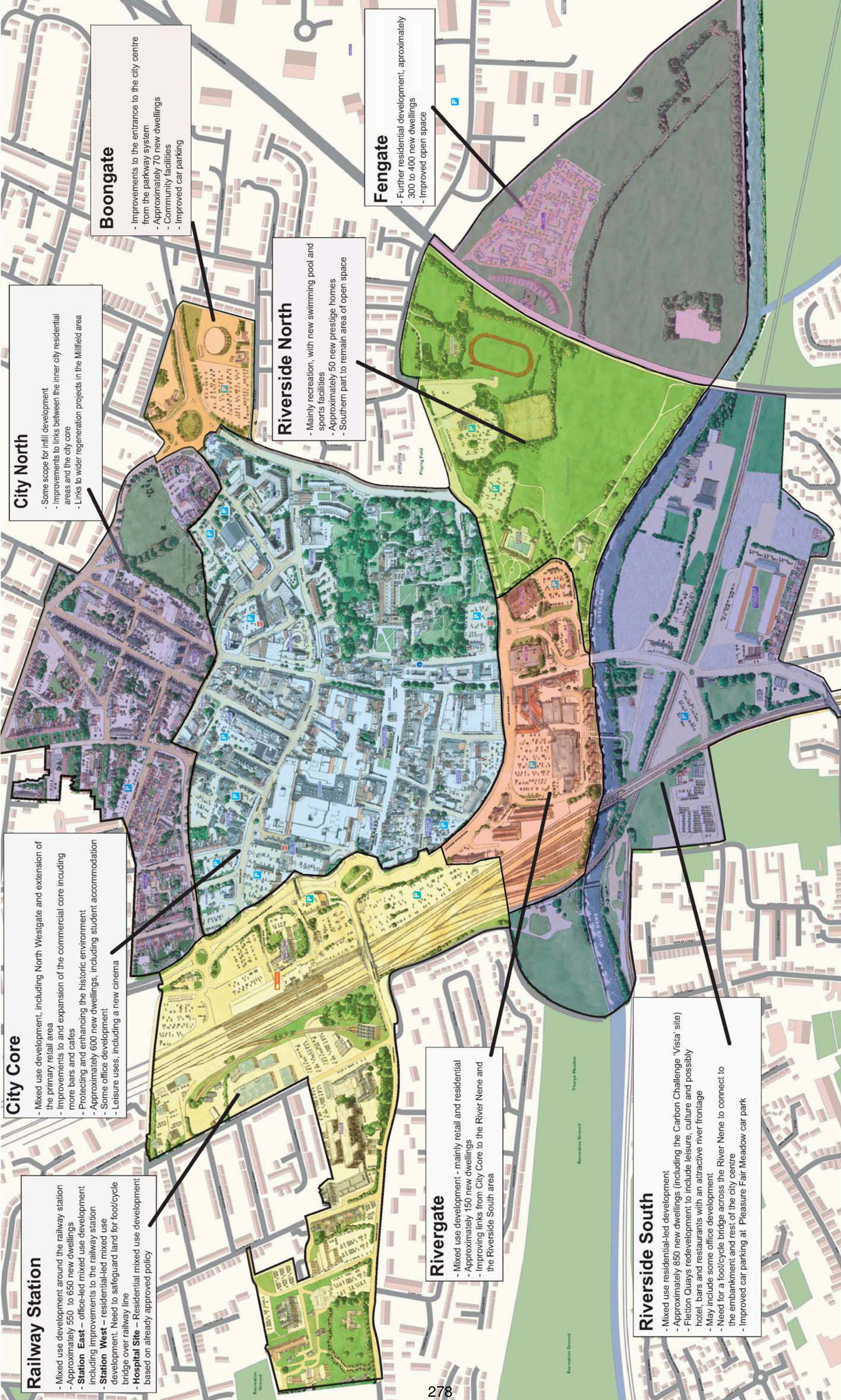
However, this has not replaced the Local Plan Proposals Map in it's entirely.

This document will replace Inset 2 of the Local Plan 2005.

Which will include:

- The City Centre Boundary
- The Central Retail Area with the Primary Shopping Area
- Opportunity Areas
- The Embankment

Draft Policies Map



City North

- Some scope for infill development
- Improvements to links between the inner city residential areas and the city core
- Links to wider regeneration projects in the Millfield area

Boongate

- Improvements to the entrance to the city centre from the parkway system
- Approximately 70 new dwellings
- Community facilities
- Improved car parking

Riverside North

- Mainly recreation, with new swimming pool and sports facilities
- Approximately 50 new prestige homes
- Southern part to remain area of open space

Fengate

- Further residential development, approximately 300 to 400 new dwellings
- Improved open space

City Core

- Mixed use development, including North Westgate and extension of the primary retail area
- Improvements to and expansion of the commercial core including more bars and cafes
- Protecting and enhancing the historic environment
- Approximately 600 new dwellings, including student accommodation
- Some office development
- Leisure uses, including a new cinema

Railway Station

- Mixed use development around the railway station
- Approximately 550 to 650 new dwellings
- **Station East** – office-led mixed use development including improvements to the railway station
- **Station West** – residential-led mixed use development. Need to safeguard land for foot/cycle bridge over railway line
- **Hospital Site** – Residential mixed use development based on already approved policy

Rivergate

- Mixed use development - mainly retail and residential
- Approximately 150 new dwellings
- Improving links from City Core to the River Nene and the Riverside South area

Riverside South

- Mixed use residential-led development
- Approximately 850 new dwellings (including the Carbon Challenge 'Vista' site)
- Fletton Quays redevelopment to include leisure, culture and possibly hotel, bars and restaurants with an attractive river frontage
- May include some office development
- Need for a foot/cycle bridge across the River Nene to connect to the embankment and rest of the city centre
- Improved car parking at Pleasure Fair Meadow car park