

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 18 DECEMBER 2012
1.30 PM**

Bourges/Viersen Rooms - 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 6 November 2012 **1 - 16**

5. Development Control and Enforcement Matters

5.1 12/01334/WCPP - Land to the East of Alwalton Hill, Fletton Parkway, Peterborough **17 - 52**

5.2 12/01385/FUL - Land Adjacent and to the South of 14 Lincoln Road, Glinton, Peterborough **53 - 64**

5.3 12/01430/R3FUL - Heltwate School, Heltwate, Bretton, Peterborough **65 - 72**

5.4 12/01563/HHFUL - Compass Barn, Main Street, Ufford, Peterborough **73 - 80**



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.

- 5.5 12/01726/FUL - 3 John Wesley Road, Werrington, Peterborough, PE4 6ZP 81 - 90
- 5.6 12/01784/HHFUL - 26 Heath Road, Helpston, Peterborough, PE6 7EG 91 - 98

Committee Members:

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

Substitutes: Councillors: Kreling, Martin and 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 6 NOVEMBER 2012**

Members Present: Councillors Serluca (Chairman), Casey (Vice Chairman), Hiller, North, Stokes, Todd, Harrington and Ash.

Officers Present: Nick Harding, Group Manager Development Management
Simon Machen, Head of Planning, Transport and Engineering Services
Jez Tuttle, Senior Engineer (Development)
Gemma Wildman, Principal Strategic Planning Officer
Julia Chatterton, Flood and Water Management Officer
Carrie Denness, Senior Solicitor
Louise Tyers, Compliance Manager
Karen S Dunleavy, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Lane, Shabbir and Sylvester.

Councillor Ash was in attendance as substitute for Councillor Lane.

2. Declarations of Interests

There were no declarations of interest.

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

Peterborough Dairies, 3 John Wesley Road, Werrington, Peterborough

Councillor Harrington declared that he owned a commercial property near to the site of the application and would not vote on this item.

Councillor Serluca declared that she would be standing down as Chairman for this item.

4. Minutes of the Meeting Held on 9 October 2012

The minutes of the meeting held on 9 October 2012 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

Change to the Order of the Agenda

The Chairman requested the Committee's agreement to change the order of the agenda for the development and enforcement items as there were a number of applications which had members of the public registered to speak. The new order of the agenda would be:

- (i) 12/01352/FUL - Horsey Way Service Station, Whittlesey Road, Stanground, Peterborough
- (ii) 12/01340/FUL - Netherton Post Office, 5 Winslow Road, Netherton, Peterborough
- (iii) 12/01354/HHFUL – The Retreat, Leicester Road, Thornhaugh, Peterborough
- (iv) 12/00463/MMFUL – Thornhaugh Landfill Site, Leicester Road, Thornhaugh, Peterborough
- (v) 12/01100/FIL – Peterborough Dairies, 3 John Wesley Road, Werrington, Peterborough
- (vi) 12/01008/MMFUL – Land to the West of Willow Hall Farm, Willow Hall Lane, Thorney, Peterborough
- (vii) 12/01458/R3FUL – Land at Newborough, North of the B1443 Bukehorn Road, East of Peterborough Road

The Chairman announced that application 12/01314/FUL – Unity Hall, Northfield Road, Millfield, Peterborough, had been withdrawn.

Resolved: To change the order of the agenda.

5.1 12/01314/FUL - Unity Hall, Northfield Road, Millfield, Peterborough

This application had been withdrawn.

5.2 12/01352/FUL - Horsey Way Service Station, Whittlesey Road, Stanground, Peterborough

The site was 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 comprised 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 was 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 contained a petrol forecourt area to the eastern side with five pumps and to the western side, a retail shop selling a range of convenience goods. Directly along the northern boundary was a car wash facility. Nine car parking spaces for customers and staff are provided at the front of the shop. The site was accessed from Coneygree Road and Whittlesey Road. There were a number of mature trees to the northern and eastern boundary and soft landscaping to the Whittlesey Road frontage.

The application sought 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. Twenty two car parking spaces would be provided, including two 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 nine full time staff and fourteen part time staff. The petrol filling station would operate twenty four 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.

The recommendation was to GRANT the application subject to relevant conditions.

Councillors Harper and Walsh addressed the Committee on behalf of local residents. In summary the issues highlighted to the Committee included:

- The aim of the application was to increase the profitability of the site.
- The Local Highways Authority was concerned at the number of vehicle trips especially at peak times.
- The Cardea development would lead to an increase in dwellings and therefore an increase in traffic.
- The traffic which had been taken off the Whittlesey Road by the Stanground Bypass would return.
- There would be chaos at the site when tankers arrived to deliver fuel.
- Some residents lived within meters of the development and there would be an unacceptable loss of privacy to local residents including an increase in anti-social behaviour and music from cars.
- What monitoring would be done around the odours from cooking?
- There were already problems with litter.
- Stanground Academy had a healthy eating policy in place and also promoted sports. There was concern that as the site was on the way home for a number of children.
- There had been a judicial review against Tower Hamlets Council when the fact that a school promoted health eating was not considered during the planning process.
- The application should be rejected as unsuitable due to the impact on the neighbourhood and the health of young people.

Mr Chris Goodwin and Mr Michael Watling addressed the Committee on behalf of local residents. In summary the issues highlighted to the Committee included:

- The proposed parking bays at the site would only be 20 feet away from some properties and people would be parked up to eat their purchases.
- Appleyard were not good neighbours and they had not consulted with local people on their application.
- Local residents were the important issue. The area was a peaceful, quiet residential area.
- The photographs showed by the Planning Officer did not show that the site was located at a very busy T Junction which was controlled by a set of traffic lights.
- Drivers already had to queue to leave the petrol station and there was chaos when fuel tankers arrived.
- Other suitable sites were located not very far away.
- The Committee should reject the application on the grounds of safety.

Following questions to the speakers, Members made the following comments:

- There was disappointment that the applicant had not consulted with local residents.
- The Committee was here to listen to the views of the public and it was very clear that there was local objection to the development.
- There would be a loss of amenity to local residents especially as the current barrier of trees between the car wash and flats would go.
- There was concern at the possible over activity in a concentrated area and the level of noise.
- The Committee were impressed at the number of people who had attended today to make objections.
- The access to and from the site appeared to be dangerous and the increase in traffic would have an impact on local amenity.

In response, Nick Harding advised that neither the Local Highways Authority nor the Police had any objections. The trees which would be removed as part of the application were of no significance and would not be able to be protected.

Jez Tuttle stated that the Local Highways Authority did have initial concerns and had asked for more work to be undertaken, which had now been done. There had only been three accidents over the last three years so the area was not an accident problem. The Whittlesey Road had the capability of carrying the additional traffic.

Following debate a motion was put forward and seconded to refuse the application due to the unacceptable impact on the local amenity.

RESOLVED: (Unanimously) to refuse the application, against the recommendation of officers.

Reasons for the decision:

Due to the unacceptable impact on the local amenity including the increase and proximity of parking to local residents.

5.3 12/01340/FUL - Netherton Post Office, 5 Winslow Road, Netherton, Peterborough

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

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

The recommendation was to REFUSE the application.

Mrs Audrey Goodwin of the Longthorpe and Netherton Residents Association addressed the Committee on behalf of local residents. In summary the issues highlighted to the

Committee included:

- There were already plenty of hot snack and takeaways in the area.
- The current balance of trade at the Centre was excellent.
- 1300 people had signed a petition against the proposal.
- There was living accommodation about the shops.
- The current fish and chip shop closed by 9pm.
- There was concern over litter and 15 takeaway containers had recently been found in surrounding areas.
- There were 2,000 students at a nearby school which encouraged healthy lifestyles.
- There was concern that there would be an increase in anti-social behaviour, drug dealing and fear of crime.
- There were already four similar establishments in Netherton.

Following questions to the speakers, Members made the following comments:

- The views of the MP, local councillors and officers should be supported.
- There were already two A5 uses already in the parade of shops.
- The parade of shops served the needs of the local community. Another similar shop tipped the balance of the shops from local need to a wider need.

The Legal Officer clarified that in the Tower Hamlets case the application was not quashed because of a healthy eating policy being in place but because the Planning Committee had been advised that the policy was not a material planning consideration when it should have been considered.

Following debate a motion was put forward and seconded to refuse the application as per the officer recommendation.

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

Reasons for the decision:

The proposed change of use from an A1 retail unit to A5 hot food takeaway was 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).

5.4 12/01354/HHFUL - The Retreat, Leicester Road, Thornhaugh, Peterborough

The property was 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 was 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 was situated in a large site in wooded shallow valley and was located to the north east of the former Home Farmstead, which comprised three grade two listed buildings. The supporting information advised that the application property was set in part of a former quarry. The existing dwelling was a small storey stone faced property under a hipped Collyweston slate roof. The dwelling was in need of renovation and modernisation.

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

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

The footprint of the property would increase from approximately eighty seven square metres to one hundred and forty five square metres.

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

The recommendation was to REFUSE the application.

Mr and Mrs Witherington who were the applicants addressed the Committee. In summary the issues highlighted to the Committee included:

- The proposed extension started from the staircase.
- The building was already L shaped.
- It was not a massive side extension.
- Statements had been made about the height of the building.
- The second storey was level with the back gardens of the nearby properties.
- The height of the development on surrounding properties was not an issue. The loss of view from those gardens was not a material consideration.

Members had no questions and made the following comments:

- From the site visit it was clear that the area was a collection of properties of different heights and styles that did not fit in together. This was part of the charm of the village.
- The design appeared to be the contention and whether it would fit in with the surrounding area.
- A bit more discussion was needed to try and get agreement between the applicants and officers.
- The arrangement of the windows was also an issue.

Following debate a motion was put forward and seconded to approve the application, with conditions delegated to officers.

RESOLVED: (7 For, 1 Against) to grant the application, with conditions delegated to

officers.

Reasons for the decision:

The surrounding area of the development was already a collection of properties of different heights and styles. The façade of the property, including the materials used, to be agreed with officers.

The meeting adjourned at 3.30pm and reconvened at 3.45pm.

5.5 12/00463/MMFUL Thornhaugh Landfill Site (including the “Bradshaw Land”), Leicester Road, Thornhaugh, Peterborough

Thornhaugh 1 Landfill Site was 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 had 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 expired on 31 December 2013 but the remaining consented void would take approximately 8.7 years to fill at current rates. The area of land known as the Bradshaw land had permission for extraction and there were some remaining reserves in this area. The site contained a county wildlife site to the west where it adjoined Bedford Purlieus Site of Special Scientific Interest. The site contained a population of Great Crested Newts which had been translocated to the County Wildlife Site (CWS) and were managed by Augean, the applicant. The site was accessed by a single point of access off the A47.

The proposed development involved 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 seven (for return and use in the restoration of the Thornhaugh one site);
- Revisions to the pre and post settlement landforms except phases three and seven which were 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; and
- On site recycling of inert waste including imported material for use on site in the restoration or for sale and use off site.

Recommendation was to GRANT the application subject to relevant conditions.

Following questions to the speakers, Members made the following comments:

- Members were impressed with how well the site was run.
- It was acknowledged that the site was now receiving less material due to recycling.

Councillor Casey proposed, seconded by Councillor North to approve the application.

RESOLVED: (Unanimously) to grant the application, subject to relevant conditions, as per officer recommendation.

Reason:

As per the reasons outlined in the Committee report.

Councillor Casey took the Chair for the following item.

5.6 Peterborough Dairies, 3 John Wesley Road, Werrington, Peterborough

The application site comprised an area of open landscaped grassland within the curtilage of the industrial building currently occupied by Peterborough Dairies. The wider site was occupied by a large B2 General Industrial Unit which received deliveries of fresh milk for processing before being distributed to local businesses within Peterborough and the wider area. There was 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 was located within the identified Werrington General Employment Area and was accessed via the Werrington Parkway. The surrounding units are occupied by a variety of general industrial and storage/distribution businesses.

The application sought 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 was established. The temporary accommodation was to provide three 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).

The recommendation was to REFUSE the application.

David Shaw and Vicky Chawdry, the applicants, addressed the Committee. In summary the issues highlighted to the Committee included:

- Peterborough Dairies was a small, independent dairy.
- It was a new business model in its infancy and there was a need to be available 24/7.
- Mrs Chawdry or her husband needed to be present as deliveries were made all through the night.
- Mr and Mrs Chawdry had two children and if they were based on site the business could be run more efficiently.
- A number of conditions were being suggested including that residential use should be temporary for three years; only employed staff could use the building and that the building was sound proofed to a suitable level.
- A decision had been made to put more money into the business but Mr and Mrs Chawdry also wanted to bring up their family. There was a need for the family to have a comfortable life. The family were only asking for a three bedroomed property which was nothing out of the ordinary.
- Mr and Mrs Chawdry were determined to make their business grow.

Following questions to the speakers, Members made the following comments:

- Members were concerned that approving this application would create a precedent in allowing residential developments in industrial areas. Whilst having sympathy with the family it would be unacceptable to allow a family to live in an industrial area.
- It was noted that planners had been minded to accept this development if it was six feet smaller but this had not been accepted by the family.

Following debate a motion was put forward and seconded to refuse the application.

RESOLVED: (4 For, 1 Against, 1 Abstention) to refuse the application, as per officer recommendation.

Reasons for the decision:

The proposed temporary residential unit was 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 was tantamount to the creation of a permanent dwelling and, given the location of the site within an identified General Employment Area, represented wholly inappropriate development. The proposal was therefore contrary to Policies H7 and OIW6 of the Peterborough Local Plan (First Replacement) (2005).

Councillor Serluca re-took the Chair.

5.7 12/01008/MMFUL - Land To The West Of Willow Hall Farm, Willow Hall Lane, Thorney, Peterborough.

The site covered an area of approximately sixty five hectares in a rural location to the east of Peterborough. The area proposed for extraction was 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 was bounded to the south by the Green Wheel network, and the additional area was a field to the south of the Green Wheel. Beyond the Cats Water Drain to the west lay the existing Eyebury quarry and landfill site. Bar Pastures Farm Scheduled Monument lay immediately to the north, along with arable fields which extend to the A47. Willow Hall Lane, Willow Hall Farm and Willow Hall Farm cottage lay adjacent to the east of the proposed extraction and infill area. Willow Holt, a residential property, lay to the south east of the site.

A haul road was 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 followed 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 lay within the generally flat topography of the Fens landscape.

The development would 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 nine-twelve year period. The site would be progressively restored with approximately 1,900,000 tonnes of inert fill material in three phases from north to south. The restoration included:

- 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; and
- 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 was 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 was proposed over Willow Hall Lane approximately halfway between Bar Pastures Farm and Willow Hall Farm. The proposal was EIA development, under Schedule 1(19) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and was accompanied by an Environmental Statement.

The recommendation was to GRANT the application subject to relevant conditions.

Members debated

- Following clarification sought by Members, the Group Manager Development Management confirmed to that the proposal was to bring the land back to an agricultural state in the future;
- Following a question raised by Members regarding vehicle movement and how this would effect nearby residents, the Group Manager Development Management advised that the company had been consulted over the highway implications in regards to the junctions on the existing Briggs Farm / Priors Fen haul road east until joining the B1040 approximately halfway between Thorney and Whittlesey. Following a consultation with the company, they agreed to repair any damage that may be caused by the use of the road for the extraction of sand and gravel in the future. Members were also advised that the Cambridgeshire Highways had been consulted over the application and there had been no objections to the proposal.

Following debate a motion was put forward and seconded to grant the application.

RESOLVED: (7 For, 1 Abstention) to grant the application, as per officer recommendation.

Reasons for the decision:

To approve the officer recommendation for the following reasons: 25% of proposed extraction area which lay outside allocation MF1 of Cambs & Peterborough Mineral & Waste Site Specific DPD. The site was not allocation for inert landfill.

5.8 12/01458/R3FUL - Land At Newborough, North Of The B1443 Bukehorn Road, East of Peterborough Road, Peterborough

The application site was located in the open countryside and had comprised arable fields. It was 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 was located 700m south west of the proposed siting of the mast.

Planning permission was sought for a temporary one year period for the installation of a seventy metre high meteorological ("met") mast. The mast was a steel tube construction and was guyed at a number of levels in four directions.

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

The met mast was 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.

The recommendation was to GRANT the application subject to relevant conditions.

The Group Manager Development Management, advised the Committee that a further two objections had been received following publication of the additional information report. The two objections were that the application should be refused on the following basis:

- That the application was premature given that PCC had not received a wind farm application for the area; and
- If a wind farm application was not received and approval had been granted for installation, then the installation of the mast would be a waste of time and money to approve and construct.

Members commented on the latter of the two objections received regarding the financial investment of installation of the mast and that the cost and time involved would be at the applicants own risk not PCC's and would not hold any bearing on the planning application.

Following a debate, a motion was put forward and seconded to grant the application.

RESOLVED: (7 For, 1 Against) to grant the application as per officer recommendation.

Reasons for the decision:

The application was approved as it was in line with the wider public concern to do so.

7. Draft Flood and Water Management Supplementary Planning Document

The Committee received a report from Julia Chatterton – Strategic Planning, Housing and Environment regarding the Draft Flood and Water Management Supplementary Planning Document. The report was 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).

During consideration of the report the Committee was requested to:

Offer any comments on the Flood and Water Management Supplementary Planning Document, (SPD) in accordance with the Committee's delegations under paragraph 2.5.1.5 of the Council's Constitution, before it was presented to Cabinet for adoption.

Key points within the report included:

- Aims of the Flood and Water Management SPD
- Flood risk management and improvements to networks and water courses;
- PCC's Responsibility under European legislations to ensure that there was no determinations in the quality of any water environments;
- Improve water quality in and around new developments;
- Peterborough City Council was a lead local flood authority and the management responsibility for co-ordinating the level of flood risks from heavy rainfall;
- To assist developers to meet European, local and national policy;
- The objective of the SPD was to provide guidance to applicants and decision makers on:
 - a. How to assess whether or not a site was suitable for development based on flood risk grounds. This element supported 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 supported the surface water requirements of policy CS22 in the Core Strategy DPD and policy PP20 of the Planning Policies DPD.
 - c. How development would ensure it protected aquatic environments. This element supported policies PP16 and PP20 of the Planning Policies DPD.
- Once adopted, this SPD would form part of Peterborough City Council's Local Development Framework (LDF).
- The next stages of public consultation from January 2013 – early 2015.
- If approved the Draft Flood and Water Management Supplementary Planning Document would be utilised in future planning applications.

Comments and responses to questions included:

- Members commented on the importance of the Draft Flood and Water Management Supplementary Planning Document; and
- Members identified a few errors in the LDS that required amendment

RESOLVED:

The Committee recommended the Draft Flood and Water Management Supplementary Planning Document for approval and adoption by Cabinet.

Reasons for the Decision:

- There was 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; and
- 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. Peterborough City Centre Development Plan Document (DPD)

The Committee received a report from the Principal Strategic Planning Officer regarding a report, which was submitted to Committee following approval of the Council's Local Development Scheme (LDS) by Councillor Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital, which identified that the Council would prepare a City Centre Plan during the period 2012 – 2014.

During consideration of the report the Committee was requested to:

Become informed of the proposals contained in the consultation draft of the City Centre Development Plan Document (DPD) and to comment on the document before it was submitted to Cabinet for approval for the purpose of public participation.

Key points within the report included:

- The overall strategy for the development of Peterborough to 2026 – City Centre Plan;
- Anticipated significant growth over the next 10 to 15 years for the city;
- Plans for widespread improvements, growth and regeneration;
- The city's growing population now and in the future;
- The consultation draft version of the City Centre Plan;
- The eight Policy Areas;
- Opportunity Areas;
- 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; and
- Hoping for adoption in Council in December.

The Committee received a presentation of the report from the Principal Strategic Planning Officer, which had provided detail of the boundary map for the city centre. The map was split into eight areas and the Committee were provided with a summary of the issues for each area.

The Committee also received a video presentation from the Principal Strategic Planning Officer which provided detail on how the city may appear by 2026, following implementation of the LDS development plans.

Comments and responses to questions included:

- Members commented that the vision for the city was brilliant and encouraging and trusted that the media would reflect the positive vision of the authority;

- Members commented that the city required development over a shorter period than ten years to create vibrancy for the area;
- Members commented that some parts of the city had already received development improvement, however, it would be financially impossible to speed up future development plans in order to deliver the LDS before scheduled;
- Members commented that narrow boats had been present on the river Nene Embankment for a number of years without incurring any mooring costs and that consideration should be given by PCC to review the situation in order to aid the up-keep of the area;
- Members commented that there were Edwardian houses in the city centre that had turned into business or commercial development use and that encouragement should be provided to developers by PCC to turn the houses back into residential properties;
- Members commented that there should be a range of activities organised for the city in order to encourage the public to visit in the evenings;
- Members commented that consideration should be given to St John's heritage leisure, culture and tourism aspirations to include provision of a concert hall;
- Members commented that the recent demolition of the corn exchange had improved the city centre area;
- Members commented that PCC should consider further ways to encourage developers into the city and to consider the redevelopment of areas such as the bus station, office space and the market in order to attract people into the city;
- Members commented that the previous Northgate development that had been proposed ten years ago had not received any improvements.

Following Members comments the Head of Planning, Transport and Engineering provided the following responses:

- The LDS was a land use planning document, which had its limitations and was subject to submission to an inspector, which had to be evidenced;
- The length of time taken to deliver city developments arising from previous plans had been limited due to the recent economic downturn and the fact that consumers preferred to shop on the internet;
- Previous versions of the LDS had been utilised in order for the Committee to approve major planning developments such as Station Quarter;
- The redevelopment of the old District Hospital site and the Trusts preferred bidder, was due to go out to public consultation in February 2013.
- Plans were underway to explore improvement ideas for the city centre evening economy;
- New shops had recently been introduced to the city which included Primark, Carluccio's restaurants and Cowgate and Bridge Street shop front improvements.
- Recent developments which had attracted millions of pounds of financial investments for the city.

The Principal Strategic Planning Officer advised Members regarding the venues identified to deliver the public consultation sessions for LDS. Members commented that consideration should be given to include Serpentine Green as a venue to conduct a consultation session.

RESOLVED:

The Committee noted and commented on the LDS before its submission and recommended to Cabinet for approval for the purpose of public participation.

Reasons for the Decision:

The Committee was recommended to make its comments known to assist Cabinet in reaching its decision.

1.30pm – 5.37pm
Chairman

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LOCATION PLAN 12/01334/WCPP

Land to the East of Alwalton Hill, Fletton Parkway, Peterborough

Scale NTS **Date** 6/12/2012 **Name** AA Department Planning Services



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Application Ref: 12/01334/WCPP

Proposal: Variation of condition 5 of outline planning permission 09/01369/OUT to allow a higher building (not exceeding 35m) to be built on plot E2.1 to meet the requirements of an occupier. The first sentence of condition 5 would read - Building heights shall not exceed a maximum height of 15 m except on plot E7 where the maximum height shall not exceed 17 m and on plot E2.1 where the maximum height shall not exceed 35 m

Site: Land To The East Of Alwalton Hill, Fletton Parkway, Peterborough,

Applicant: Mr D Kershaw, Yearsley Group
Agent: Mr David Shaw

Site visit: 15.10.2012

Case officer: Miss V Hurrell
Telephone No. 01733 453480
E-Mail: victoria.hurrell@peterborough.gov.uk

Recommendation: **GRANT** subject to conditions, a S106 Agreement and the passing of an amended Appropriate Assessment

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

The Site and Surroundings

Tranche E2.1 is located within the Great Haddon employment area which is some 65 ha in size and has outline planning permission for B1 (business including offices), B2 (general industry) and B8 (warehouse and distribution) uses. The access road which will serve the employment site and connect it to junction 1 of the Fletton Parkway is located immediately to the east of tranche E2.1 along with bridleway number 1 which forms part of the Green Wheel network. On the other side of the road/bridleway and to the south of tranche E2.1 are other development tranches including the remainder of tranche E2. Further east some 545 metres from tranche E2.1 is Orton Pit Site of Special Scientific Interest (SSSI)/ Special Area of Conservation (SAC) a site of international ecological importance. Beyond this is the existing development of Hampton.

Further south, beyond the Great Haddon employment area, is the woodland of Chambers Dole and Two Pond Coppice. Beyond the woodland, are a number of existing properties on the Old Great North Road and the proposed Great Haddon core area (planning permission is being sought for up to 5350 houses with associated infrastructure including a district/local centre and schools). The settlement of Norman Cross lies to the south west of the core area along with a Scheduled Ancient Monument. The village of Yaxley lies to the south east on the A15. The villages of Stilton and Folksworth are located further to the south west on the western side of the A1(M) (accessed from junction 16).

To the west of the Great Haddon employment area is the Alwalton Hill employment area which also has planning permission for employment uses. Building heights are limited under this consent to a maximum of 15 metres. Immediately to the west/south west of tranche E2.1 within Alwalton Hill is an area of woodland.

To the north of both employment areas is the Fletton Parkway and beyond this the township of Orton. To west beyond Alwalton Hill is the A1(M) on the other side of which is the village of Haddon. To the north west are the villages of Alwalton and Chesterton.

The surrounding residential areas of Hampton and Orton, the existing properties on the Old Great North Road and the proposed Great Haddon core area lie within the Peterborough Unitary area. The other villages referred to (Haddon, Stilton, Folksworth, Alwalton, Chesterton and Yaxley) lie within the area administered by Huntingdonshire District Council.

Initial works have commenced on both the Great Haddon and Alwalton Hill employment areas but as yet there are no buildings and the land generally remains within agricultural use.

The Proposal

This application seeks approval for a variation to condition 5 of the outline planning permission for Great Haddon (reference 09/01369/OUT) which limits the height of the buildings to 15 metres (with the exception of plot 7 where a 17 metre high building is allowed) to allow a building of up to 35 metres on tranche E2.1. This is the only alteration proposed to the previously approved scheme.

Permission for a taller building height is being sought to meet the requirements of a specific operator, Yearsleys. Yearsleys has a number of cold storage buildings around the country. If permitted the new store would be a regional facility. It has advised that a 35 metre high building is required in order to maximise efficiencies /economies of scale.

The original outline application for Great Haddon was supported by an Environmental Statement (ES) which has been resubmitted with this application. This application is also supported by a new ES which assesses the impact of a taller building on tranche E2.1 in the context of the conclusions of the original ES.

2. Planning History

A number of applications for the Great Haddon employment area have now been submitted. The most relevant are as follows:-

Reference	Proposal	Decision	Date
09/01369/OUT	Development of up to 65 hectares of employment land (B1, B2 and B8 including safeguarding of a site for a household recycling centre/park and ride). Associated highway infrastructure (including pedestrian, bridleway and cycle routes), and car parking for all uses. Foul and surface water drainage networks (including SuDS and lakes)	Application Permitted	31/05/2011
11/00817/REM	Details of a new access road from junction 1 of the Fletton Parkway to plot 7 and details of the erection of a new warehouse on plot 7 with associated car parking, landscaping and ancillary works - all reserved matters pursuant to outline planning permission 09/01369/OUT (development of 65 hectares of employment land). An environmental statement accompanied the outline application	Application Permitted	28/10/2011
11/02049/REM	Construction of initial section of the internal access road from junction 1 of the Fletton Parkway to serve Great Haddon and Alwalton Hill including an associated diversion of the existing bridleway, provision of manual tunnels and landscaping. Amended alignment to that	Application Permitted	14/05/2012

	approved under 10/00320/REM to relocate the internal roundabout some 80 metres to the north. The outline application was accompanied by an Environmental Statement		
12/01213/REM	Construction of access road, south part, with attenuation pond	Pending Consideration	

As indicated above, there is a current application under consideration for the Great Haddon core area (reference 09/01368/OUT). This seeks consent for the development of an urban extension comprising up to 5350 residential dwellings; a district centre (with up to 9200 square metres (99031 sq.ft) retail floor space) and two neighbourhood centres (with up to 2300 square metres (24758 sq.ft) retail floor space) comprising district/neighbourhood retail (A1-A5); community and health (C2, D1); leisure (D2); residential (C3) and commercial (B1) uses. Provision for education facilities (sites for three primary and one secondary school); sports and recreational facilities; a range of strategic open spaces including new landscaping, woodland and allotments; and cemetery provision. Associated highway infrastructure (including pedestrian, bridleway and cycle routes), public transport infrastructure and car parking for all uses. Utilities and renewable energy infrastructure; foul and surface water drainage networks (including sustainable drainage systems (SuDS) and lakes).

Also of relevance is application reference 06/00345/OUT which granted outline planning permission for the development of warehouse and distribution units (max of 5 individual units with a max of 172,000 square metres floorspace) with ancillary office space, together with access road, car parking, service yards, new woodland, landscaping, lake, ponds and screening at Alwalton Hill (permitted 08.09.2006). A subsequent reserved matters application (reference 09/00725REM) granted detailed consent for the scheme (permitted 16.10.2009).

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 - Economic Growth

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

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

Regional Guidance

In June 2009 the Coalition Government announced its intention to abolish Regional Spatial

Strategies as part of its localism agenda. This abolition was subsequently successfully challenged through the Courts. The RSS therefore current remains part of the Development Plan.

The RSS for the East of England (May 2008) sets the overall housing and growth targets for the region. Policy CS3 identifies Peterborough as a key centre for development and change. These targets are reflected in the Adopted Core Strategy.

Peterborough Core Strategy DPD (2011)

CS03 - Spatial Strategy for the Location of Employment Development

Provision will be made for between 213 and 243 hectares of employment land from April 2007 to March 2026 in accordance with the broad distribution set out in the policy.

CS05 - Urban Extensions

Promotes development at Hampton, Stanground South and Paston Reserve and new urban extensions at Great Haddon and Norwood subject to key criteria being met.

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.

CS19 - Open Space and Green Infrastructure

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

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 Site Allocations DPD (2012)

SA09 - Urban Extensions

Identifies sites for B1, B2 and B8 employment uses in accordance with Core Strategy policy CS3.

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

MW16 - Household Recycling Centres

A network of household recycling facilities easily accessible to local communities will be developed through the Site Specific Proposals Plan, including amongst broad location areas, a site in Peterborough. New developments will contribute towards the provision of household recycling centres, consistent with the RECAP Waste Management Design Guide and additionally through POIS or CIL (in the event this supersedes the current mechanism).

Peterborough Planning Policies DPD (Adopted Version December 2012)

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - 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.

PP12 - 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 including highway safety.

PP19 - Habitats and Species of Principal Importance

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

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

Internal Consultees

Archaeological Officer (20.09.12)

No objections.

Climate Change

No comments received

Conservation Officer (02.10.12)

The proposal would not adversely impact upon conservation areas in Peterborough. Huntingdonshire District Council will comment on those within its area. Would, however, question the height of the buildings in relation to the landscaping character.

Drainage Team (13.09.2012)

No drainage implications.

Landscape Architect (27.09.12)

No objections. Concludes that whilst not an ideal site for taller buildings the impact would be within the parameters (context) of what has already been approved.

Landscape Officer (08.10.12)

No comments.

Minerals And Waste Officer (Policy) (09.10.12)

No objections. The proposal would not prejudice the ability to provide a waste facility within the development (reserved site).

Pollution control Team

No comments received

Rights of Way Officer

No comments received

Transport and Engineering Services (18.09.2012)

No objections. The building height will not increase the floor space of the building. Any increase in traffic generation is likely to be small and outside peak hours. It is, therefore, unlikely to impact upon the assessments previously agreed.

Travel Choice

No comments received

Wildlife Officer (09.10.12)

The Local Planning Authority should seek advice from Natural England in relation to the potential impacts on Orton Pit. The proposal would result in additional shading of the Alwalton Hill woodland. Additional mitigation measures should be secured to address this.

External Consultees

English Heritage

No objections. Although there would be some change to the setting of the heritage asset the impact is limited. As such, the Local Planning Authority should be free to determine the application in accordance with its policies.

Environment Agency (27.09.12)

No objections

Highways Agency - Zones 6, 8 & 13 (03.10.12)

No objection. The building height will not increase the floor space of the building. Any increase in traffic generation is likely to be small and outside peak hours. It is, therefore, unlikely to impact upon the assessments previously agreed.

Natural England - Consultation Service (09.10.12)

No objections. Satisfied with the conclusion of the ES that the proposal would have no adverse impact upon Orton Pit SSSI/SAC in terms of shading. The ES identifies a potential adverse impact on Alwalton Hill woodland. Mitigation measures should be secured.

Peterborough Local Access Forum (26.09.12)

Object to the application. Consider that the proposed scale of the new building would be detrimental to people using the Green Wheel. It may also create a wind tunnel effect and become darker in the evening. This could put people off using it.

Police Architectural Liaison Officer (25.09.12)

No objections/recommendations

Cambridgeshire Bat Group

No comments received

British Horse Society (Central Office)

No comments received

Campaign To Protect Rural England

No comments received

Cambridgeshire County Council

No objections

Middle Level Commissioners

No comments received

Huntingdon DC

No comments received

Ramblers (Central Office)

No comments received

RSPB (Eastern England)

No comments received

Anglian Water Services Ltd

No comments received

Plantlife

No comments received

Buglife

No comments received

Froglife

No comments received

The Wildlife Trusts (Cambridgeshire)

No comments received

Fire Community Risk Management Group

No comments received

British Herpetological Society

No comments received

Peterborough Civic Society

No comments received

Peterborough Environment City Trust

No comments received

Sustrans

No comments received

Peterborough Councillors

Councillor N North -No comments received

Councillor S Scott- No comments received

Councillor D Seaton - No comments received

Councillor P Hiller- No comments received

Parish Councils and Action Groups

Hampton Parish Council (29.09.12)

Object to the application. Question the economic benefits of the scheme, have concerns about the traffic impacts, the adverse visual impact on Hampton and additional shadowing which would result in the loss of 10 minutes daylight for parts of Hampton.

Orton Waterville Parish Council

No comments received

Norman Cross Action Group (10.10.12)

Object to the application on the grounds of adverse visual impact, that the buildings would be out of keeping with the character of the area, traffic movements, impact on local climate and limited job creation.

Note: the Group is made up of representatives from Yaxley Parish Council; Stilton Parish Council; Haddon Parish Meeting; Farcet Parish Meeting; Folksworth & Washingley Parish Council; Alwalton Parish Council; Chesterton Parish Council; District Councillors; and Cambridgeshire County Councillors (Councillor Matt McQuire and Councillor Nick Guyatt (also a Huntingdonshire District Councillor)).

Yaxley Parish Council

Object to the application on the grounds of adverse visual impact, the buildings would be out of keeping with the character of the surrounding area, traffic impacts, and on the grounds of limited job creation.

Stilton Parish Council

Object to the application on the grounds of adverse visual impact, out of character with the surrounding area, would contravene the outline planning permission and traffic impacts.

Folksworth and Washingley Parish Council

Object to the application on the grounds of the visual impact, it would dominate the landscaping, and increase in traffic.

Farcet Parish Council

No separate comments received

Haddon Parish Meeting

No separate comments received

Haddon And Local Residents Group (16.10.12)

Object to the application on the grounds that the buildings would be out of keeping with the character of the surrounding area, have an adverse visual impact, an adverse impact on Peterborough's development strategy and on the grounds of limited job creation.

Local Residents/Interested Parties

Initial consultations: 1384

Total number of responses: 17

Total number of objections: 17 including Parish Council letters referred to above.

Total number in support: 0

11 letters of objection from the public have been received, these raise the following issues:-

- * Visual impact of the proposed buildings on people living to the west of the A1(M)
- * The building would be visible for a great distance and totally out of proportion/character with the rural environment
- * Building would dominate the surrounding area
- * Building would not create a 'gateway' into Peterborough
- * An almost identical building in Wisbech has an unacceptable visual impact
- * The proposal contravenes the outline planning consent for which the maximum height of buildings was set at 15 metres
- * The building would be acceptable if located in another part of Peterborough as a 'high tech' cold store would be in line with Peterborough's sustainability concept
- * Very tall buildings would deter any other occupiers
- * If allowed a precedent would be set and the Council would find it difficult to refuse other applications for taller buildings
- * Claims that 300 people would be employed are exaggerated, given the level of automation
- * There would be an increase in traffic, particularly on the A605
- * Would result in a very high building next to the Green Wheel
- * Question the impact on wind turbulence locally.

5 Assessment of the Planning Issues

The main issues are:-

- Principle of Development
- Visual Impacts
- Ecological and Landscape Impacts
- Impact upon Neighbour Amenity
- Traffic Impacts

1. Principle of Development

As indicated above, this application seeks consent for an amendment to condition 5 of the original outline planning permission for the Great Haddon employment area to allow a taller building, up to 35 metres in height, on tranche E2.1. Condition 5 currently limits the height of the building allowed on this tranche to 15 metres. Building heights were capped at 15 metres as this is the height and associated impact which was assessed in the Environmental Statement. Any proposal for a taller building therefore requires further detailed assessment to determine whether its impacts are acceptable.

In this instance, permission is being sought for a taller building in order to meet the requirements of a specific end user (Yearsleys). No other changes are proposed to the approved scheme.

The principle of employment development at Great Haddon and the associated change to the character of the area (and that of Alwalton Hill) from agricultural fields is established. The only issues which can, therefore, be taken into consideration in determining this application are those that relate directly to the impact of allowing a taller building in this location.

Since the employment area was granted consent the previous national planning guidance has been replaced by the National Planning Policy Framework (NPPF) which places stronger emphasis upon supporting economic growth through the planning process. This application if granted, would allow the submission of a detailed scheme (reserved matters application) by Yearsleys and subject to this being acceptable, for work to commence on site thereby creating both construction jobs and permanent jobs once the facility is opened.

Given the context, this application can only be resisted if it is concluded that a 35 metre high building on the site would have an adverse impact and if this 'harm' outweighs all other considerations, particularly economic ones. The impacts are assessed below.

2. Visual/Landscape Impacts

The application is accompanied by a detailed Visual Impact Assessment as part of the supporting Environmental Statement. This provides an analysis of the area over which a 35 metre high building would be visible in comparison with a 15 metre high building and as assessment of its likely visibility from a number of key view points. The Assessment shows that a 35 metre high building would be visible from a number of locations where a 15 metre high building would not be and that it would also be seen from further afield. The Assessment concludes that whilst a 35 metre high building on tranche E2.1 would have an impact, this impact is within acceptable limits.

There are no national landscape designations within the immediate vicinity of the site (the ecological impacts are discussed in section 3 below).

The area to the south of the employment site (where the core area is proposed) is identified as forming part of the southern Peterborough farmed claylands (the Peterborough Landscape Character Assessment 2007 refers). The area to the west of A1(M) is identified in the Huntingdonshire Landscape and Townscape SPD (2007) as the Northern Wolds which contains some of the highest land in the area. The area to the south of A15 is described as Fen Margin in the same document.

As indicated under section 1 above, there is a Scheduled Ancient Monument (the remains of the former Napoleonic Prisoner of War Camp) to the south west of the proposed Great Haddon Core Area. There are Conservation Areas at Norman Cross, in Yaxley, Alwalton and Chesterton. All of these areas fall outside of the Peterborough Unity Area.

Impact on Hampton

The existing settlement of Hampton lies some 1.3kms to the east of tranche E2.1. It is separated from the site by other employment tranches (those on the east side of the access road) and by Orton Pit. Much of Orton Pit lies at a lower level than Hampton and as such will not completely screen the employment area.

The Assessment sets out that there will be some views of the employment area buildings as a whole from Hampton although these views will not be continuous given the land form of Orton Pit. Also, in due course new landscaping associated with the Western Peripheral Road will be planted thereby providing additional screening. A taller building on tranche E2.1 would, therefore, also be visible. However, in light of the separation distance and the fact that this building will be seen behind other buildings further east within the site, it is not considered that the visual impact upon Hampton would be unacceptable.

If permitted a 35 metre high building is likely to be the first to be constructed. Any isolated building on this site, whether 15 or 35 metres would have a visual impact. It is not; however, considered that the impact would be unduly exacerbated by the additional height as from a distance it will be difficult to judge the exact height of the building. The application could not be resisted on the grounds that a taller building maybe the first to come forward. It should also be noted that householders do not have a right to a view.

Impact on Orton/Chesterton/Alwalton

There are views over the employment area as a whole (including Alwalton Hill) from the Fletton Parkway which sits at a higher level. Given the speed at which drivers pass the site these are, however, glances and it is not therefore considered that the visual impact of a 35 metre high building on tranche E2.1 would be unacceptable. There are a number of commercial/industrial buildings which can already be seen from other sections of the Parkway so the resulting relationship would not be unusual. The impact of this building will lessen as the employment area

becomes more built out and other buildings closer to the Parkway are built.

The Assessment shows that there will potentially be some views of the 35 metre high building from some part of the township of Orton including from the Showground (from where 15 metre high buildings would not be seen) and from Alwalton/Chesterton. However, given the separation distances it is not considered the building would be unacceptably dominant within the landscape, particularly given the existing trees and other landscaping. Its visual impact is, therefore, considered to be within acceptable limits. Neither is it considered that there would be any unacceptable adverse impact upon their Conservation Areas. No objections have been received from Cambridgeshire County Council.

Impact on Land to the West of the A1(M)

The proposed 35 metre high building would be most visible, as will the employment area as a whole, from the A605 approaching Peterborough from the west, given the relative levels of the two areas. The original ES set out that in terms of visual impact the consented buildings at Alwalton Hill were more likely to have an impact given that they will be located closer to the A1(M)/A605, than those at Great Haddon itself. A taller building if permitted would not be screened by the Alwalton Hill development in the same way and would, therefore, have a greater visual impact.

Whilst a taller building in this location would be more visually dominant, on balance, in light of its allocation for employment uses and the overall site context including the fact that it is not an area of best landscape, it is not considered that the visual harm would be such as to outweigh the economic considerations and therefore to justify the refusal of the application.

There would be views of a 35 metre high building from Haddon village to the west of the A1(M) and there are also likely to be some views from the villages of Stilton/Folksworth. The nearest house in Haddon is approximately 200 west of the A1(M) (some 850 metres from the site itself), and the village itself some 1.7kms. At these distances, and in light of the physical barrier which is created by the A1(M) itself it is not considered that a higher building on tranche E2.1 would appear unacceptably dominant.

The views of the building from Stilton, Folkworth and Morbourne would be more limited and seen in the context of the employment development as a whole. In view of this and the separation distance the visual impact is considered to be within acceptable limits.

As indicated above the Huntingdonshire Landscape and Townscape SPD identifies this area to the west of the A1(M) as the Northern Wolds. 'Key issues' for this area in terms of views are:-

- "...the maintenance of long views from the upland area..";
- "... protection of key views towards distinctive skyline of ridge tops, church towers and woodland"

It is not considered that a taller building on this site would unduly or unreasonably impede any such views given that the building would be seen within the context of the Peterborough townscape. As such it is not considered that the visual impact would be so severe as to justify a refusal of the application.

Impact on Land to the South

The nearest existing residential property to tranche E2.1 is Keeper's Cottage to the south some 700 metres away. This lies within the Great Haddon core area and is within the ownership of the Great Haddon Consortium. Over the longer term it is anticipated that its residential use will cease. Notwithstanding this, the nearest industrial building on Plot 7 would have a greater impact on this dwelling than a taller building located further within the site.

Further south are existing properties along the Old Great North Road. The Assessment concludes that these properties would have some visibility of the employment buildings as whole through the existing vegetation. A 35 metre high building would be seen within this context and it is not, therefore, considered that it would be unacceptably dominant.

The Assessment indicates that there will be some potential views of the site from within certain parts of the village of Yaxley and the surrounding area which the Huntingdonshire Landscape and Townscape SPD identified as Fen Margin. Given the relative levels, the presence of existing vegetation and buildings it is considered that these will be limited. In light of the separation distance from the application site the impact is considered to be within acceptable limits.

As indicated above, there is a Scheduled Ancient Monument (SAM) to the south west of the Great Haddon Core Area. English Heritage has raised no objection to the proposal. It acknowledges that there would be some change to the setting of the heritage asset but given the separation distance the impact would be modest. As such it is content for the Local Planning Authority to determine the application weighing the impact against other policies. Given the separation distance Officers do not consider that the presence of a 35 metre high building would cause unacceptable harm to the setting of the monument. Also, should planning permission subsequently be granted for the Great Haddon core area then in the longer term this would result in houses closer to the monument thereby further lessening any potential impact from the employment area.

In light of the level of visual impact and the economic emphasis within the NPPF it is not considered that the proposal could be reasonably resisted on the basis of the impact on the SAM.

Given the separation distance neither is it considered that the proposal would have any unacceptable adverse impact on the Conservation Areas of Norman Cross or Yaxley.

The Assessment sets out that there will also be views of the employment area from within the site of the Great Haddon core area. A 35 metre high building would not have greater visibility and in light of the separation distance it is not considered that it would unduly prejudice the delivery of this development should planning permission subsequently be granted.

Comments from Parish Councils/Public

1. The building would be visible for a great distance and totally out of proportion/character with the rural environment.

It is accepted that the building would be more visible. However, as set out above the character of this area is going to change completely to that of an industrial area. The permitted 15 metre high buildings will be seen from a number of view points already and it is not considered that the additional impact from a 35 metre high building in this location would result in an unacceptable impact.

2. A 35 metre high building would dominate the surrounding area

As set out above the impact is considered to be within acceptable limits.

3. A 35 metre high building in this location would not create a 'gateway' into Peterborough.

As indicated above, the character of this area will change completely. It is not considered that a higher building would have a greater adverse impact in terms of the approach.

4. An almost identical building in Wisbech has an unacceptable visual impact.

This application has to be assessed on its own merits in respect of material planning considerations. The development referred in Wisbech was found to be acceptable by officers and members of the relevant Planning Committee and bare no relevance to this application.

5. The proposal contravenes the outline planning consent for which the maximum height of buildings was set at 15 metres.

As indicated above, the building height was capped at this height on the basis of the assessment provided. This does not mean that a taller building is unacceptable, rather than the impacts need to be assessed and any proposal considered.

6. *The building would be acceptable if located in another part of Peterborough as a 'high tech' cold store would be in line with Peterborough's sustainability concept.*

No other sites have been referred to but given the topography of the area a building of this size, no matter where it was located in Peterborough, would have a wider visual impact including an impact outside of the Unitary area given the location of the employment areas. Notwithstanding this, the application site is a designated employment area and it is, therefore, the impact of a 35 metre high building in this location which must be considered. For the reasons set out above the visual of a 35 metre high building in this location is considered to be within acceptable limits.

7. *Very tall buildings would deter any other occupiers.*

The owner of the site (Roxhill) does not consider this to be an issue. In their view having no occupiers is more likely to be a deterrent.

8. *If allowed a precedent would be set and the Council would find it difficult to refuse other applications for taller buildings.*

Every application has to be considered on its own merits. Approval of this application would not, therefore, open the 'floodgates'. Furthermore end users will want buildings to suit their specific needs and this varies from operator to operator. Not all end users will want buildings of this height.

Summary

It is accepted that a 35 metre high building on tranche E2.1 would be more visible than the consented 15 metre high building, especially from the A605 when approaching Peterborough from the west. However, the additional impact arising from a taller building is considered, on balance, to be within acceptable limits and it is not therefore, considered that the application could reasonably be resisted on the grounds of unacceptable adverse visual impact particularly when taking into consideration the status of the site and the economic benefits which then would arise from its development.

Having reviewed the Assessment the Council's Landscape Architect has raised no objection to the proposal. He has concluded that the impact would be acceptable within the context of what has already been approved.

3. Ecological and Landscape Impacts

The ecological impacts arising from the employment application were considered in the ES which accompanied the application. This covered the impact upon Orton Pit and other protected species. The impacts were found to be acceptable subject to conditions in respect of a scheme of measures to protect Orton Pit and Great Crested Newt/Biodiversity Strategies. The impact of an increase in building height to 35 metres is considered in the new ES supporting this application.

Impact on Orton Pit SSSI/SAC

The application site lies directly to the west of Orton Pit SSSI (Site of Special Scientific Interest)/ SAC (Special Area of Conservation), an area of international ecological importance for its population of Great Crested Newts and assemblage of Stoneworts (aquatic invertebrates). The SSSI/SAC are separate designations but generally overlap. The SSSI does however extend further west and abuts the employment site. Orton Pit is owned by O & H Hampton. Public access is limited and by authorised appointment only.

The original ES set out that the employment development could potentially impact upon the designated species of Orton Pit in the following ways:-

- (i) from its physical presence;
- (ii) from changes to drainage system;
- (iii) from an increased human population in close proximity to it.

The change in building height would not result in any change in impact upon (ii) and (iii) so these are not reviewed further here. In terms of (i) the proposal does not impact upon the delivery of the physical measures to keep people out of Orton Pit or water quality. The only potential impact is in terms of shading.

Shading of Orton Pit

The Stonewort population of Orton Pit is sensitive to changes in light. As part of the original application a detailed shadow analysis was undertaken. This concluded that with a 30 metre buffer zone and a cap on building height at 15 metres, there would be no adverse impact. The analysis showed that the shading of Orton Pit is greatly influenced by the topography of the land forms within it. The conclusion of this analysis was accepted by Natural England.

A further shadow analysis has been undertaken as part of the ES submitted with this application. It is based on the same methodology as the original statement. This concludes that although the building would be taller, in light of the separation distance from Orton Pit (some 545 metres) that no additional shadowing would result and therefore, that there would be no adverse impact upon its special interest. As with the 15 metre high buildings the analysis shows that the land form/topography of Orton Pit itself has a greater impact upon shading patterns. This conclusion is accepted by Natural England and the Council's Wildlife Officer.

Appropriate Assessment

Given the relationship of the site to Orton Pit an 'Appropriate Assessment' (AA) under the Conservation of Habitats and Species Regulations 2010 was undertaken in respect of the original outline application to demonstrate that the Great Haddon employment development would not have an adverse impact upon the integrity of Orton Pit. The AA considered the direct impacts of the development and 'in combination' effects with other development proposals. The assessment was passed. Had the assessment failed then planning permission could not have been granted.

Following discussion with Natural England it was agreed that the AA for the Great Haddon employment area should be updated to taken into consideration the proposed increase in building height on plot E2.1. This is currently being done. Members will be advised of further progress in the Update Report.

Impact on Protected Species

Since the granting of planning permission for the Great Haddon employment area Great Crested Newt and Biodiversity Strategies have been approved as required by the outline conditions. Updated surveys in respect of Water Voles, Badgers, Reptiles and Great Crested Newts were carried out in 2012 (and submitted for approval under the outline conditions). These surveys did not reveal any significant change in the status of any species/group within the employment area. With respect of tranche E2 there are no records of protected species within the site which remains in arable use.

The impact of a 35 metre high building on protected species is considered in the ES.

(a) Great Crested Newts (GCN)

There is one pond with GCNs within the Great Haddon employment area (pond 15). The ES concludes that a taller building on plot E2.1 would not adversely impact upon this pond given its location within the site. It also considers the impact upon ponds 16, 17 and 18 located within Alwalton Hill. Pond 16 is some 350 metres to the south west of plot E2.1. The ES concludes that there would be no additional shading. Ponds 17 and 18 lie to the west and the ES concludes that there would be no significant additional shading beyond that which would occur from the existing Alwalton Woodland.

The conclusions of the ES in respect of the potential impact on GCNs are accepted by Natural England and the Council's Wildlife Officer. They have also advised that no changes to the approved GCN strategy are required in response to this application or its potential impacts.

(b) Birds.

The ES concludes that a 35 metre high building on plot E2.1 would have no additional adverse impact on birds from the approved 15 metre high building.

(c) Badgers

The updated survey indicates a decrease in badger activity across the site. The ES concludes that there is unlikely to be any impact from additional shading and that no additional mitigation measures are required.

(d) Bats

The increase in building height on plot E2.1 will not alter the conclusions of the original ES in respect of bats and trees with bat roost potential. The ES sets out that there maybe a requirement for additional lighting but this will be located so that it is not more than 15 metres high. This can be controlled via a condition. As with the original scheme it is proposed that sodium lamps be used as they do not emit such high level UV light and also that upward light spillage be minimised. A detail lighting scheme will need to be submitted as part of any reserved matters application.

(e) Water Vole and Otter

The 2012 updated surveys did not find any evidence of these species. The ES concludes that a higher building on plot E2.1 would have no impact upon them.

(f) Reptiles

The ES concludes that the reptile receptor areas to be created at the south of the Great Haddon employment area would not be impacted upon by a high building on plot E2.1.

(g) Invertebrates

The ES concludes that the increase in building height on plot E2.1 would not result in any impacts on invertebrates either within plot E2.1 or nearby.

The conclusions in the ES are accepted by Natural England and the Council's Wildlife Officer. They also do not consider that any alterations are required to the approved Biodiversity Strategy in response to the potential impacts arising from the development.

Impact on Habitat

The Phase 1 Habitat Survey for Plot E2 and its immediate surroundings was updated in July 2012. The majority of the survey area comprises intensively managed arable farmland. The only change in habitat since 2009 has been the loss of two dry field ditches that formally crossed (east to west) the field. Only one ditch now remains within the plot.

A 35 metre high building on plot E2.1 would result in additional shading of the eastern side of the Alwalton woodland in comparison with the approved 15 metre high building. The woodland has been assessed to have limited ecological value due its structure and sparse cover of common and widespread ground flora. Given the condition of the woodland the new planting which will come forward as part of the development as a whole, the ES concludes that there would still be an overall benefit on woodland habitats in the county and local context.

Natural England and the Council's Wildlife Officer raised concerns about the potential impact on this woodland and have asked for additional mitigation to be provided. In response the applicant set out that the woodland is not a designated site and whilst local authorities have a duty to conserve biodiversity this should not mean mitigating any impact on any species. Natural England and the Wildlife Officer accept this but are seeking additional mitigation to ensure that a net gain in biodiversity is maintained. Having discussed the matter further with the agent he has advised that the draft design will seek to incorporate additional planting to address the concerns raised notwithstanding that this cannot be insisted upon from a policy perspective. This approach is considered to be sufficient to address the concerns raised. The Wildlife Officer has verbally

advised that this approach would address the concerns he has raised.

The ES concludes that there would be no adverse impact upon any other habitat, nor would the increase in building height result in the additional direct loss of any other habitat from that assessed in the original application. These conclusions are accepted by Natural England or the Wildlife Officer.

Other Matters

The ES concludes that there is no change in the assessment of the effect on locally designed sites in comparison with the original ES. There would be no significant adverse impact on Nene Park, Crown Pit No1, Denton Common Pit, Norman Cross Brick Pits, Jones Covert Woodland. This conclusion is accepted.

4. Amenity Impacts

The visual impact of the building has been considered under section 2 above.

In terms of other potential impacts on neighbour amenity Hampton Parish Council has raised a concern, in light information tabled at the applicant's public meetings (as part of their community consultation prior to the submission of the application) that a 35 metre high building on plot E2 would result in additional shadowing of the western part of Hampton and the loss of 10 minutes or so of daylight. This has been raised with the applicant who has been asked to clarify the potential impact.

The applicant has advised that the proposed building would be seen on the horizon from the western part of Hampton. Given the orientation of the building in relation to Hampton, for a few weeks of the year the sun will set directly behind it. The impact is therefore, not shading per se but rather an obscuring of the sun on the horizon as it sets.

This impact would only occur when the sun sets due west which is around the equinoxes, so for about 10 days in March and 12 days at the end of September/start of October. The applicant has carried out a detailed analysis as to the extent of this impact. Given the relative dimensions, if there were no other obstacles in the way then it has been calculated that the sun maybe 'lost' (i.e. it will be behind the building) about 6 minutes earlier than the current situation. However, the permitted buildings at 15 metres have some impact so the difference in time whereby the sun would be 'lost' is estimated to be in the region of 3 minutes. Furthermore any obstacles located closer to the houses such as trees or any other house will in themselves have a much greater impact given that they are closer, thereby further lessening the impact which a 35 metre building would have. It should also be noted that it is not intended for the whole building to be 35 metres high only sections of it. This would further lessen any impact.

Given that this impact would only occur when the sun sets due west, which is for two very short periods of the year, the fact that the impact is only for a few minutes, and the limited number of houses located due east of the building, it is not considered that it would have a sufficiently adverse effect as to warrant the refusal of this application.

Concerns have been raised by the Local Access Forum regarding potential shading of the Green Wheel route from a 35 metre high building and that this will discourage people from using it. However, the building is not the only factor in terms of shadowing; this will result from trees planted along it etc. Many footpath and cycleways are shaded for all or part of the day especially those which lie to the north of adjacent buildings. It should also be noted that with the new access road, in addition to the retention of the bridleway, a designed cycleway will be created which will be lit. It is not, therefore, considered that the application could be reasonably resisted on this basis.

5. Other Matters

Traffic Implications

A number of concerns have been raised about the traffic impacts of the development. When the outline application was considered a detailed analysis of the traffic implications was undertaken

using the Peterborough Transport Model based upon the total floorspace to be created from the development of the Great Haddon employment area as a whole.

In order to protect the surrounding road network a condition was imposed limiting the amount of floor space which can be built to not more than 324, 500 sq.m. gross external floor area, broken down into not more than 48 675 sq.m. of B1; 129 800 sq.m. of B2 and 146 025 sq.m. of B8 floor space (C3 refers). The conditions also require improvement works to junction 17 of the A1(M) and junction 1 as well as a cap on the amount of development which could be built out until the Fletton Parkway is widened.

This proposal for a taller building would not change the amount of floorspace created within the site therefore the original limitations remain relevant. Arguably a taller building could be more intensely used. However, it would be a B8 distribution unit and staff would work in shifts. As such it is less likely to result in additional traffic on the network at peak times of the day.

The Highways Agency and Local Highway Authority have raised no objections.

It is not therefore, considered that this application for an increase in the building height on one plot could reasonably be resisted on the grounds of transport impacts.

Employment Numbers

A number of the objections have raised concerns about the job numbers to be created. Some of the representations have suggested the job number quoted has been over estimated. Yearsleys have given a provisional job number of 300, 150 per stage (Yearsleys are proposing two separate buildings) equating to 80 office staff and 220 warehouse operatives. The applicant has provided clarification on the job numbers, advising that it is a reasonable prediction given that if there would be three shifts and on the basis of the Homes and Communities Agency (HCA) Employment Densities Guide (Second Edition 2010). This estimates job creation on the basis of different types of floor space (one job per 12 m² of office space and one job per 80m² in warehouse/distribution units). Based on the floor area for Yearsleys the HCA Guide predicts 495 jobs. As such, it is not considered that the job creation has been over estimated.

Notwithstanding this, the application is for a 35 metre high building only and it has to be determined on the basis of the impacts which this would have and the acceptability of these impacts, not the number of jobs which would be created. The application cannot therefore be resisted on this basis of job numbers.

Other Impacts

A concern has been raised by the Norman Cross Action Group and in other representations that the building would have an impact on wind turbulence locally. No indication has been provided as to why this is considered a potential impact. However, Officers do not consider that there would be any significant impact beyond the approved scheme given that this application seeks to increase the height of building permitted on one tranche only.

The ES supporting the application confirms that a 35 metre high building on plot E2.1 would not have any impact upon issues relating to contamination, flood risk/drainage and energy/utilities. This conclusion is supported by officers. No objections have been received by the Environment Agency.

Neither is it considered that an increase in building height would prejudice the safeguarding of land for a new Householder Recycling Centre/ Park and Ride Facility as required under the original S106 Agreement.

Procedure

If planning permission is granted then a new planning permission for the whole of the Great Haddon development would be created. As such it will be necessary to re-impose the entire original outline conditions for Great Haddon with any appropriate alterations to take into account

strategies, other information approved to date under various other applications.

The only condition which it is not considered relevant to re-impose is that in respect of the Site Waste Management Plan (C27) as these are no longer required by Government.

As a new planning permission would be created there is also a requirement for a new S106 Agreement to be entered into to secure the obligations sought as part of the previous application. This is currently being prepared. The S106 will replicate the original agreement. The only area where a contribution is no longer required is in respect of the Counter Drain. This is because it has now been agreed that any works are the responsibility of Anglian Water and it is not appropriate to seek a S106 contribution towards them. To summarise the S106 will require contributions/measures in respect of the following:

- Travel Plan including contributions towards the monitoring thereof (£5,000 per building or pro rata amount if floor space below 5 000 sq.m);
- Provision of a bus services for employees;
- Contribution towards off site highway improvements including provision of new traffic lights (£ 3, 300, 000 towards widening works to Fletton Parkway);
- Safeguarding of 1.5 hectares of land for a Householder Recycling Centre or Park and Ride facility for 6 years;
- Contribution towards the Green Grid Strategy objectives (£50, 000);
- Contribution towards improvements to the Green Wheel/National Cycleway Network (£11, 000);
- Long term management and maintenance of the sustainable drainage system (SUDs)
- Nature Conservation Objectives (if not addressed solely via conditions)

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 weighting against relevant policies of the development plan and specifically:

- The build out of the consented scheme for this site (under outline permission 09/01369/OUT) will result in a complete change to the character of the existing site and a development which, in view of the ground levels, can be seen from outside of the site. It is acknowledged that a 35 metre high building on plot E2.1 would be more visible than the consented 15 meter high building. However, this is an allocated employment site and the National Planning Policy Guidance places strong emphasis upon supporting economic growth. Given that there are no areas of best landscape adjoining the site and it would result in unacceptable harm to the Schedule Ancient Monument to the south west or surrounding Conservation Areas the visual impact of the building is, on balance, considered to be acceptable in accordance policies CS5, CS16 and CS17 of the Adopted Core Strategy and policies PP1 and PP3 of the adopted Peterborough Planning Policies DPD.
- A 35 metre high building on plot E2.1 would not result in an additional adverse impact upon Orton Pit SSSI/SAC in terms of shading. Neither is it considered that the proposal would have any unacceptable adverse impact upon any other species. It would result in some additional shading of Awalton Woodland but given that this is not a designated feature the impact is considered to be acceptable. The proposal does not result in any additional landscaping loss from that found to be acceptable under the outline planning permission. The development is, therefore, considered to be acceptable in accordance with policy CS21 of the Adopted Core Strategy and Section 11 of the National Planning Policy Framework';
- Although a number of residents would have some views of the taller building, as most would of the consented 15 metre high building, given the separation distances it is not considered that it would have any unacceptable overbearing impact upon them. Although the sun would set behind the building for 10-12 days a year around the equinoxes it is not

considered that the impact upon the amenity of the properties within Hampton to the east would be unacceptable. The application does not result in any other changes in impact. The proposal is, therefore, considered to be acceptable in accordance with policy CS16 of the adopted Core Strategy and policy PP3 of the adopted Peterborough Planning Policies DPD.

- The application will not result in any other changes in impact in terms of traffic generation, flood risk or contamination, all of which were assessed under the outline planning application and the impacts found to be acceptable. This proposal therefore remains acceptable under policy CS14, CS16, and CS22 of the Adopted Core Strategy.

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to conditions, satisfactory completion of a S106 Agreement and the passing of an amended Appropriate Assessment.

- C 1 Application for approval of reserved matters namely access, appearance, landscaping, layout and scale; shall be made to the Local Planning Authority no later than six years and five months from the date of this permission. Such development shall be begun no later than eight years and five months years from the date of this permission or, if later, two years from the approval of the last such matter to be approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 2 Plans and particulars of the reserved matters referred to in condition C1 above, relating to the access, appearance, landscaping, layout and scale of the site, shall be submitted to and approved in writing by the Local Planning Authority in respect of any part of the development of the site before any development commences within that part of the site. Development shall be carried out as approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 3 Not more than 324, 500 sq.m. gross external floor area shall be developed pursuant to this permission (12/01334/WCPP) whether located on a single or multiple floors. This shall comprise not more than 48 675 sq.m. of B1; 129 800 sq.m. of B2 and 146 025 sq.m. of B8 floor space.

Reason: To accord with the transport modelling on which the impacts of the development on the surrounding highway network have been assessed, and to ensure that the Strategic Road Network can continue to operate as part of the national system of routes for through traffic and to satisfy the reasonable requirements of safety of traffic on the strategic road network, in accordance with section 4 of the National Planning Policy Framework (2012), policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Peterborough Planning Policies DPD and Section 10(2) of the Highways Act 1980.

- C 4 Development shall be undertaken in accordance with the access arrangements and land use allocations shown on the Development Framework Plan (plan no. PST021-DFP-201 Rev B) and approved Parameter Plans (plan nos PST021-DFP-202 (primary movement network), PST-DFP-208 (landscape framework) or in accordance with such modifications of the Development Framework Plan as may be agreed in writing by the Local Planning

Authority.

Reason: To restrict the development to that applied for and for which the environmental, transport and infrastructure impacts have been assessed and to ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 5 Building heights shall not exceed a maximum height of 15 metres except on tranche E7 where the maximum building height shall not exceed 17 metres and tranche E2.1 where the maximum building height shall not exceed 35 metres (as identified on the Building Heights Plan reference PST021 DFP 206 Rev B). Building heights shall be measured from the highest existing ground level within each tranche except those abutting the Orton Pit buffer zone as shown on the approved Framework Plan PST021-DFP-021 Rev B where they shall be measured from the existing level directly next to the buffer zone, or plot E2.1 where the building height shall be based on the average existing ground level adjacent to the building location. Levels shall be taken from the submitted employment area survey drawing.

Reason: To protect residential and visual amenity and the ecological interests of the Orton Pit SSSI/SAC in accordance with the assessment in the supporting Environmental Statement in accordance with section 11 of the policy National Planning Policy Framework (2012), CS16 of the Adopted Core Strategy and policies PP02 and PP18 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination)

- C 6 Notwithstanding the submitted information, the development shall achieve as a minimum an energy efficiency of 10% above the Building Regulations standard in place at the time of reserved matters submission, unless this requires a zero carbon development. The reserved matters application for each building tranche shall be accompanied by a sustainability statement/assessment which demonstrates how the above standard will be achieved.

As an alternative to the above energy efficiency requirement, a proposal which exceeds other requirements in Policies CS10 and 11 of the Adopted Core Strategy and which is considered by the Local Planning Authority to be of greater benefit in achieving those policy objectives may be submitted to the Local Planning Authority for consideration as part of each reserved matters application.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to deliver energy efficiencies in accordance with policies CS10 and CS11 of the Adopted Core Strategy.

- C 7 Development shall be carried out in accordance with the approved Flood Risk Assessment reference 15188/400/001 Rev D January 2011 as updated by the Surface Water Management Strategy reference 24545/44/NTN/Rev 3 dated November 2011. The submission of the reserved matters for each tranche shall be accompanied by a detailed scheme for the provision, implementation, ownership and maintenance of the surface water drainage infrastructure for each parcel or plot of developable land as specifically identified on drawing number 24545/38 Rev B. The development shall thereafter be carried out in accordance with the approved details before the development is first occupied.

Reason: In order to ensure that the risk of flooding, both at the site and to third parties, is not increased as a result of the development in accordance with section 10 of the National Planning Policy Framework (2012) and policy CS22 of the Adopted Core Strategy.

- C 8 The development shall be carried out in accordance with the approved overarching foul drainage strategy as shown on the following drawings/plans:-

24545/110/500/18 Foul Water Main Rising Connection

* 24545/07 Rev D Foul Water Drainage Strategy (as relates to the Great Haddon development area only)

* 24545/110/500/11 Rev A Foul Water Pumping Station General Arrangement

* Email from agent dated 28 June confirming that the scheme complies with clause 2.3 of Anglian Water's guidance 'Sewers for Adoption 6th Edition' in respect of the relationship between the foul sewer and landscaping

* 2934LO_211 Landscape Proposals and Drainage. Overlay- Composite Plan

* 24545/110/500/01 Rev D Drainage Layout 1 of 3

* 24545/110/500/02 Rev F Drainage Layout 2 of 3

* 24545/110/500/03 Rev E Drainage Layout 3 of 3

* 24545/110/500/23 Rev C Longitudinal Section Foul Drainage 3 of 4

* 24545/100/500/24 Rev B Longitudinal Section Foul Drainage 4 of 4

* Ecology Compliance Statement 2934LO_CS_300

Details of pumping stations and any other associated equipment housing will need to be submitted as reserved matters details for approval.

No building shall be occupied until the overarching foul drainage infrastructure is in place and until details of the building specific foul drainage, including how it connects into the overarching foul drainage infrastructure, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure adequate foul drainage provision and to ensure no harm is caused to features of ecological interest (Orton Pit) in accordance with policies C12 and CS21 of the Adopted Core Strategy.

C 9 Prior to the first occupation of any unit or the first public use of the new access road from Junction 1 of Fletton Parkway, whichever is the sooner, a 30-metre buffer zone measured from the edge of Orton Pit SSSI shall be provided as identified on the approved Framework Plan reference PST021-DFP-201 Rev B. The buffer zone shall include the access management measures as identified for zones 3 and 4 in the approved Access Management Strategy. The monitoring and management of these areas and features shall thereafter be carried out in accordance with the measures set out in the approved Access Management Strategy and any other maintenance which maybe required on an ad hoc basis in perpetuity.

The reserved matters application for land parcels OS2 and OS5 as identified on the approved Framework Plan PST021-DFP-201 Rev B shall include amongst other matters the following measures:-

a) security fencing to the boundary of the employment land tranches (type to be agreed) and post and rail fencing;

b) an 8 metre wide ditch within the buffer zone, designed to retain water at all times (OS2);

c) a new linear water body approximately 10 metres wide with a deep central channel and shelves planted with reed beds (OS5);

d) weir systems

e) a shallow bank beyond the ditch;

f) hibernacula;

g) details of hedgerow planting;

h) general habitat including retention of any appropriate existing features and improvement measures to promote biodiversity;

i) details of existing and proposed levels.

No lighting shall be erected within this buffer zone.

Reason: In order to minimise the effects of shading on habitats and species in, and to prevent unauthorised public access into, Orton Pit SSSI/SAC in order to protect the integrity of the site, and to provide new ecological habitat as set out in the original supporting Environmental Statement Volume 4, Chapter 6, in accordance with policy PP18 of the adopted Peterborough Planning Policies DPD and section 11 of the National Planning Policy Framework (2012), and the Conservation of Habitat and Species Regulations 2010.

- C10 No buildings or other structures (temporary or permanent) shall be erected within 5 metres of the boundary of any development tranche adjoining the 30 metre the buffer zone to Orton Pit SSSI as identified on the approved Framework Plan reference PST021-DFP-201 Rev B.

Reason: In order to minimise the effects of shading on habitats and species within Orton Pit SSSI/SAC from shading from buildings associated with the adjacent development in accordance with policy PP18 of the adopted Peterborough Planning Policies DPD and section 11 of the National Planning Policy Framework (2012) and the Conservation of Habitat and Species Regulations 2010.

- C11 The development shall be carried out in accordance with the approved Great Crested Newt Strategy dated 09 July 2011 (Issue 3), or any updated version of this document which maybe agreed. The plans and particulars submitted for each reserved matters application shall demonstrate compliance with the Strategy and include specific measures set out within individual tranches.

Unless otherwise agreed in writing by the Local Planning Authority, monitoring of the strategy and the mitigation measures therein, including the specific measures set out within individual development tranches, shall be carried out during the build out of the development and for five years thereafter. Unless otherwise agreed in writing with the Local Planning Authority, the applicant shall submit a single annual monitoring report for the site, to include the individual development tranches, to the Local Planning Authority for written approval for the first five years following the commencement of development. The timing of the monitoring and the submission of the monitoring report shall thereafter be reviewed and agreed in writing by the Local Planning Authority.

If after evaluating the submitted monitoring results the Local Planning Authority considers remedial measures are necessary it will serve notice on the applicant requiring a scheme of remedial measures. The remedial measures shall be fairly and reasonably related in scale and kind to the proposed development. Within one month of receiving such written notice, the applicant shall submit such a scheme of remedial measures (including a timeframe for implementation) and the approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard, enhance and manage the ecological interests of the site and to inform the translocation, protection of species and habitat creation/enhance in accordance with policy PP18 of the adopted Peterborough Planning Policies DPD and section 11 of the National Planning Policy Framework (2012) and the Conservation of Habitat and Species Regulations 2010.

- C12 The development shall be carried out in accordance with the approved Biodiversity Strategy Version 1.3 dated July 2011, or any updated version of this document which maybe agreed. The plans and particulars submitted for each reserved matters application shall set out what specific measures are included within individual development plots to enhance biodiversity and demonstrate compliance with the Strategy.

Unless otherwise agreed in writing with the Local Planning Authority, the monitoring period shall be not less than the build out period of the development and five years thereafter. The

applicant shall submit a single monitoring report, to include individual development tranches, annually for the first five years following commencement of development and thereafter reviewed with appropriate report monitoring periods agreed in writing by the Local Planning Authority.

If after evaluating the submitted monitoring results the Local Planning Authority considers remedial measures are necessary it will serve notice on the applicant requiring a scheme of remedial measures. The remedial measures shall be fairly and reasonably related in scale and kind to the proposed development. Within one month of receiving such written notice, the applicant shall submit such a scheme of remedial measures (including a timeframe for implementation) and the approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard, enhance and manage the ecological interests of the site and to inform the translocation, protection of species, habitat creation, remedial measures and to promote the biodiversity of the site in accordance with policy PP18 of the adopted Peterborough Planning Policies DPD, policy CS21 of the Adopted Core Strategy, section 11 of the National Planning Policy Framework (2012) and the Conservation of Habitat and Species Regulations 2010.

- C13 Monitoring of the quality of the water exiting the site from the attenuation ponds before it enters the northern tributary of the Stanground Lode, shall be carried out on an annual basis for the first five years following the first occupation of any building or the first public use of the access road, whichever is the sooner. Unless otherwise agreed in writing with the Local Planning Authority, the applicant shall submit a single annual monitoring report for the site to the Local Planning Authority for written approval. The timing of the monitoring and the submission of the monitoring report shall thereafter be reviewed and agreed in writing by the Local Planning Authority.

A provision shall be made to enable the Local Planning Authority to consider if any remedial measures are necessary as a result of evaluating the submitted monitoring results, including a provision for the Local Planning Authority to serve notice on the applicant requiring a scheme of remedial measures. The remedial measures shall be fairly and reasonably related in scale and kind to the proposed development. Within one month of receiving such written notice, the applicant shall submit such a scheme of remedial measures (including a timeframe for implementation) and the approved remedial measures shall be implemented in accordance with the approved scheme and programme unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to protect the quality of water in the Stanground Lode in accordance with, policy CS21 of the Adopted Core Strategy, policy PP18 of the adopted Peterborough Planning Policies DPD and section 11 of the National Planning Policy Statement (2012).

- C14 Prior to the commencement of development, clearance works or remediation works on each parcel of land as identified on the approved Framework Plan reference PST021-DFP-201 Rev B, up to date survey work in respect of breeding birds, Aquatic and terrestrial Invertebrates, and aquatic plants shall be submitted to and approved in writing by the Local Planning Authority as appropriate. The updated survey work shall be carried out in accordance with the methodology set out in the Biodiversity Strategy and the Great Crested Newt Strategy. If development does not thereafter commence within 2 years of the survey date new surveys will need to be undertaken in accordance with the above process, unless otherwise agreed in writing by the Local Planning Authority.

If work has not commenced on any parcel of land as identified on the approved Framework Plan reference PST021-DFP-201 Rev B by July 2014 then updated surveys in respect of Great Crested Newts, Reptiles, Water Voles, Bats, and Badgers shall be submitted to and

approved in writing by the Local Planning Authority as appropriate. If development does not thereafter commence within 2 years of the date of the new surveys then further surveys will need to be undertaken in accordance with the above process, unless otherwise agreed in writing by the Local Planning Authority. The updated survey work shall be carried out in accordance with the methodology set out in the Biodiversity Strategy and the Great Crested Newt Strategy.

Reason: In order to protect species within the development area from harm in accordance with section 11 of the National Planning Policy Framework (2012), policy CS21 of the Adopted Core Strategy, policy PP18 of the adopted Peterborough Planning Policies DPD and the Conservation of Habitat and Species Regulations 2010.

- C15 Prior to the first public use of the new access road from junction 1 of the Fletton Parkway into the development, or within such other period as may be agreed in writing with the Local Planning Authority, a scheme to monitor Nitrogen Oxide (NOx) concentrations and nitrogen deposition within Orton Pit SSSI/SAC, shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the monitoring shall commence no later than 3 months after the first public use of the road (to enable the collection of baseline data) and continue for a period of 5 years after the complete build out of the development. All monitoring shall be carried out in accordance with the approved scheme and submitted in the form of a single report at intervals to be agreed with the Local Planning Authority. Should the Local Planning Authority consider that any remedial measures are necessary as a result of evaluating the submitted monitoring results; the Local Planning Authority will serve notice on the developer requiring a scheme of remediation. Within one month of receiving such written notice, a scheme of remediation, including a programme for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The remedial measures shall be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To validate predictions regarding nitrogen deposition made in the Environmental Statement and to ensure the integrity of Orton Pit SSSI/SAC is protected in accordance with policy PP18 of the adopted Planning Policies DPD, section 11 of the National Planning Policy Framework and the Conservation of Habitat and Species Regulations 2010.

- C16 No tree, hedgerow or woodland shown as being retained on drawing number 2489LO/410D (Site wide vegetation and removal plan) shall be felled, topped, lopped or grubbed in any way without the prior written consent of the Local Planning Authority. If any retained tree as shown on the approved drawing is damaged or removed during a development phase, a revised scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the retention of trees, hedges and woodland as identified in the Environmental Statement in accordance with policy CS21 of the Adopted Core Strategy.

- C17 The development shall be carried out with the approved Landscape Management Plan (September 2011) received on 14 September 2011 or any updated version of this that may be approved in writing by the Local Planning Authority. The plans and particulars submitted for each reserved matters application shall demonstrate compliance with the Strategy and include specific measures for individual tranches.

The management plan shall be implemented in accordance with the timetable set out therein unless changes are first agreed in writing by the Local Planning Authority.

If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or

defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy CS21 of the Adopted Core Strategy.

- C18 The reserved matters particulars for tranche E7 (as identified on the approved Framework Plan PST21-DFP-201 Rev B) shall include new buffer planting to the A1(M), as identified on the approved Landscape Parameter Plan drawing number PST21-DFP-208, to be not less than 15 metres in width. It shall also include associated bunding as appropriate, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure an appropriate visual finish to the development in accordance with policy CS21 of the Adopted Core Strategy.

- C19 The hard and soft landscaping scheme to be submitted as reserved matters shall include the following details;
- * Proposed finished ground and building slab levels;
 - * Planting plans including trees, species, numbers, size and density of planting;
 - * An implementation programme (phased developments);
 - * Hard surfacing materials;
 - * Boundary treatments;
 - * Refuse areas;
 - * Cycle parking provision including details of the cycle stands.

The development shall thereafter be carried out in accordance with the approved reserved matters application prior to first occupation/ use. In the case of soft landscaping works these shall be carried out no later than the first planting/seeding season following the occupation/use of the development.

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

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy CS21 of the Adopted Core Strategy.

- C20 The plans and particulars for each reserved matters applications for those tranches containing, and/or located adjacent to (including outside of the application site), any retained trees/hedgerows, shall include :
- * An arboricultural method statement (to be carried out in accordance with section 7.2 of British Standard 5837-2005);
 - * An arboricultural impact assessment (to be carried in accordance with section 6 of BS 5837-2005);
 - * A tree/hedgerow protection plan (to be carried out in accordance with section 7.2 of BS 5837-2005).

The above shall include an assessment of the impact of buildings, hard standings, changes in ground levels from existing, drainage infrastructure and any other utilities.

The tree/hedgerow protection measures shall be erected prior to the commencement of any works including site clearance and thereafter retained until construction work is completed

unless otherwise agreed in writing by the Local Planning Authority.

The development shall be built out in accordance with the approved details.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy CS21 of the Adopted Core Strategy.

C21 No part of the development shall be occupied or brought into use until the highway improvements to J1 have been implemented in accordance with the approved scheme. The scheme of works shall be carried out in accordance with the following approved details:-

- *24545/130/100/01E General Arrangement
- *24545/130/100/02C Contour and Flow Arrows
- *24545/130/100/03C Utility Constraints Plan
- *24545/130/100/05C Swept Path Analysis
- *24545/130/100/07B Section 278 Agreement
- * 24545/130/500/01C Highway Drainage
- * 24545/130/600/01D Earthworks
- * 24545/130/700/01D Pavement
- * 24545/130/1100/01C Kerbing and Paved Areas
- * 24545/130/1200/01D Traffic Signs
- * 24545/130/1200/02D Road Markings
- *24545/130/1200/03E Detailed Traffic Signal Design
- *24545/130/1200/04E Detailed Traffic Signal Design
- *24545/130/1200/05E Detailed Traffic Signal Design
- *24545/130/1200/06F Detailed Traffic Signals Schedules
- *24545/130/1200/07A Jointing Chamber and Duct Loop Junction Box
- *24545/130/1200/08A Traffic Signals Detector Junction Box
- *24545/130/1200/09C Detailed Traffic Signals Design
- *24545/130/1200/10C Detailed Traffic Signals Design
- * 24545/130/1300/01D Street Lighting

Reason: In the interests of providing a safe means of access to the development which does not prejudice the safety of the users of the existing public highway in accordance with section 4 of the National Planning Policy Framework (2012), policy CS14 of the Adopted Core Strategy and policy PP12 of the adopted Peterborough Planning Policies DPD.

C22 The plans and particulars to be submitted as reserved matters shall include details of the following, as appropriate:-

- * Details of how the new vehicular accesses into the site tie into the existing highway network (junction 1/the Great North Road)
- * Details of how the new cycleways tie in to the existing foot/cycle bridge over the Fletton Parkway and the designated bridleway through the site
- * Details of the internal access roads/cycleways/footways and junctions within the site;
- * Segregated access points for pedestrians and cyclists that do not require the use of the vehicular carriageway to enter and leave each development parcel;
- * Details of the access into each individual development parcel for vehicles, cyclists and pedestrians.
- * Full Stage 1 and 2 safety audits (if appropriate).
- * Pick up and set down points and circulation areas for the private bus service required as part of the employment area travel plan.
- * Car parking, circulation areas and loading and unloading areas

No part of the development shall be occupied or brought into use until the roads/footways and cycle ways linking that part of the development to the existing public highway (including the Fletton Parkway foot/cycle bridge) have been implemented in accordance with the approved details. Nor shall any unit be occupied or brought into use until the access,

parking and internal layout have been implemented in accordance with the approved details.

Reason: In the interests of providing a safe means of access to the development which does not prejudice the safety of the users of the existing public highway in accordance with Policy CS14 of the Adopted Core Strategy and policy PP12 of the adopted Peterborough Planning Policies DPD.

C23 No more than 24,338 square metres of B1, 86,534 square metres of B2 and 146,025 square metres of B8, gross external floor area until the link between the internal road serving the employment land and the Old Great North Road has been implemented to the satisfaction of the Local Planning Authority and in accordance with the approved details. The plans and particulars for the reserved matters application for the new link with the Old Great North Road shall include the following:

- * The design of the junction of the access road with the Great North Road and the tying into existing highway infrastructure including the bridleway through the employment site;
- * The design of the physical HGV prohibition measures and associated signage strategy;
- * Stage 1 and 2 safety audits.

Reason: In the interests of providing a safe means of access to the development which does not prejudice the safety of the users of the existing public highway in accordance with Policy CS14 of the Adopted Core Strategy and policy PP12 of the adopted Peterborough Planning Policies DPD.

C24 No more than 24,338 square metres of B1, 86,534 square metres of B2 and 146,025 square metres of B8, gross external floor area, shall be occupied until the work to improve Fletton Parkway as shown in outline on Peterborough City Council Drawings in the table below has been carried out to the satisfaction of the Local Planning Authority and is open to traffic:

Great Haddon Township Preliminary Scheme Layout A1139 Fletton Parkway Junction 17 to 1 Improvement Option 2
8389/01/02
April 2011
Peterborough City Council
None
A1139 Fletton Parkway Junctions 1 to 2
5096274/HW/GA/001/A
18 Jan 2011
W S Atkins
None

Reason: To ensure that the Strategic Road Network can continue to operate as part of the national system of routes for through traffic in accordance with section 4 of the National Planning Policy Framework, policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Peterborough Planning Policies DPD and Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety of traffic on the strategic road network.

C25 No part of the development shall be occupied or brought into use until the highway improvements to J17 have been implemented in accordance with the approved scheme. The scheme of works shall be carried out in accordance with the following approved details:-

- * 24545/140/100/07 Rev A General Arrangement
- * 24545/140/200/01 Rev B Site Clearance
- * 24545/140/400/01 Rev B Road Restraint System

- * 24545/140/100/08 Rev A Contours and Flows
- * 24545/140/1200/01 Rev C Traffic Signals
- * 24545/140/1200/03 Rev C Detailed Traffic Signal Design
- * 24545/140/1200/04 Rev B Details Traffic Signal Design
- * 24545/140/1200/05 Rev C Detailed Traffic Signal Design
- * 24545/140/1200/06 Rev C Detailed Traffic Signal Design
- * 24545/140/1200/02 Rev B Road Markings
- * 24545/140/1300/01 Rev B Street Lighting
- * 24545/140/1100/01 Rev B Kerbing and Paved Areas
- * 24545/140/100/03 Rev B Utility Constraints Plan
- * 24545/140/600/01 Rev B Earthworks
- * 24545/140/700/01 Rev C Pavement
- * 24545/140/500/01 Rev B Highway Drainage
- * 24545/140/100/04 Rev C Swept Path Analysis 1 of 6
- * 24545/140/100/05 Rev D Swept Path Analysis 2 of 6
- * 24545/140/100/15 Rev A Swept Path Analysis 3 of 6
- * 24545/140/100/16 Rev A Swept Path Analysis 4 of 6
- * 24545/140/100/17 Rev A Swept Path Analysis 5 of 6
- * 24545/140/100/18 Rev A Swept Path Analysis 6 of 6
- * 24545/140/1200/07 Service Ducting and Movement Joint
- * Pavement Specification May 2012
- * Appendix 12/5 Project Specific Comments

Reason: To ensure that the Strategic Road Network can continue to operate as part of the national system of routes for through traffic in accordance with section 4 of the National Planning Policy Framework, policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Peterborough Planning Policies DPD and Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety of traffic on the strategic road network.

- C26 Notwithstanding the provisions of Part 8 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions over 250 sq.m. shall be constructed other than those expressly authorised by any future planning permission.

Reason: In order that the potential traffic impacts of any additional floorspace on the surrounding highway network can be assessed in accordance with section 4 of the National Planning Policy Framework, policy CS14 of the Adopted Core Strategy, policy PP12 of the Peterborough Planning Policies DPD and Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety of traffic on the strategic road network.

- C27 All site clearance, remediation, development and other operations on site shall take place in accordance with the approved overarching Construction Management Plan (ref 24545/31/R01/rev05 Jan 2012 or any revision superseding this) and the site specific addendums. Before the commencement of development within each individual phase or land parcel (as per the Framework Plan PST021-DFP-021 Rev B) a site specific addendum shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, content of the Site Specific Construction Management Plans shall cover, but not be limited to, the following:

- a) The location and details of chassis and wheel cleaning arrangements, including emergency plans;
- b) A scheme for parking of contractor's vehicles and details of the contractor's welfare and site offices;
- c) A scheme for access and delivery showing adequate space for turning, loading and unloading clear of the public highway and those on-site roads used by others;
- d) Details of the location and layout of materials storage and plant storage compound including means of enclosure;

- e) Details of the means of enclosing the parcel of land, including where necessary, the location of trees/hedgerow protection measures;
- f) Details of temporary and task lighting;
- g) A Vibration Assessment / Details of Back Ground Noise
- h) As appropriate, measures to protect Bridleway No 1 (including the diverted route);

There shall be no construction access from the Great North Road.

The above should be prepared in conjunction with and make reference to the Biodiversity Strategy for the site and the tree protection details.

The development shall be carried out in accordance with the approved overarching Construction Management Plan and site specific plans at all times unless the written agreement of the local planning authority has been given to any variation.

Reason: In order to protect the amenity of neighbouring residents; in the interests of highway safety and convenience; and to protect the ecological interest of the site and adjoining Orton Pit SSSI/SAC, in accordance with sections 4 and 11 of the National Planning Policy Framework (2012), policies CS14 and CS21 of the Adopted Core Strategy and policies PP12 and 18 of the adopted Peterborough Planning Policies DPD.

- C28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site, unless otherwise agreed in writing by the Local Planning Authority..

A competent assessment must be undertaken, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to deal the impacts of unsuspected contamination in order to protect human health and Controlled Waters, in accordance with section 11 of the National Planning Policy Framework (2012).

- C29 The plans and particulars for each reserved matters submission shall include a detailed lighting scheme incorporating information in respect of location; appearance; hours of use and lux levels. The development shall thereafter be carried out in accordance with the approved details prior to first occupation/use.

With regard to the building on plot 2.1 there shall be no lighting above 15 metres in height.

Reason: In order to protect residential amenity and the ecological interests of the site as set out in chapter 6 of volume 4 of the original Environmental Statement, with section 11 on the National Planning Policy Framework and policy CS21 of the Adopted Core Strategy.

- C30 The rating level of noise emitted from each development shall not exceed 35dB LAeq, 1 hour between 07:00 and 23:00 Monday to Friday and 30dB LAeq, 5 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS:4142:1997. The reserved matters application for each development tranche shall include a statement setting out how the development will comply with this standard. If there are justifiable reasons for an alternative noise level, that justification shall be submitted with the reserved matters

application and considered by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved details.

Reason: In order to protect the amenity of neighbouring residential in accordance with section 11 of the National Planning Policy Framework and policy PP3 of the adopted Peterborough Planning Policies DPD.

- C31 Unless otherwise agreed in writing by the Local Planning Authority the details and particulars of the reserved matters for each development tranche shall include an odour assessment.

Reason: In order to protection the amenity of the neighbouring residents in accordance with policy PP03 of the adopted Peterborough Planning Policies DPD.

- C32 No development shall take place within any parcel of land as identified on the approved Framework Plan reference PST21-DFP-201 Rev B until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority or it has been agreed in writing by the Local Planning Authority that a programme of archaeological work is not required in relation to any specific parcel of land.

Reason: To ensure an appropriate level of further assessment work which builds on the conclusions of the field walking survey and the supporting Environmental Statement in accordance with section 12 of the National Planning Policy Framework (2012).

- C33 The plans and particulars to be submitted as reserved matters shall include, a statement demonstrating compliance with the Framework Travel Plan if the reserved matters application falls below the thresholds set out for B1, B2 and B8 Uses in the approved Framework Travel Plan (Section 4.3), or if the reserved matters application exceeds the thresholds, a stand-alone workplace Travel Plan in accordance with the Framework Travel Plan and to include individual initiatives, targets, management regime and radiation measures.

Reason: To ensure a more sustainable form of development, to minimise the need to travel by private car, and to accord with the transport modelling and targets set within the Framework Travel Plan on which the impacts of development on the surrounding highway network have been assessed, in accordance with Policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Peterborough Planning Policies DPD and section 4 of the National Planning Policy Framework.

- C34 Prior to the first public use of the access road from junction 1 of the Fletton Parkway or the link to the Old Great North Road automatic traffic counters shall be installed and be ready for use. Prior to installation the nature and type of counter shall be agreed in writing with the Local Planning Authority.

Reason: In order to allow the volume of traffic entering and leaving the site to be monitored as set out in the Framework Travel Plan in accordance with policy CS14 of the Adopted Core Strategy and policy PP12 of the adopted Peterborough Planning Policies DPD .

Informatives

- 1 With regards to condition 10 above, the applicant is advised that the layout and design of buildings in parcels E1, E4 and E6 as shown on Framework Plan reference PST021-DFP-201 should seek to minimise potential impact from shading on the SSSI/SAC over and above that assessed in Environmental Statement.
- 2 With regards to condition 7 the Environment Agency has advised for the avoidance of any doubt, that this condition relates to catchments 1a, 1b and 1d as defined within the

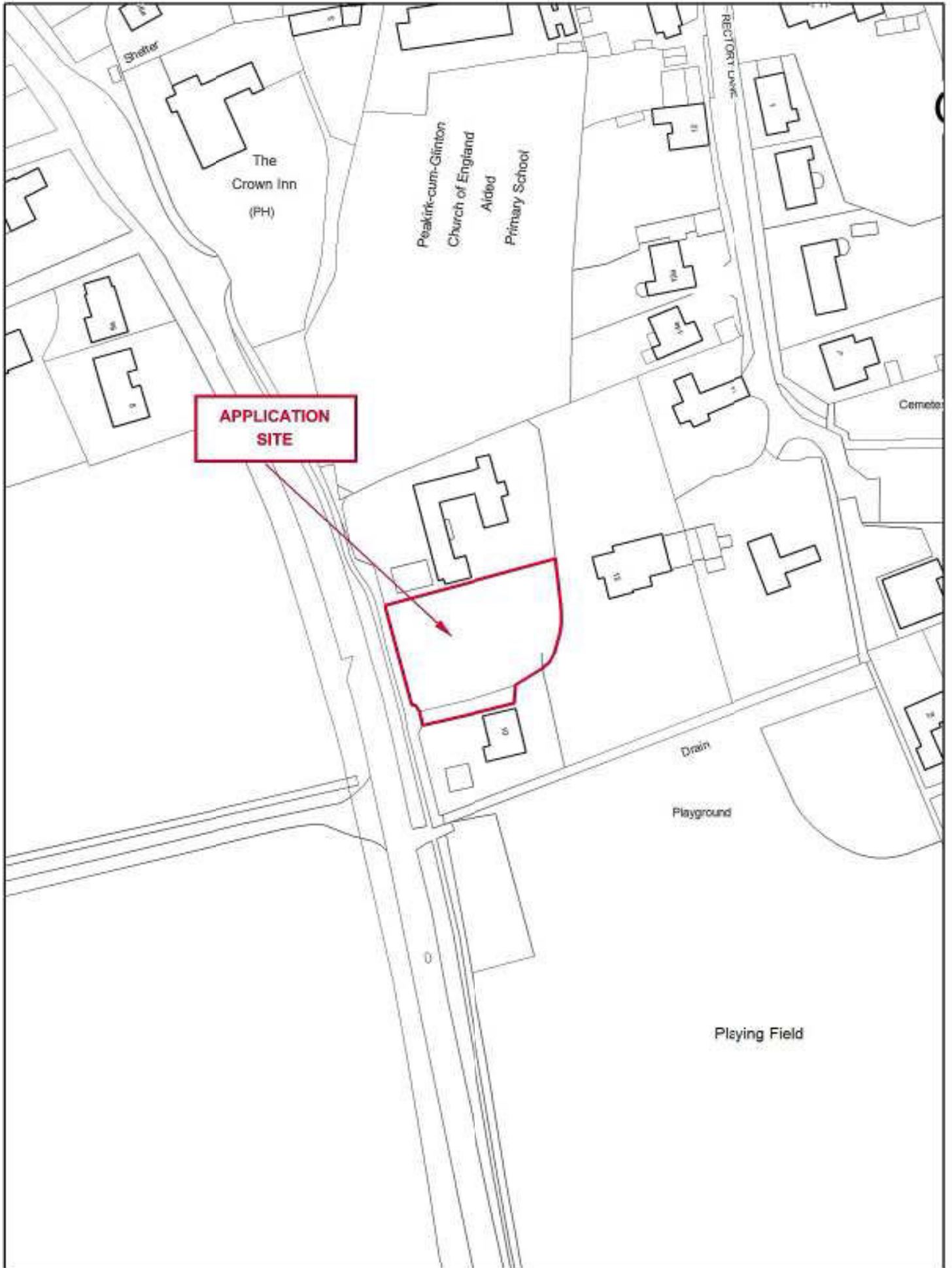
- approved Flood Risk Assessment.
- 3 Anglian Water has advised that it has assets close to or crossing the site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into consideration and accommodate those assets either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act 1991 or in the case of apparatus under an adoption agreement liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 4 With reference to condition 14, every effort should be made to retain trees identified through the survey work as having medium to high bat roosting potential. Where this is not possible, a detailed inspection of each tree to be removed should be made to identify whether a roost is present. Where a roost is identified, detailed mitigation will need to be provided and licenses obtained from Natural England. Where it is not possible to undertake a full tree inspection i.e. by tree climb (the justification for which will need to be provided), emergence surveys must be undertaken.
- 5 The granting of planning permission does not remove the applicant's responsibility towards the protection of certain wild animals and plant species (including Great Crested Newts, Bats and Badgers) contained within other legislation such as the Conservation of Habitat and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended) and other European Directives.
- 6 The applicant is reminded that under the Wildlife and Countryside Act 1981 (as amended) it is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. You should assume that nesting birds will be present on site between 1 March and 31 August inclusive unless a survey has shown it is absolutely certain that nesting birds are not present. Planning approval for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged.
- 7 The applicant is reminded that tranche E6 will need to allow for vehicle access to open space OS5 for maintenance purposes. This access should be clearly shown on the reserved matters plans.
- 8 The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.
- 9 This development may involve the construction of a new or alteration of an existing vehicular crossing within a public highway. These works MUST be carried out in accordance with details specified by Peterborough City Council. Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee. Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.
- 10 The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licensed under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
- 11 The development involves extensive works within the public highway. Such works must

- be the subject of an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.
- 12 The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421.
- 13 It is an offence to deposit anything including building material or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor/s to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 14 It is an offence to deposit anything including building material or debris on a highway which may constitute a nuisance. In the event that a person is found guilty of this offence, the local authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the local authority may make a complaint to a magistrates' court for a removal and disposal order under this section. In the event that the deposit is considered to constitute a danger, the local authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor/s to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 15 The applicant is reminded that a formal order in respect of the proposed diversion of the bridleway will need to be made. Please contact the Council's Rights of Way Officer on 01733 453472 for further information. The applicant is advised that the grant of planning permission does not mean that an order will automatically be made or confirmed and that, even when planning permission has been granted and development has begun, affected rights of way should be kept open for public use until an order under section 257 of the 1990 Act has come into effect. Developers should not use footpaths, bridleways or restricted byways for vehicular access to the site.
- 16 The applicant is reminded, notwithstanding any planning permission which may be granted, that a new license will need to be obtained from Natural England.
- 17 Cycle parking shall be provided in accordance with the Council's Cycle Parking Guidance.
- 18 In relation Noise, the Local Planning Authority will only agree an alternative noise level where it can be clearly demonstrated that it would not result in any significant detrimental impact on nearby residential amenity.
- 19 In relation to the highways conditions 3, 21, 23, 24 and 25 any change to the floor space agreed within those conditions must be supported by technical information and justify to the satisfaction of the Local Planning Authority that there is no adverse impact on the surrounding highway network.
- 20 The applicant is advised that commuted sums will need to be paid under the S278 Agreement for the maintenance of the traffic signals. These costs are likely to be in the region of £80 000 for junction 17 and £80 000 for junction 1.
- 21 This permission should be read in conjunction with, and the development is subject to, the Planning Obligation under Section 106 of the Town and Country Planning Act 1990

and associated legislation between Roxhill (Peterborough) Limited and Peterborough City Council dated xxxxxx.

Copied to Councillors North, Seaton and Scott

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LOCATION PLAN 12/01385/FUL

Land Adjacent and to the South of 14 Lincoln Road, Glinton

Scale NTS Date 6/12/2012 Name AA Department Planning Services



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Application Ref: 12/01385/FUL

Proposal: Construction of 5 bed detached dwelling and double garage

Site: Land adjacent and to the South of 14 Lincoln Road, Glinton, Peterborough

Applicant: Mr A Perna

Agent: Mr Ben Hogg

Referred by: Glinton Parish Council

Reason: Impact on character of the area, overdevelopment of the site, adverse affect on the retention and protection of trees and hedge and impact on street scene.

Site visit: 02.10.2012

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 approximately 0.11 hectares and forms part of the garden area to no. 14 Lincoln Road and is located on the eastern side of Lincoln Road close to the southern edge to the village of Glinton and within the Conservation Area boundary. The site contains a large two storey detached dwelling with triple garage to the side/front and has a single access off Lincoln Road leading to a courtyard area. The site is enclosed by mature trees to the western and southern boundaries and there are a number of trees within the site, several of which are protected under a Tree Preservation Order. The immediate context comprises detached dwellings of individual style and the site lies directly opposite the Arthur Mellows Village College School Playing Fields. Lincoln Road is the main route through the village and speed restrictions have been implemented in the form of 'build outs' which includes the stretch of road to the site's frontage.

Proposal

The application seeks consent for a two and a half storey dwelling with detached double garage. The proposed dwelling would be set within the grounds of and to the south of the existing dwelling, no.14 Lincoln Road. The dwelling would contain five bedrooms, with two shown to be located within the roof space. Overall the dwelling will also contain 6 bathrooms including en-suite rooms. Vehicular access would be gained from the access to the south which is shared with properties at nos. 10 and 12 and a pedestrian access would be provided through the western (front) boundary hedge.

2 Planning History

Reference	Proposal	Decision	Date
07/00974/FUL	Erection of dwelling	Application Withdrawn	07/08/2007
07/01204/FUL	Change of use from residential dwelling to corporate hospitality and training facility	Application Refused	29/10/2007
07/01451/FUL	Erection of dwelling	Application Withdrawn	20/03/2008
08/01090/FUL	Erection of 5 bedroomed dwelling and detached garage	Application Permitted	09/01/2009

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.

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.

Peterborough Core Strategy DPD (2011)

CS10 - Environment Capital

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

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.

CS17 - The Historic Environment

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

CS01 - Settlement Hierarchy and the Countryside

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

CS02 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

These are identified on the proposals map. Land outside of the village envelope is defined as open countryside.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. 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 - 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.

PP03 - 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.

PP04 - Amenity Provision in New Residential Development

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

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP17 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

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.

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

Parking should be provided in accordance with the identified standards.

DA09 - Protected Spaces and Frontages in Villages

Development should not result in loss of an important green space/open view/ tree or hedgerow frontage or substantial wall/railing.

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.

DA15 - Development in the Vicinity of Hazardous Installations

Development should not increase the number of people in the vicinity of a hazardous installation/notified pipeline where there would be a risk to public safety.

Material Planning Considerations

Peterborough Design and Development in Selected Villages SPD
Glinton Conservation Area Appraisal and Management Plan

4 Consultations/Representations

Archaeological Officer – No objection - There are no known archaeological implications. No conditions recommended.

Planning Obligations Officer – No objection - A S106 contribution of £9,000 is sought using POIS for this proposed 5 bed dwelling. A 2% Monitoring Fee of £180 also applies.

Building Control Surveyor – No objection -Building regulations approval required. Please ensure suitable surfacing to main entrance from parking area.

Landscape Officer - Concern with initial plans due to shading and subsequent loss of amenity space available across the whole plot, also concerns regarding the proximity of the trees to the dwelling which has not been considered. The proposal is contrary to Policy TD1 of the Trees and Woodlands Strategy 2012, policy LNE9 of the Adopted Peterborough Local Plan (First Replacement) (2005) and Policy CS20 of the Core Strategy. Agrees to loss of trees T3, T11, T12, T16 T17, T20, T31-33 and G2. Trees T9 and T10 need not be felled and T34 does not need crown reduction. The Arboricultural Survey recommends 30% reduction and visual amenity value/landscape benefits will be totally lost. The measurements are no longer considered appropriate under BS3998:2010. However, the loss of T9 and T10 have been accepted under the previous approval. The latest tree survey will need to be referenced as a compliance document, with the exception of removing crown reduction to T34.

Conservation Officer - The height and depth of the proposed dwelling is considered to be excessive and as a result it would not relate sympathetically to its neighbours. It is to be 1.2m higher than the existing dwelling immediately to the north yet is to be within 3m of it. The dwelling will project forwards of the building line of no.10 Lincoln Road to the south and the existing dwelling at no.14. The development of the site is constrained by the tree presence on site the dwelling should respect the tree presence by reducing the footprint and depth. Whilst the site is reasonably screened by the tree presence the design of the dwelling should not be compromised as the tree screen could be lost any time. The design of the dwelling has a poor solid to window relationship. In addition to this the downstairs bathroom window within the west/principle elevation clearly disrupts and clutters the pattern of the fenestration. Since the previous permission the Glinton Village Design Statement has been adopted as a supplementary planning document (SPD). The proposal would be contrary to policy Glin1 which states that 'the design of any new dwelling should be sympathetic to its neighbour and in keeping with the village character.

Transport and Engineering Services - The addition of the dwelling would result in the vehicles of the occupiers of the new dwelling having to share in the use of vehicular access, which is of substandard dimensions, accessing directly onto a classified road (the B1443). Two vehicles would be unable to pass within the first part of the access road potentially leading to vehicles blocking

and reversing onto the public highway. Specifically the vehicular access should be 5.5m in width for the first 10m of the driveway. The application details show that the width would be restricted to 5 metres for a maximum of 8.5m into the access. The details show that the pedestrian to vehicle visibility can be obtained and this could be secured by condition.

Parish Council - Object to proposal on grounds of height and scale of development which would adversely impact on the character of the area and result in an overdevelopment contrary to policy CS16 of the Adopted Core Strategy, DA2 and H15 of the Peterborough Local Plan and policy PD1 of the Design and Development in Selected Villages SPD. The development would have an adverse affect on the retention and protection of trees and footpath access through the existing hedge would impact upon street scene contrary to policy LNE9, LNE10, LNE12 and DA9 of the Peterborough Local Plan and policy HG1 and Glin 9 of the Design and Development in Selected Villages SPD. Development lies within the outer zone of a major hazard, the Ginton Natural Gas Compressor Station at 1650 Lincoln Rd. Request the application to be determined by planning committee if LPA minded to approve.

Following re-consultation on the amended scheme the Parish Council maintains its objection for the reasons stated above. The Parish Council's objection to the creation of the footpath is supported by the Landscape Officer.

Local Residents/Interested Parties

A letter of objection has been received from a neighbouring property raising the following issues:

- Overlooking and loss privacy
- Development is out of keeping with surrounding properties
- Development is overbearing and will compromise the setting of the old Rectory
- Development devalue our property [this is not a material planning consideration]
- Proposed access is unacceptable and the width is unsuitable for additional traffic
- What is the appropriate width for an access serving 3 no. dwellings and is there appropriate visibility
- The access is in our ownership and the applicant does not have right of way

5 Assessment of the planning issues

a) Background

Planning permission was granted in 2008 (08/01090/FUL) for an almost identical scheme (other than for a reduction in the height of the garage, an increase in amenity area to the east of the site and deletion of balcony, to be discussed within this report). The original permission was not implemented within the statutory 3 year period and has now expired. The scale, design, sitting and footprint of the dwelling remain the same as previously approved. Re-consultations have been undertaken on the revised scheme and members will be advised of representations received via an update report.

b) The Principle of development

The site lies within the village settlement boundary of Ginton where the principle of residential development is supported under policy CS1 and CS2 of the Adopted Peterborough Core Strategy DPD and policy SA4 of the Adopted Site Allocations Document DPD. In addition a major policy change since the previous approval has been the National Planning Policy Framework which has at its heart a presumption in favour of sustainable development. The site is located within the village settlement boundary of Ginton, where there are appropriate services and facilities to meet the residential needs of the future occupiers.

c) Design and Amenity

The dwelling would be quite substantial in both footprint and scale. The western elevation of the dwelling would be mainly set back 14.5m from the carriageway although in this elevation there is a small single/one and a half storey element that would be set back 11.5m from the carriageway.

This elevation will project nearer to the carriageway than the west facing elevations of either no.10 and no.14 Lincoln Road. The detached double garage is to be located set back 2m from the eastern boundary and 14m from the proposed dwelling. The footprint of the dwelling is expansive in area. The deepest part of the dwelling being 21m with the remainder being 13m to 15m. The width of the dwelling being 14m. The ridge height of the dwelling is 11m. The double garage is to have a footprint of 5.5m by 5.7m with a squat pyramidal hipped roof to a height of 4.7m.

The dwelling would provide substantial accommodation; the ground floor of the dwelling is to comprise five large rooms with a centrally located open fire place. The first floor is to accommodate three bedrooms and there are two bedrooms in the roof space with one bathroom. Both of these bedrooms will have small dormer windows facing east. Two conservation roof lights are proposed in the west facing roof area to provide light to the staircase to the two bedrooms in the roof space.

It is acknowledged that the design of the proposed dwelling is unusual for the area, having design features which appear to be drawn from the Arts and Crafts tradition. Windows are vertically emphasised, there are dormers and elements of varying heights. This was the view of the planning officer who dealt with the previously approved scheme however, it was considered that the design itself is well proportioned and attractive. The design is also considered to balance with the existing house at No 14. The drop of roof line to the north balances the lower elements on the south of the existing dwelling. The three adjacent dwellings are all of varying designs.

The comments of the Conservation Officer and Parish Council in respect to height and scale of the proposed dwelling are noted and your officer is mindful of the Adopted 'Peterborough Design and Development in Selected Villages SPD' which was adopted in June 2011. However, the impact on the character and appearance of the Ginton Conservation Area would have been given considerable weight in determining the previous scheme. It is considered that the character of development along this part of Lincoln Road is very varied and neither of the adjacent properties fronting Lincoln Road is typical of the village character. In addition, whilst the footprint of the proposed dwelling would project beyond both properties at number 14 and number 10 Lincoln Road, there is no firm building line in the immediate vicinity of these properties. Your officer is also mindful of the approved scheme at the Crown Inn public house neighbouring the site to the north. In 2009 planning permission was granted (ref 09/00059/FUL) for 'demolition of former public house and construction of two and a half storey dwellings and a large apartment block' whose footprints were closer to the highway with heights inconsistent with neighbouring properties. It is considered that neither property at number 10 or number 12 respect the village character.

The western and southern boundaries are almost entirely enclosed by mature trees and hedges. It is proposed that some trees would be lost as a result of the development, however the boundary treatment would preclude direct views of the development and only glimpses would be available from outside the site. There is a degree of certainty that these trees would be retained and the site is within the Conservation Area boundary and permission would be required for their removal.

The submitted details state that the materials for the development are to comprise Collyweston slate roofs, typical gault multi finish bricks, timber joinery and metal rainwater goods.

The National Planning Policy Framework (NPPF) emphasises the importance of design and that good design is indivisible from good planning. Bullet point 4 of para. 58 states that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

It is considered that the site is of adequate size to accommodate the development and the footprint, positioning, scale and design would not detract from the surrounding built form or that of the character and appearance of the Conservation Area. Hence the proposal accords with policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD, policy PP2 of the Peterborough Planning Policy Document and the National Planning Policy Framework.

d) Highway implications

Parking would be provided within the curtilage of the dwelling and a double garage would be provided. There is adequate space within the site for vehicle to turn and leave the site in forward gear. The 4.5m wide vehicular access to the dwelling would be created off the existing shared access to the Old Rectory to the eastern and no.10 Lincoln Road to the south. This entrance is to be set approximately 30m from the carriageway. Pedestrian access to the pavement to the west of the site is shown which is to be midway along the site frontage.

The shared access which currently serves no. 10 and no. 12 is only 3.7m wide where it passes through the pillars at the entrance. The required standard for a shared access is a width of 5.5m for a distance of 10m into the site to enable two vehicles to pass and to avoid impact on the adjacent highway. The access width is in excess of 5.5m for approximately 8.5m into the site and has a splayed nature. However, in this instance the application states that no. 14 already has a right of way over this access and therefore use could be increased by the equivalent of one household without any reference to Peterborough City Council. This suggests that allowing the new dwelling to use the access without insisting on upgrading would be acceptable and once the new dwelling is occupied, the occupiers at no. 14 would have no reason to use it as they have an independent access and parking available within the site.

It is considered that the proposal would not result in a significant intensification of use of a sub standard access as this could occur under the present access arrangements within the site and the proposal is not therefore contrary to policy CS14 of the Adopted Peterborough Core Strategy DPD.

e) Landscape implications

In order to accommodate the dwelling there will be a need to remove a number of trees within the outer area of the site and an updated Arboricultural Survey dated August 2012 has been submitted with the application. The principle of removing these trees however, has already been supported under the previously approved scheme. The Landscape Officer has raised no objections to the loss of a number of smaller trees within the site principally located along the western boundary; however, the proposal seeks to fell a number of trees that provide a good amenity. The Officer's view is that, contrary to the Arboricultural Report recommendations, the proposed 30% crown reduction of a large tree located just inside the boundary is not supported as this would result in the total loss of the visual amenity value of this tree. It is suggested that a condition is appended to the decision requiring that no works are undertaken to this tree without the prior approval of the Local Planning Authority.

In addition, the Landscape Officer's view is that no consideration has been given to the relationship of the trees and their proximity to the proposed dwelling along with the amount of amenity area that would be shaded and the inevitability that the future occupiers of the dwelling would request the felling of more trees contrary to policy TD1 of the Trees and Woodlands Strategy 2012. The scheme has been revised to show a larger amenity area to the rear of the site which is outside the canopy of the tree.

The hedge to the site frontage is protected under policy DA9 (c) of the Adopted Peterborough Local Plan (First Replacement) (2005) which is soon to be replaced by policy PP17 of the Peterborough Planning Policy Document when the DPD is adopted. The hedge is to be retained in its entirety apart from a small gap which would provide a pedestrian access/gate. On balance this is considered acceptable and would avoid vehicle-pedestrian conflict along the shared access.

f) Neighbouring Amenity

The common northern boundary of the curtilage of the proposed dwelling with the existing dwelling is shown at a separation distance 1.3m. The separation distance between the two dwellings is proposed at 2.7m. The north side of the new house would run alongside the south side of the garage and front wing of the existing house. There are some windows on the south face, but these are to the garage and a secondary window to a sitting room. The roof along this side of the proposed new house slopes away from the existing house. There is one small first floor window on this elevation, which serves a bathroom and would be obscure glazed.

The retained garden for the existing house is of a reasonable size, including the existing large courtyard patio.

The proposal would not unduly impact on the level of amenity currently afforded by the host dwelling and hence the proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Peterborough Planning Policy Document.

The east facing elevation of the proposed dwelling is to be 15m -17m back from the eastern boundary. At the request of the planning officer, amendments have been made to the scheme as previously approved, this includes the removal of the balcony to the rear (eastern) elevation and the full height glazing replaced with standard glazing. This has significantly dealt with the perception of overlooking. The first and second floor windows would avoid detrimental overlooking and are positioned approximately 31m from the side of no. 12 to the rear.

There are windows on the south elevation facing the (fenestrated) side of no. 10 however, these at first and second floor are to bathrooms. There is one bedroom window on this elevation which is a high level window. The south facing elevation is to be set back 11.5m from the southern boundary of the site and the number of mature trees along this boundary would provide adequate screening.

Given the separation distances there are no concerns regarding overshadowing.

The amenity of occupiers of the existing neighbouring properties will remain to a suitable standard, as required by Policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Peterborough Planning Policy Document.

g) Residential Amenity

The plot is generous and the proposed house is large. There is a good amount of amenity space to the south and east of the dwelling, although largely shaded by the protected tree. Concern has been raised regarding the shading and the likelihood of future occupiers applying to remove or reduce the trees. Many of the trees which provide shading are deciduous, so shading will be less of a concern in the winter and may be a benefit in summer. In addition the delineation of the garden area has been increased to provide more amenity area outside of the tree canopy.

The windows have been aligned to avoid overlooking to the future occupiers and it is considered that the dwelling would provide a good standard of amenity in accordance with policy H16 of the Adopted Peterborough Local Plan (First Replacement) (2005).

h) S106

The development would give rise to an additional burden on the services of the City Council and therefore a contribution of £9,000 is sought in line with Policy CS13 of the Adopted Peterborough Core Strategy DPD and the Planning Obligations Implementation Scheme SPD. The applicant is willing to enter into an agreement with the City Council.

i) Misc

Hazard installations – The site is outside of the safety zone associated with the Gas Compressor Station in which the erection of a dwelling would be objected to by the Health and Safety Executive.

j) Issues not covered in the report

- Development devalue our property – this is not a material planning consideration in determining this application.
- The access is in our ownership and the applicant does not have right of way – the applicant has submitted information regarding the right of way, however, this is a civil matter between the applicant and the neighbouring occupier and therefore not a material planning consideration in respect of determining this application.

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 site is located in a sustainable location within the village settlement boundary;
- the height, scale and design of the dwelling would not unduly impact upon the character and appearance of the conservation area and the site is of adequate size to accommodate the development;
- safe and suitable highway access and parking can be provided;
- protected trees and those which are worthy of retention can be suitably protected;
- there will be no significantly detrimental impact on occupiers of adjoining dwellings; and
- the proposed dwelling would afford future occupiers a good standard of privacy, light and outdoor amenity space

Hence the proposal accord with policies CS10, CS13, CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD, policies DA6, DA15, LNE9 and T10 of the Adopted Peterborough Local Plan (First Replacement) (2005), policies PP2, PP3 and PP17 of the Peterborough Planning Policies Document, the National Planning Policy Framework and the Peterborough Design and Development in Selected Villages SPD.

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 samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Details of the following shall be submitted:

- masonry
- tiles
- windows
- rooflights
- doors
- rainwater goods.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD.

- C 3 Development shall be carried out in accordance with the tree protection scheme contained in the approved Tree Survey, Arboricultural Implication Assessment and Method Statement. This shall exclude the crown reduction to tree T34.

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).

- C 4 The routes of all underground services shall be shown accurately on a site plan which has been agreed in writing by the Local Planning Authority before development commences.

No service trenches shall pass through the tree protection zones defined by protective fencing.

Reason: To ensure proper planning for tree protection where underground infrastructure is to be installed, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) (2005).

- C 5 The dwelling shall not be occupied until the area for parking and turning of vehicles has been provided as shown on the approved plan. The area shall thereafter be available at all times for the purpose of the parking and turning of vehicles, in connection with the use of the dwelling.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T10 of the Peterborough Local Plan (First Replacement) (2005).

- C 6 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into the north or south elevation of the permitted dwelling other than those expressly authorised by this permission.

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

- C 7 The windows to the first and second floor bathroom windows, on the north and south elevations, shall be fitted with obscured glazing, details of which shall be agreed in writing with the Local Planning Authority, before the development hereby permitted is first occupied, and shall thereafter be maintained as such at all times.

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

- C8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the property or buildings within the curtilage of the dwelling shall be constructed other than as those expressly authorised by this permission.

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

- C9 Surface water drainage shall be via a soakaway and foul water via connect to mains sewer. The details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

Reason: In order to manage surface water run off and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

Copies to Councillors J Holdich OBE, D Lamb



LOCATION PLAN 12/01430/R3FUL

Heltwater School, Heltwater, Bretton

Scale NTS **Date** 6/12/2012 **Name** AA Department Planning Services



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Application Ref: 12/01430/R3FUL

Proposal: Installation of security fence and gates

Site: Heltwate School, Heltwate, Bretton, Peterborough

Applicant: Mr Jason Brooks
Heltwate School

Agent: Enterprise Peterborough

Site visit: 30.10.2012

Case officer: Mr M A Thomson
Telephone No. 01733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: Authority be given to the head of Planning, Transport & Engineering to grant planning permission (with conditions) subject to no objection being received which raises a material planning consideration.

Referred by: Head of Planning, Transport & Engineering

Reason: Local concern regarding the application

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

Site Description

The application site forms an area of landscaping (15m x 70m) in front of Heltwate Primary School, and is identified as such within the Peterborough Open Space Strategy (2010). The site is not suitable for play and is more of a landscaped area. To the north, east and south are high density residential and flats, with the Masonic Hall to the South-West. The site forms the centre of what is effectively a circulation route for the school, with parking and a drop off/pick up area to the west. The site is open with no boundary treatments. There are a number of healthy trees on site, none of which are protected by way of tree preservation orders.

Proposal

The Applicant seeks consent to erect a 2m high Paladin Classic fence and two gates, finished in green (RAL6005). This would incorporate the informal amenity space and pick up/drop off area into the school grounds.

The application has been made in order to ensure the safety and security of the school and its pupils with special needs.

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; respond to local character; and create environments which are visually attractive. Planning permission should be refused for development of poor design.

Section 8 - Safe and Accessible Environments

Development should aim to promote mixed-use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

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, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. 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. The Development Plan Document is due to be adopted on 5th December 2012. (Members will be updated at the meeting as to its adoption).

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - 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.

PP03 - 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.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

Peterborough Local Plan (First Replacement) (2005)

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

Parking should be provided in accordance with the identified standards.

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.

LNE10 - Detailed Elements of Landscape Schemes

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

4 Consultations/Representations

Transport and Engineering Services (14.11.12)

No objection – The Local Highways Authority have requested minor amendments to the proposed gates.

Landscape Officer (13.11.12)

At the time of writing this report the Landscape Officer has requested further information.

Police Architectural Liaison Officer (14.11.12)

Supports the application.

Estates Services

No comments received.

Parish Council (04.12.12)

Objects - Request that the fence be repositioned, the green area in front should be retained as public amenity space, concerns at the loss of the footway that runs parallel with the road, the fence would not be conducive to the area and the fence as proposed would require works to trees.

Local Residents/Interested Parties

Initial consultations: 22

Total number of responses: 5

Total number of objections: 4

Total number in support: 0

A petition against the proposal has been received, signed by 43 addresses, as well as three letters of representation, raising the following matters;

- Visual impact
- Displaced car parking
- Congestion during pick up/drop off times
- Loss of open space to immediate neighbours
- Loss of trees
- Area has undergone over-development in recent years
- School has sufficient playing field at the rear of the site
- Would have limited impact to improving security of the site
- Noise generated from the opening/closing of gates
- Area claims to be used as a secure fire assembly point, no dropped kerb to it for mobility impaired

5 Assessment of the planning issues

Crime & School Safety

The land is maintained by the school, and in the past year it is understood Police were called to remove a person who was camping on the site, and the hazardous materials being found on the

site, such as dog mess, glass bottles and needles. Further, problems relating to some of the pupils at the school have as a result of their learning difficulties limited awareness of risks/dangers. With the area not being fenced off there is a risk of pupils running into the public highway.

The Applicant also raises that due to the pupils no sense of fear during drop off and collection, there are real issues that pupils could run out into oncoming traffic.

The Police Architectural Liaison Officer (PALO) has reviewed police records for the area and it is acknowledged that Police were called to a person camping on the site. There are no records of needles being found within the application site however, special patrols were being conducted around the former Silver Jubilee Public House with respect to street drinkers/needles. The PALO concludes that 'whilst I cannot confirm that police staff have found any needles or dog mess on this actual site, other evidence in the area indicates that this is highly likely. I would therefore support the application and have no reason to dispute the claims made in the [schools] Updated Supporting Statement'.

The proposed fence would go towards improving the safety and security of an established and growing education facility, therefore would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011), National Planning Policy Framework (NPPF) (2012) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Loss of Amenity Space

The amenity area does afford an amount of openness to an area of high density housing; it provides an area of play for local children, which is overlooked by surrounding residential properties, as well as an area for dog walking. The site also links into a similar sized amenity area to the immediate south.

There is a larger area of informal parkland 150 metres to the North, and playing fields and pitches 160 metres to the west. Heltwate and Ellingdon have dedicated pedestrian links to these areas as well as dedicated play and open spaces available interspersed throughout the estate, therefore given the amount of open space within a 5 minute walking distance the loss of the informal amenity space is on balance outweighed by the security issues raised and acknowledged by the Police Architectural Liaison Officer.

The proposal would not have an unacceptably adverse impact on the provision of open space available to residents in the immediate area, and therefore accords with Policy CS16 of the Peterborough Core Strategy DPD (2011)

Design and Layout

Letters of representation have raised issue with the appearance of the proposed fencing, and its impact on the character and appearance of the area.

It is acknowledged that by introducing a 2m high fence this would alter the visual appearance of the street scene, however the proposed fencing would stand at only 2m in height and would be visually permeable therefore affords visual depth. The fence would be set back 600mm from the eastern edge of the informal open area, which would retain an existing pedestrian footway, which would mitigate any overbearing or oppressive impact to the character or appearance of the area. The design and finished colour of the fencing would be consistent with existing boundary treatment found around Heltwate school and other education facilities within the city and is therefore accepted.

The size, scale and layout of the proposal would not result in an unacceptably adverse impact on the character or appearance of the area, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2011), NPPF (2012) and PP2 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Access, Parking and Highway Safety

Letters of representation has raised concern with displaced parking, increased congestion during pick up and drop off times and the fact that the school is increasingly being used outside of school hours. At the time of writing this report the Local Highways Authority have requested amended plans with respect to increasing the width of the gates (to 5 metres) and amend the position of the gates adjacent to the Highway. Highways have not raised objections to the proposal. Subject to the receipt amended plans which are acceptable to the Local Planning Authority, the proposal would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Neighbour Amenity

A resident is concerned that the opening and closing of the gates would cause noise and disturbance to residents. It is considered that if any noise did emanate from the opening or closing of gates, this would be momentary and would not be of a significant frequency which would cause an unacceptably adverse impact to the amenity of existing residents.

The proposed gates are not considered to have an unacceptably adverse impact on the living conditions of adjacent residential properties, and the proposal accords with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Trees

The Landscape Officer has requested further information with respect to the proposed fencing and overcoming any impact to trees. Further information will follow as part of the update report.

Other Matters

A letter of representation highlighted that the informal amenity area would be used as a gathering point during fire alarms. If the area would be used as a muster point it would be infrequent and no harm would arise.

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 design of the fencing and gates would not result in an unacceptable adverse impact on the appearance or character of the area;
- the fencing and gates would not result in an unacceptable adverse impact on neighbouring amenity;
- Highway (to be confirmed)
- the fencing and gates would not result in an unacceptably adverse reduction in informal open space for surrounding residents; and
- Trees (to be confirmed)

Hence the proposal accords with Policies CS14 and CS16 of the Peterborough Core Strategy (2011), Policies LNE9, LNE10 and T10 of the Peterborough Local Plan (First Replacement) (2005), the NPPF (2012) and Policies PP1, PP2, PP3, PP13 and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination)

7 Recommendation

That the Head of Planning, Transport & Engineering be authorised to **GRANT** planning permission subject to no objections being received that raise a material planning consideration, and subject to the following conditions:

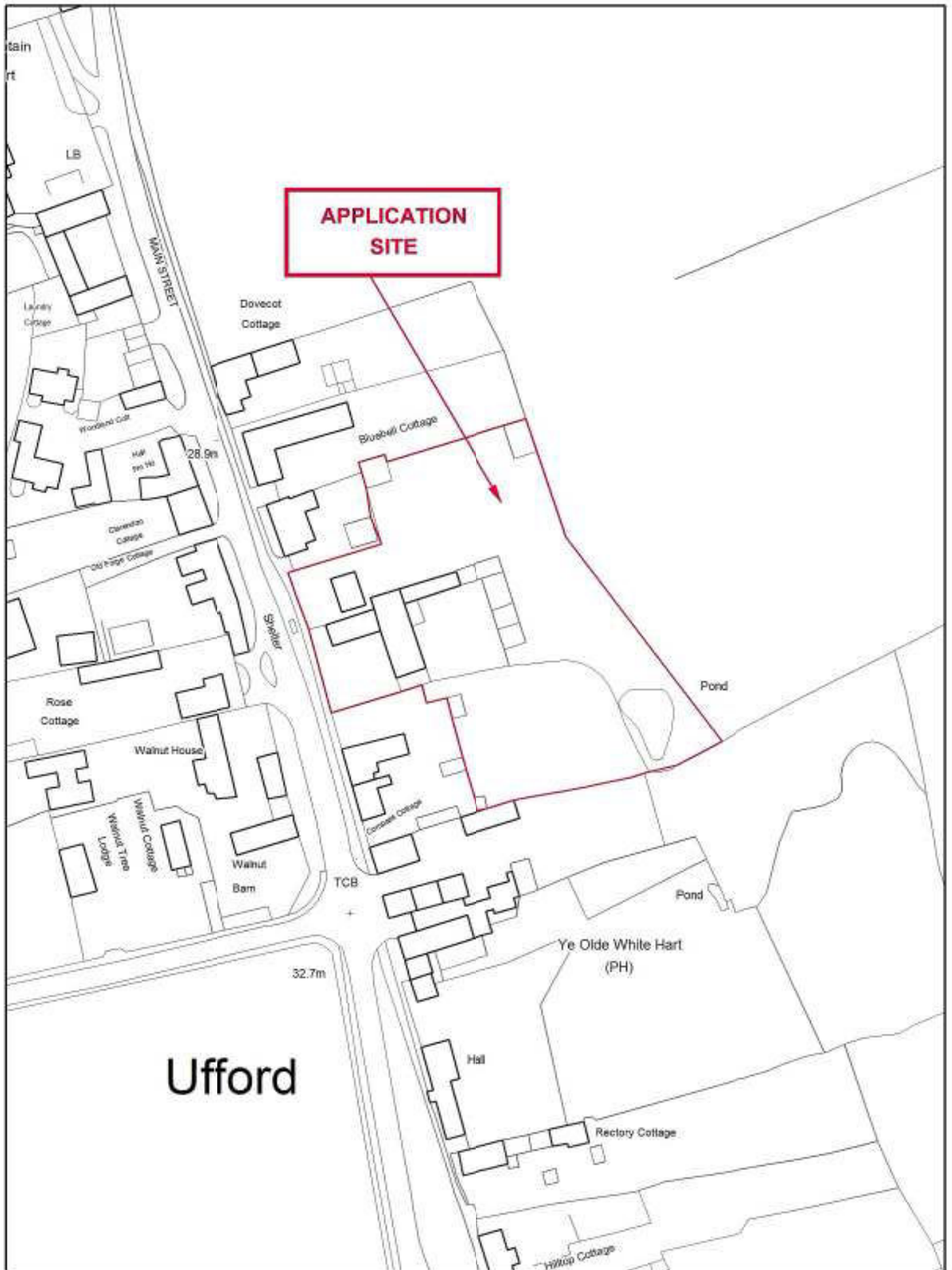
C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C 2 The materials to be used in the construction of the external surfaces of the fencing and gates hereby permitted shall match those indicated on the submitted application forms and plans as listed in this decision notice.

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

Copy to Councillors Martin S, Fitzgerald W and Sylvester A



LOCATION PLAN 12/01563/HHFUL

Compass Barn, Main Street, Ufford

Scale NTS

Date 6/12/2012

Name AA Department Planning Services



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Application Ref: 12/01563/HHFUL
Proposal: Construction of tree house (retrospective)
Site: Compass Barn, Main Street, Ufford, Stamford
Applicant: Mr Scott Weavers-Wright
Agent: Miss Kate Wood
Site visit: 03.12.2012
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 to the south-east corner of the large rear garden area of Compass Barns, a converted complex of farm buildings and barns within the Ufford Conservation Area. The tree house lies directly adjacent to the Grade II listed White Hart Public House.

Proposal:

Retrospective permission is sought for the erection of a 'tree house' a garden room on a platform 3.0 metres above ground level with an overall height of 6.8 metres. A smaller satellite platform of 2.4 metres height is linked via a rope bridge to the east.

2 Planning History

Reference	Proposal	Decision	Date
12/01118/HHFUL	Construction of treehouse (Retrospective)	Application Refused	12/09/2012

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)

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)

CS17 - The Historic Environment

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

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, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. 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.

4 Consultations/Representations

Conservation Officer (14.11.12)

The "tree house" is located in a sensitive part of the Ufford Conservation Area, the character of which is worthy of retention. If approved the structure would, by reason of its scale and height, be an obtrusive feature detrimental to the character of the conservation area. The structure harms the setting of the adjacent curtilage listed outbuildings to the Old White Hart Public House and Compass Cottage. Furthermore, if approved it would set an unwelcome precedent for similarly large structures within the conservation area. The proposal is therefore contrary to adopted Policy CS17 of the Peterborough Core Strategy; Ufford Conservation Area Appraisal (2008) and Development in Selected Villages DPD (2011).

Parish Council (21.10.12)

1. This is considered to be an inappropriate development at the very centre of Ufford's Conservation Area. It cannot be considered to be sympathetic to the local building tradition. It does nothing to enhance the general character and appearance of the Conservation Area.
2. It is also outside the village envelope.
3. The claims made in the Design and Access Statement that "it has been designed to minimise the impact on the garden and surroundings and that it blends extremely well" and that it has "the minimum impact on neighbours" are ludicrous:
 - The tallest building is 6.8 metres high. The adjacent stone wall is 3 metres high and it towers another 3.8 metres above it.
 - It can be seen from Main Street, from the gardens of Bluebell and Dovecote Cottages to the north and even from the public footpath known as Clay Lane. It can be seen from the gardens at the top of the hill to the south.

No one would object to a discrete building hidden from public view behind the 3 metre high wall, but this is too tall, too conspicuous and incongruous in the setting of a small stone village. Ufford Parish Council therefore opposes this development.

Landscape Officer (25.10.12)

As the tree house has already been installed, any comment I make is rather moot.

Any issues regarding damage to the tree will be dealt with under the 2012 Tree Preservation Order Regulations.

Local Residents/Interested Parties

Initial consultations: 6
Total number of responses: 2
Total number of objections: 2
Total number in support: 0

1 representation was received in relation to the proposal:

- Effect on Conservation Area
- Effect on landscape
- Effect on Listed Building
- Impact on local community
- Overlooks/loss of privacy
- Unacceptable size/scale

Comments: We have this evening learnt that hedging at Compass Barn is proposed along our boundary. Where do they wish to plant it and for what purpose - presumably not to disguise the tree house as it would be a very large hedge? We do have hedging along that boundary already. I can see no reason for more or no reason why it would counteract the oppositions given by the council in their initial refusal of the retrospective planning request. We appreciate the support of our parish council in that it remains too large and too high and inappropriate in the conservation area and outside the village envelope.

5 Assessment of the planning issues

The main considerations are: -

- The impact of the proposal on the character of the Ufford Conservation Area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

This application is a resubmission of application number 12/01118/HHFUL which was refused due to the harm caused by the visual appearance of the tree house and its harm to neighbour amenity through overlooking. This revised application proposes to delete a window within the tree house and proposes the planting of a hedge to the site's eastern boundary.

An important feature of the Ufford Conservation Area is that from the top of Main Street the fall in land to the north provides panoramic views across and down into the village over traditional roofscapes towards the distant countryside. The character of this area and the buildings within it has been compromised by intrusion of the tree house. This impact is greatest between autumn and spring when there is reduced / no leaf cover to the trees. The tree house undermines the character of this part of the conservation area by way of its incongruous appearance and also because of the harm to views out of the conservation area to the countryside beyond.

The outbuildings to the western boundary of the public house (PH) site are curtilage listed. The rising ground leading to the car park of the grade II listed public house and the stone boundary wall to the west restrict outward views from the conservation area meaning the skyline is strong in views to the east and north. However, the tree house is now dominant in the skyline. The tree house, by reason of its size and height, appears incongruous adjacent to curtilage listed buildings of the PH (Grade II listed). This impact will be exacerbated between autumn and spring when there is little and no leaf cover to the surrounding trees. The tree house is now a dominant feature in this area and harms the setting of the curtilage listed outbuildings.

It is considered that the height and size of the tree house is not typical of structures found in rear

gardens of properties in the conservation area. The structure includes a decking platform, balustrade and windows at a height above the boundary wall and are visually dominant and incongruous in this setting. The height and position of the tree house structure immediately adjacent to the stone boundary wall of the public house and viewed against the skyline creates a visually awkward structure and appears out of place.

The proposed hedging is not considered to be an acceptable solution to the issue of the visual impact of the tree house. There are questions regarding the practical implementation of this mitigation measure, including the length of time it will take to establish the hedging and what might happen if the hedge were to die or be removed by the current or future occupiers of the site. The hedging may also become harmful to the amenity of the occupiers of the neighbouring dwelling once it has reached the necessary height.

To summarise the structure does not enhance or complement the character and appearance of the conservation area. The retention of the tree house would harm the special character of the immediate part of the conservation area. The setting of nearby listed and curtilage listed outbuildings to the Old White Hart Public House and Compass Cottage are harmed.

If permitted the development would also set an unwelcome precedent for similar sized structures in other gardens which would cumulatively have a significant detrimental impact on the visual amenity and character of the conservation area.

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

The main tree house element is sited upon a 3.0 metre high platform, which permits views into the amenity spaces of neighbouring dwellings to the east. The tree house is sited 30 metres from the rear boundary of the neighbours dwellings, this separation distance would normally be sufficient to mitigate for any overlooking if for example it was a bedroom window of similar overlooking a neighbour.

However in this case, due to the open platform offering unrestricted views and the likely use of the tree house, with people spending extended periods atop the platform, it is considered that the overlooking and the perception of overlooking caused by the extended use of the tree house, by potentially large numbers of people, would be harmful to the amenity of the occupiers of the neighbouring dwellings to the east. This has been raised as an objection by the occupants to the east and this objection is considered to be a material consideration in the determination of the application. The Local Planning Authority acknowledge that there is screening from planting but this screening does not provide complete screening of the neighbours amenity space and habitable room windows and the effect of this screening may be reduced further during the winter months.

The removal of the window does not solve this issue as the platform remains and it is the platform which offers the largest scope of overlooking and nuisance through noise and disturbance. The proposed hedging may eventually block views in neighbouring properties but as stated above may become an amenity issue once it grows to the necessary height, blocking light and becoming overbearing to the occupiers of the neighbouring dwelling.

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.

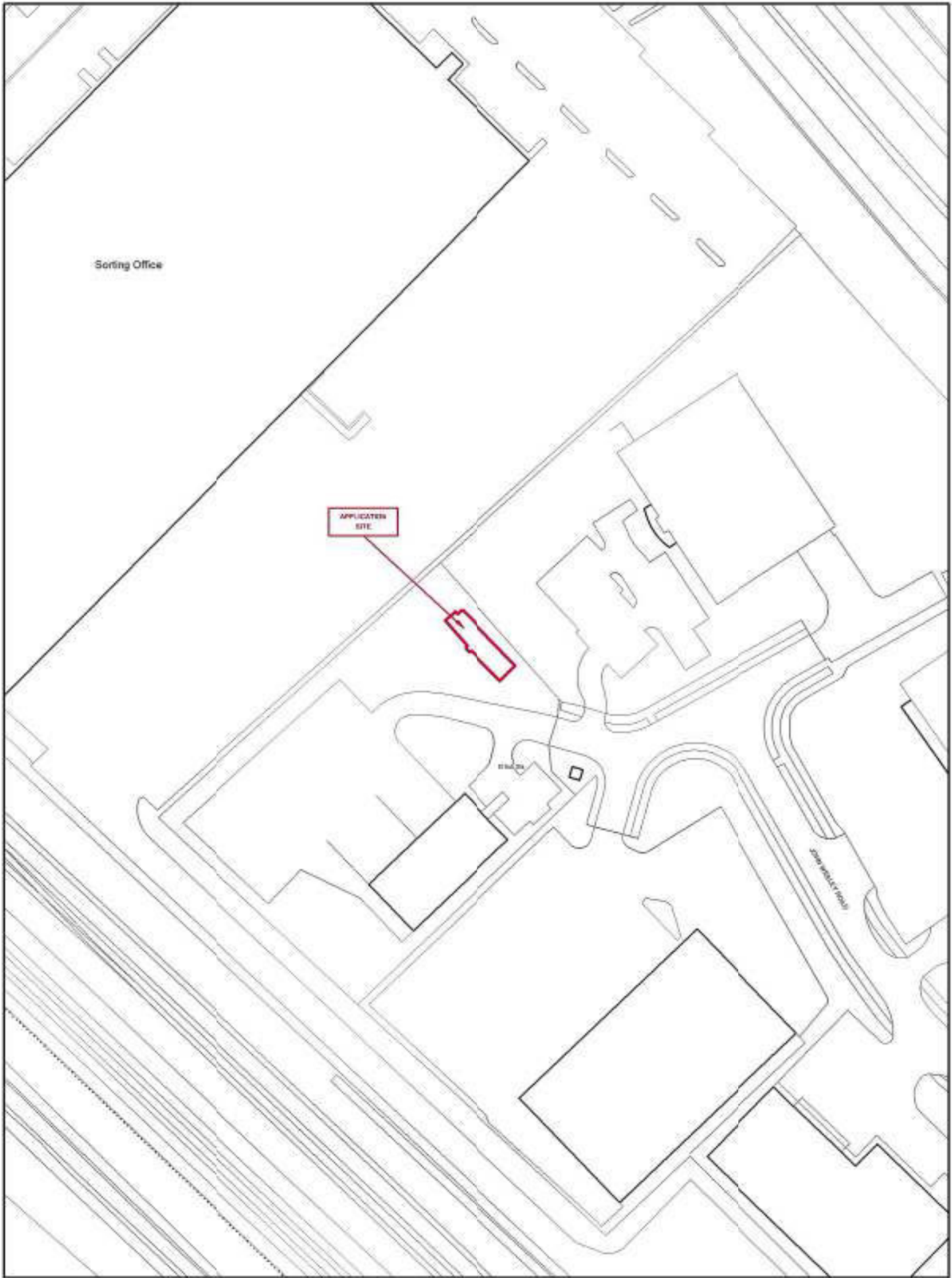
7 Recommendation

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

- R 1 The tree house by reason of its scale and height, would be an obtrusive and incongruous feature detrimental to the character of the conservation area and the setting of the adjacent curtilage listed outbuildings to the Old White Hart Public House and Compass Cottage. Furthermore, if approved it would set an unwelcome precedent for similarly large structures within the conservation area. The proposal is therefore contrary to adopted Policy CS17 of the Peterborough Core Strategy; Ufford Conservation Area Appraisal (2008) and the Development in Selected Villages DPD (2011) which states:
- R 2 The tree house and associated raised platform would by way of its height, permit views into the amenity space and habitable room windows of the dwellings to the east of the application site. The resulting overlooking and perception of overlooking are considered to be harmful to the amenity of the occupiers of neighbouring dwellings; this is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011.

Copy to Councillor Over D E

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LOCATION PLAN 12/01726/FUL
3 John Wesley Road Werrington Peterborough

Scale NTS **Date** 6/12/2012 **Name** AA Department Planning Services

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PCC GIS

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Application Ref: 12/01726/FUL

Proposal: Installation of a temporary mobile home for occupation by managers of Peterborough Dairies

Site: 3 John Wesley Road, Werrington, Peterborough, PE4 6ZP

Applicant: Peterborough Dairies

Agent: David Shaw

Referred by: Head of Planning Transport and Engineering Services

Reason: Previous application refused by Committee

Site visit: 04.12.2012

Case officer: Miss L C Lovegrove

Telephone No. 01733 454439

E-Mail: louise.lovegrove@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 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 size of the temporary accommodation has been reduced following refusal by Members of application reference 12/00100/FUL. The current proposed accommodation comprises three no. bedrooms and requisite living space within a temporary structure of dimensions: 16 metres (length) x 6 metres (width) x 2.2 metres (height to ridge). The unit has been reduced in length only from the previously refused application scheme by a total of 3 metres.

Application reference 12/00100/FUL was refused for the following reasons:

- R1 *The site is located in a General Employment Area as identified in the Peterborough Site Allocations DPD (2012). Policy SA11 of that DPD does not list residential as an acceptable use and Policy H7 (part b) of the Peterborough Local Plan (First Replacement) (2005) does not permit residential use within defined Employment Areas. The principle is therefore unacceptable in accordance with these policies.*
- R2 *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).

- R3 The nature of the location, particularly given its proximity to the East Coast Main Line and the Royal Mail depot means that occupants of the proposal would be subject to a noisy environment which makes it unsuitable for residential occupancy. The proposal is therefore contrary to emerging Policy PP3 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination 2012) and Policy H7 (part f) of the Peterborough Local Plan (First Replacement) (2005).

2 Planning History

Reference	Proposal	Decision	Date
03/01609/NTA	Erection of cold store, vehicle workshop and amenities	Application Permitted	12/12/2003
12/01100/FUL	Temporary residential accommodation for occupation by managers of Peterborough Dairies	Application Refused	13/11/2012

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)

Section 1 - Economic Growth

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

Section 11 - Contamination

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

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)

CS01 - Settlement Hierarchy and the Countryside

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

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 allocated General Employment Areas and Business Parks planning permission will be granted for employment uses (classes B1, B2 and B8 within the GEAs, classes B1(a) and B1(b) within the Business Parks).

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. It is anticipated that the document will become adopted planning policy at Full Council on 5th December 2012, prior to the Committee date but after the date which this report was produced. As such, this report has been written on the basis of the following policies being adopted. If the document is not adopted, an updated will be provided to Members.

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP04 - Amenity Provision in New Residential Development

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

PP12 - 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 including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP20 - Development on Land affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

4 Consultations/Representations

FAO Emma Doran Pollution Team (04.12.12)

No objections subject to conditions relating to contamination assessment and where required, remediation and noise assessment to ensure the development is appropriate for occupants.

Anglian Water Services Ltd

No comments received.

Archaeological Officer (21.11.12)

No comments.

Building Control Surveyor (14.11.12)

If the proposal is a 'mobile home', the building regulations and Part 'M' relating to disabled requirements are not applicable.

Education Department

No comments received.

Transport and Engineering Services (19.11.12)

No objections subject to a condition requiring the provision of two car parking spaces for occupants.

S106 Planning Obligations Officer (14.11.12)

No developer contribution is sought as the dwelling is only of a temporary nature.

Police Architectural Liaison Officer (21.11.12)

No objections - any residential use should meet urban design requirements and future occupants will experience isolation and lack of other community links. However, the necessities of the Business Model may outweigh these concerns.

Landscape Officer

Comments awaited.

Parish Council

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.

The proposed temporary dwelling extends to a footprint of approximately 94 square metres (some 16 square metres less than previously applied for) and will provide three bedroomed living accommodation including study, en-suite, family bathroom, kitchen, living/dining room and utility room. The total length of the unit is to extend to approximately 16 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. It is considered that the reduced size of the dwelling proposed on the site represents a suitable level of ancillary accommodation required to support the establishment of the existing business on the site. Accordingly, whilst the proposal is within the identified General Employment Area, the principle is acceptable providing the unit is of a temporary nature, will not be occupied by any person other than the applicant and their family, and is tied to the existing business use on the site through suitably worded conditions.

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 parking standards set out in Policy PP13 of the Peterborough Planning Policies DPD. At the time of submission, no parking spaces were proposed and 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 PP4 of the Planning Policies DPD.

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 is sought in this case.

6 Conclusions

Whilst the Committee refused the previous application, planning officers have to be consistent with their recommendation. If Committee is minded to accept the officer recommendation, members need to satisfy themselves that either their concerns have been addressed by the revised proposal or that their concerns regarding the original proposal were mis-judged.

Officers are recommending approval subject to the imposition of the attached conditions as 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:

- whilst the temporary dwelling would be located within an identified General Employment Area which is contrary to Policy SA11 of the Peterborough Site Allocations DPD (2012), it is necessary to ensure the establishment of an employment generating use and is therefore in accordance with the National Planning Policy Framework (2012);
- the proposal provides sufficient car parking for occupants of the dwelling and the existing business within the site and as such, will not result in any danger to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012); and
- an acceptable level of amenity will be afforded to the occupants of the proposed dwelling, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

7 Recommendation

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

- C 1 The building hereby permitted shall be removed and the land restored to its former condition on or before 3 years from the date of this decision in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.

Reason: In order to reinstate the original use of the land for employment purposes, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy SA11 of the Peterborough Site Allocations DPD (2012).

- C 2 The temporary dwelling hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the employment use of the existing building on site known as

Peterborough Dairies, Unit 3, John Wesley Road and shall not be occupied, leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling because residential use is not compatible with the allocated of the site for employment purposes, in accordance with Policy SA11 of the Peterborough Site Allocations DPD (2012).

- C 3 This permission shall enure only for the benefit of Mr A Chaudari and it shall not enure for the benefit of the land or any other person or persons for the time being having an interest therein. The temporary dwelling hereby permitted shall only be occupied by Mr A Chaudari and any person of a direct family relation.

Reason: Permission would not otherwise have been forthcoming taking account of the location within an identified General Employment Area and in accordance with Policy SA11 of the Peterborough Site Allocations DPD (2012).

- C 4 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that the site is suitable for the use and will not pose a danger to health, in accordance with the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 5 Prior to the commencement of development, a scheme which specifies the provisions to be made for the control of noise emanating from the site shall be submitted to and approved in writing by the Local Planning Authority. The provisions should include either physical and/or administrative measures and should ensure that the level of noise when measured at the temporary dwelling hereby approved does not exceed 55dB LAeq between the hours of 0700 to 2200 and 35dB(A) outside these hours.

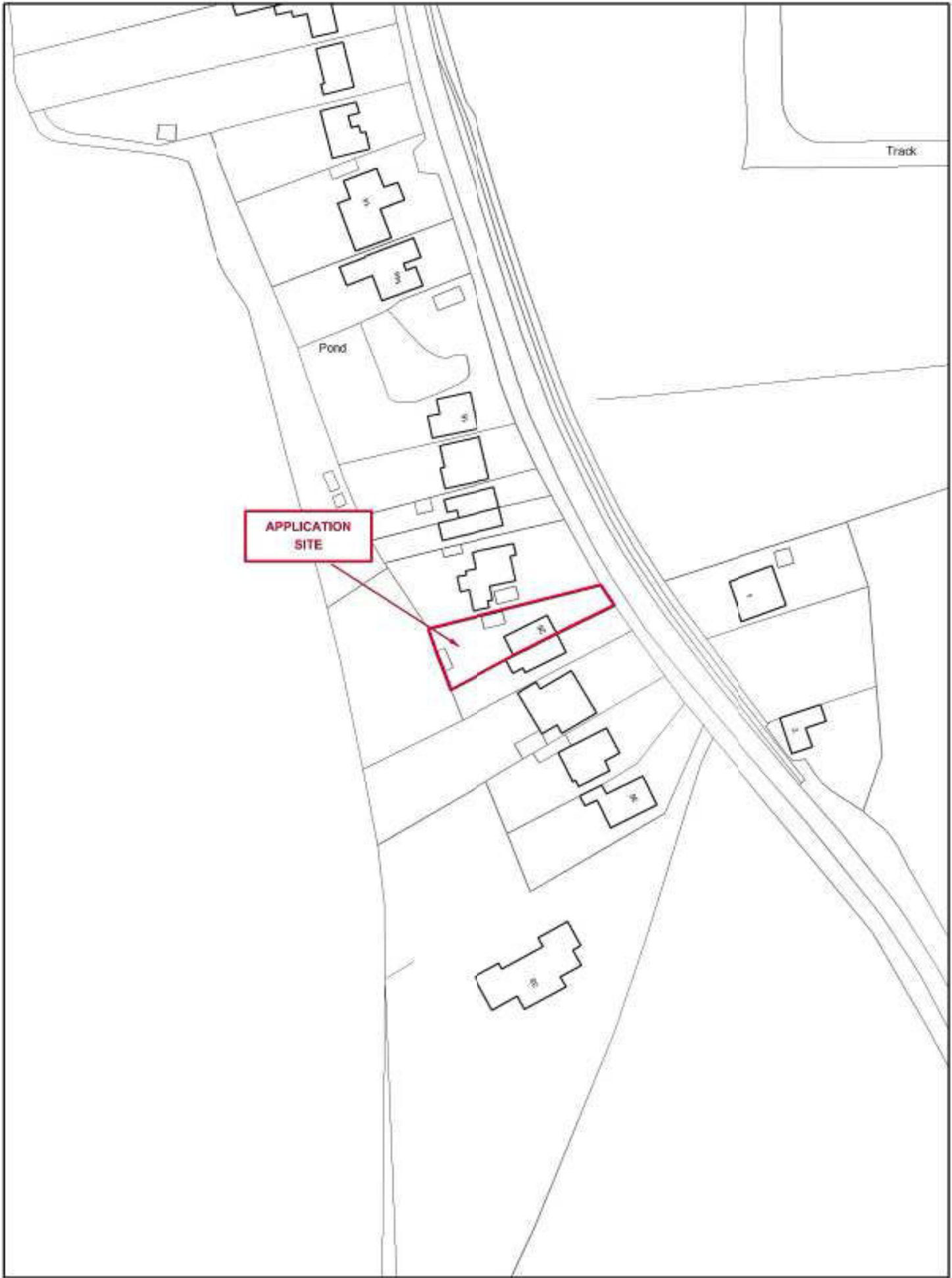
Reason: To ensure an adequate level of amenity for occupants of the dwelling, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C 6 Prior to first occupation of the temporary dwelling hereby permitted, full details of the means of surface water and foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage shall be installed as approved and prior to first occupation.

Reason: To ensure the proposal does not result in increased flood risk elsewhere, in accordance with the Policy CS22 of the Peterborough Core Strategy DPD (2011).

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LOCATION PLAN 12/01784/HHFUL

26 Heath Road, Helpston Peterborough

Scale NTS **Date** 6/12/2012 **Name** AA **Department** Planning Services

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PCC GIS

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Application Ref: 12/01784/HHFUL

Proposal: Construction of two storey extension to side and rear of existing dwelling and replacement of existing windows

Site: 26 Heath Road, Helpston, Peterborough, PE6 7EG

Applicant: Mr & Mrs Kevin Tighe

Agent: Kirsten McKelvie
PDG Architects Ltd

Site visit: 30.10.2012

Case officer: Mr M A Thomson

Telephone No. 01733 453478

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

Recommendation: Authority be given to the head of Planning, Transport & Engineering to grant planning permission (with conditions) subject to no objection being received which raises a material planning consideration.

Reason for Referral: The applicant is Kevin Tighe, Vivacity's Head of Cultural Services. The Application has been referred to Planning Committee in the interest of transparency.

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

Site Description

The application site is a semi-detached red brick dwelling with a mono-pitch porch to front, a lean to extension to rear and detached brick outbuilding to side. The rear amenity space is proportionate for the size of the dwelling and the plot has the capacity to cater for at least three off-street parking spaces.

The application site is not within the Helpston Conservation Area; however, it is within the settlement boundary as identified under Policy SA3 of the Peterborough Site Allocations DPD (2012).

Proposal

The Applicant seeks consent to demolish the existing porch and rear extension, and erect a two storey side and rear extension and single storey rear extension. The roof space would also be converted to form a 5th bedroom, which includes the installation of a roof light window.

The proposed extension would create an integral garage, dining room and kitchen and utility room at ground floor with two additional bedrooms at first floor.

The proposed single storey rear element would be 4.6m (deep) x 9.8m (wide) with a height of 2.3m to eaves and 3.9m to the highest point of the roof.

The two storey side and rear extension would have a maximum floor area of 7.3m x 5.8m and proposes to stand at 5m to eaves and 7.6m to ridge.

The proposed extensions would utilise matching materials. The existing UPVC windows would be replaced with timber (opaque stained).

Consultations

The consultation period ends on 23rd December 2012.

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; respond to local character; and create environments which are visually attractive. 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.

CS21 - Biodiversity and Geological Conservation

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

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

These are identified on the proposals map. Land outside of the village envelope is defined as open countryside.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. 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 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - 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.

PP03 - 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.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

Peterborough Local Plan (First Replacement) (2005)

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

Parking should be provided in accordance with the identified standards.

4 Consultations/Representations

Parish Council

At the time of writing this report, no comments have been received.

Wildlife Officer

At the time of writing this report, no comments have been received.

The Woodland Trust

At the time of writing this report, no comments have been received.

Forestry Commission

At the time of writing this report, no comments have been received.

Welland & Deeping Internal Drainage Board

At the time of writing this report, no comments have been received.

Landscape Officer

At the time of writing this report, no comments have been received.

Local Residents/Interested Parties

Initial consultations: 3

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

At the time of writing this report no responses have been received. Neighbour consultation expires on 23.12.2012.

5 Assessment of the planning issues

Design and Layout

The proposed two storey side and rear extension would utilise a hipped roof design and would be constructed out of matching materials. Whilst the proposed two storey side and rear extension would effectively create a new element, the extension would achieve a subservient appearance as it would be set down below the ridge and eaves level of the host building. Given the fact that the host building is set back 16 metres from Heath Road, the two storey element would not detract from the character or appearance of the street scene, or have an unacceptably adverse impact of the setting of the original building. Further, given the sympathetic design of the two storey element and its set back from Heath Road, it is not considered that the proposal would have an

unacceptable impact on the symmetry of the pair of semi-detached dwellings.

The single storey rear element would project 4.6 metres from the original rear of the dwelling. It would utilise a mono-pitch roof design and would be constructed out of matching materials. Whilst this element would be large, the proposal is not considered to detract from the original character or shape of the host building, and would retain a sufficient and proportionate amount of garden to serve future occupiers.

The proposal would not result in an unacceptably adverse impact on the character or appearance of the host building or street scene, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2011), NPPF (2012) and PP02 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector).

Neighbour Amenity

At the time of writing this report no objections have been received.

The adjoined neighbour, No. 28 Heath Road, has a single storey rear extension which projects 2.8m from the original rear wall and utilises a mono-pitch roof. The proposed single storey rear extension would project 4.6m from the original rear wall, would utilise a mono-pitch roof and would stand at 3.9m to highest point. Given that the proposed extension would project only 1.8m further than the neighbours single storey extension, and considering dividing boundary treatment, the proposal is not considered to form an overbearing feature that would have an unacceptably adverse impact with respect to loss of light, privacy or outlook.

With respect to the two storey rear element, this element would project 1.9m from the original rear wall and would be set in 3 metres from the shared boundary with No. 28. Implementing the 45 degree rule from first floor windows of No.28 Heath Road, the proposal would not have an unacceptably adverse impact with respect to loss of light, outlook or privacy.

With respect to No.24, a detached chalet bungalow, there are no facing windows and the plots are separated by a 2m high hedge. Given the juxtaposition of the two storey extension it is not considered that the proposal would result in an overbearing structure that would create an unacceptably adverse loss of light, privacy or outlook. The single storey element would not affect the amenity of No. 24.

The proposal is not considered to result in an unacceptably adverse impact to neighbour amenity, and would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP03 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector).

Protected Species

As the application site is pre 1960 and is located within 200 metres of a woodland, the site has potential for bats, badgers and nesting birds.

At the time of writing this report no formal comments have been received by the Wildlife Officer, however the Wildlife Officer has orally responded advising the need for an internal survey of the roof space for bats, and that measures should be put in place for the protection of badgers during construction. The need for further information has been forwarded to the agent and the measures requested by the Wildlife Officer could be achieved through a suitably worded condition.

Subject to the outcome of an ecological survey and no issues found which could not otherwise be mitigated, the proposal would accord with Policy CS21 of the Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector).

Access and Parking

As a result of the proposal the scheme would create a 5 bed dwelling. With respect to PP13 of the

Peterborough Policies DPD three off-street parking spaces are required. The site can accommodate three off-street parking spaces therefore the proposal is not considered to constitute a Highway safety hazard. The proposal accords with T10 of the Peterborough Local Plan (First Replacement) (2005) and PP13 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector).

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 design of the extension would not result in an unacceptable adverse impact on the appearance of the dwelling or visual amenity of the street scene;
- the design of the extension would not result in an unacceptable adverse impact on neighbouring amenity;
- the proposal would not result in a highway safety hazard and can accommodate sufficient off street parking;
- subject to conditions the proposal would not impact on protected species.

Hence the proposal accords with Policies CS16 and CS21 of the Peterborough Core Strategy (2011), Policy T10 of the Peterborough Local Plan (First Replacement) (2005), the NPPF (2012) and Policies PP1, PP2, PP3, PP13 and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination)

7 Recommendation

That the Head of PT & E be authorised to **GRANT** planning permission subject to no objections being received that raise a material planning consideration, and 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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 commencement of development a method statement indicating measures to protect bats, badgers and other protected species shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these measures shall be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: In the interest of enhancing biodiversity of the site and to accord with Policy CS21 of the Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Copies to Councillor D Over

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