

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 19 FEBRUARY 2013
1.30 PM

Bourges/Viersen Room - 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 Meetings held on:

- | | | |
|-----|-----------------|---------|
| 4.1 | 8 January 2013 | 1 - 20 |
| 4.2 | 22 January 2013 | 21 - 26 |

5. Development Control and Enforcement Matters

- | | | |
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| 5.2 | 12/01812/FUL - Former Petrol Filling Station, Oundle Road, Orton Longueville, PE2 7DF | 55 - 74 |
| 5.3 | 12/01922/FUL - R and P Meats Ltd, 55 Cherry Orton Road, Orton Waterville, Peterborough | 75 - 82 |
| 5.4 | 12/01832/HHFUL - 39 The Green, Werrington, Peterborough, PE4 6RT | 83 - 90 |



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.

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Committee Members:

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

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

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet MacIennan, 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 8 JANUARY 2013**

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

Officers Present: Nick Harding, Group Manager Development Management
Jez Tuttle, Senior Engineer
Vicky Hurrell, Principle Development Management Officer
Sarah Hann, Acting Senior Engineer
Carrie Denness, Senior Solicitor
Karen S Dunleavy, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Stokes and Lane.

Councillor Ash was in attendance as a substitute.

2. Declarations of Interests

There were no declarations of interest.

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

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

4. Minutes of the Meeting held on 4 December 2012

The minutes of the meeting held on 4 December 2012 were agreed as true and accurate record.

5. Development Control and Enforcement Matters

5.1 12/01556/FUL - Rathbones of Peterborough, Midland Road, West Town, Peterborough - Demolition of existing buildings and construction of 90 new dwellings (comprising 62 x 2 bed, 26 x 3 bed, 2 x 4 bed) including new access, car parking and public open space.

The application site was approximately 1.72 ha in size and was comprised of a number of former industrial buildings which were mainly brick built and included a former dairy, bakery and depot. These were vacant and in a poor state of repair. It appeared that part of the bakery building had been demolished. Hoarding had

been erected along the front of the site with Midland Road which covered the original 1.8 metre high brick wall. There was an existing sub station in the north west corner adjacent to Midland Road.

The site was located about half way along Midland Road on the eastern side. This side of the road was generally characterised by industrial and commercial usage although it was not a designated employment area. In contrast, the western side of the road was characterised by residential development and a couple of small local shops.

To the south west was the former Peterborough Hospital site which was subject to redevelopment proposals (policy CC13 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

A 1.8 metre high wall ran along the southern boundary of the site with the adjacent car park. The car park extended to the south east of the site, which separated it from the East Coast Mainline Railway. This rear area was currently being used for the storage of machinery and equipment being used for works to the railway. The north east boundary directly adjoined railway land. This eastern (rear) boundary with the site was largely overgrown. To the north of the site was a depot containing more industrial buildings.

The application site was located within the Railway Station Opportunity Area (policy CC12 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

This application sought permission for the demolition of the existing industrial buildings and the construction of 90 new dwellings, which was comprised of two, three, and, four bed properties in a mix of houses and flats (the flats would be located adjacent to the railway line). 30% of the houses would be affordable.

The development would be served by a new access off Midland Road (the existing accesses to the site would be closed).

Also included with the development was a new area of public open space (1250 square metres) where it is intended to install play equipment.

The recommendation was to grant planning permission subject to the imposition of conditions, as detailed in the committee report with specified conditions updated, as per the update report and the completion of a S106 Agreement.

The agent, Mr Woolston addressed the Committee and responded to questions from Members. In summary the issues highlighted included:

- Mitigation measures had been discussed with BP oil depot regarding concerns raised over noise and light pollution. A recent test had revealed there was low risk involved for the future in such an ambient area;
- Given the low test results regarding noise and light pollution risks, the developers would install trickle vents and acoustic fencing as a matter of course;
- A large public consultation had taken place over the development proposals

- for the site, which had received positive feedback; and
- The planning proposals would provide an opportunity to progress the whole railway station development forward.

Mr Woolston's responses to Councillors questions and comments, included:

- Network Rail had been consulted over the health and safety aspects of the development build. It was identified that the railway was a considerable distance away from the boundary, which had posed no safety implications regarding the site build;
- The developers had liaised with the BP Oil over noise and light issues and measures were to be implemented in order to avoid any future impact; and
- A method of work for the site development was being agreed with Network Rail.

Following questions to speakers Members debated further, comments included:

- Concerns regarding disturbance issues arising from the BP oil depot and the rail station had been alleviated following adequate assessment by Officers;
- Plans to regenerate the site were welcomed;
- The parking issues had been properly assessed and addressed;
- There was a minor concern raised over whether development of the site was a short term fix, which may cause sterilisation for potential redevelopment works in the area;
- Safety with regards to scaffolding being placed near the railway line should be paramount;
- Adequate school places should be provided;
- Concerns were raised over whether there would be increased traffic and parking pressure on Midland Road;
- Development of the site should be approached holistically;
- The location was ideal for development for an aesthetically pleasing housing estate; and
- Affordable housing options were welcomed.

Following Members debate the Planning Officer responses included:

- All safety issues were being considered and investigated between Network Rail and the developers;
- The development proposals were a small part of improvements for a larger regeneration plan for the area and provision of school places was being monitored throughout each stage; and
- There was sufficient capacity along Midland Road to allow for frontage parking and traffic volumes.

Following further debate and questions by Members regarding planning permission being sought, a motion was put forward and seconded to grant the application, subject to relevant conditions. The motion was carried by 8 voting for and 1 voting against.

RESOLVED: (8 For, 1 Against) to grant the application as per Officer recommendation subject to:

1. The conditions numbered C1 to C26 as detailed in the committee report; and
2. Updated conditions C2, C8 - C10 and C19 - C21 as detailed in the update report.

Reasons for the decision:

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

- The application site was located within the designated Railway Station Opportunity Area. Policy promoted the complete redevelopment of the Railway Station area, with housing being an appropriate land use. Whilst this scheme would not result in the complete redevelopment of the western part of the opportunity area it would not compromise the delivery of other schemes and would kick start the regeneration process. The scheme would also remove derelict buildings where anti social behaviour was taking place. As such the application was considered acceptable in accordance with policy CC12 of the adopted Peterborough Local Plan (First Replacement) (2005);
- The scheme included works to Midland Road which would provide additional on street parking and slow vehicle speeds. It was not, therefore, considered that there would be any adverse impact upon highway safety. Although the parking provision was below the new standards in the Planning Policies DPD the application was prepared and submitted under the old maximum standards. Given that this was a transitional period to the new policy standards the parking provision was considered to be acceptable and it would not result in highway safety concerns. The proposal accords with policy CS14 of the adopted Core Strategy DPD and policy PP12 of the Planning Policies DPD;
- Whilst it was acknowledged that the site did not currently have ideal neighbours in terms of land use it was considered that the level of amenity for future occupiers was, on balance, acceptable particularly given the wider benefits which the redevelopment of this site would deliver at the current time. The proposal therefore accords with policy PP4 of the adopted Planning Policies DPD;
- The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore accordance with policy PP3 of the adopted Planning Policies DPD;
- Subject to conditions the site would be adequately drained and mitigation measures secured to deal with ground contamination. The development therefore accords with policy CS22 of the adopted Core Strategy DPD and the NPPF;
- Subject to conditions the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK and accord with Policy CS10 of the Peterborough Core Strategy DPD (2011); and

- Further to the submission of a viability appraisal the developers had demonstrated that the proposal cannot pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution was acceptable in this instance. Subject to the level of POIS being finalised and secured via a planning obligation the scheme would accord with policy CS12 and CS13 of the adopted Core Strategy DPD.

5.2 12/01694/R3FUL - Queens Drive Infant School, Queens Drive West, Peterborough, PE1 2UU - New single storey classroom extension to front of school, new single storey toilet extension to side of school, demolition of house at no.6 Queens Drive West, associated landscaping works; soft and hard landscaping to front, side and rear of school, removal of trees as per Arboricultural Assessment recommendation, reconfiguration of external doors and windows, creation of additional parking and associated access

The application site was approximately 0.4 hectares and was located on the south side of Queens Dive West. The site contained a single storey primary school building of the Victorian era built in buff brick under a slate roof. The building had been extended over the years with more modern elements, which included a school hall to the rear. The site was compact in nature. To the front of the site there was provision for the parking of twelve vehicles; five spaces were within an area which was accessed from the eastern side of the site frontage and seven spaces within an area accessed from the western side of the site frontage (there was currently a mobile unit located within the parking area providing temporary classrooms).

The frontage was bounded by a brick wall approx 0.6m in height and there was a large grassed area with a number of mature trees.

To the rear of the site there was a playground area and a small grassed/wildlife area to the south east which also contains mature trees. The site was enclosed by a brick wall of 2m in height to the side and rear boundaries.

The surrounding character was predominantly residential. Queens Drive West had on street parking restrictions; resident permits to the west, limited time parking for thirty minutes on the opposite side of the road, yellow lines to the east and there were 'School Keep Clear' zig zag lines directly to the front of the site. Queens Drive West was subject to a 30mph speed limit with traffic calming in the form of speed cushions.

The application sought permission for:

- a. a single storey extension to the front of the site to provide two classrooms, a library area and group room. The extension would be irregular in shape and would be to the eastern side of the school building and would project 13.4m from the front elevation at its most eastern point reducing to a projection of 9m at its western point and would have a width of 22.4m where it would abut the school building reducing to a width of 20.4m at the site frontage. The height would be

4.3m. The extension would be located 3m from the eastern shared boundary. Windows would be positioned within the north, east and west elevations;

- b. a single storey extension to the west of the site to provide a toilet block; the dimensions would be 5.4m x 4.4m. The extension would have a flat roof and would be 3.5m in height;
- c. alterations to the windows/doors within the existing building, which included substitution of window for door in the west elevation that served the classroom and the addition of a door to three classrooms to the rear of the building. eleven no. car parking spaces would be provided, which would include one disabled parking bay;
- d. the demolition of the dwelling at 6 Queens Drive West to facilitate the development; and
- e. the works would also provide an increase in outdoor space for play and teaching and a reconfiguration of the internal floor area for additional ancillary support.

The development would result in an additional sixty pupils at the school from September 2013. Staff numbers would increase by one additional teacher and one teaching assistant.

The Committee was advised over the updates and clarification provided in the additional report which had been included for conditions CS07 and CS10 to CS12.

The Committee was also advised of the receipt of additional representation submitted by a neighboring property to the school, which in summary included:

- Concerns raised over the impact increase in traffic for Park Road, Dogsthorpe Road and Queens Drive;
- The poor performance to date of the School Travel Plan and the lack of clarity over proposed targets for the next three years;
- Suitability of drainage and the strain it may present on local sewers, lack of grey water recycling and sustainable water management by the school;
- Concerns raised over the reduction of the existing habitat area, the loss of trees and increase in cooking odour pollution created by Queen's Drive Infant School and Dogsthorpe fish and chip shop; and
- Lack of construction work details provided in the application.

In addition the Planning Officer advised the Committee that:

- A School Travel Plan was being dealt with through a planning condition which would involve liaison with the PCC Travel Choice Team in order to tackle any traffic issues;
- All drainage arrangements and grey water recycling had been reviewed and the requirements had met with relevant planning policy with no

- objection raised by the drainage team;
- Tree loss and ecology was reviewed and conditions had been appended to include choice of native species of tree when replaced and the incorporation of bird and bat boxes;
- An informative would be appended to advise the applicant that a complaint had been received and would be investigated by the Pollution Control Team; and
- Construction management plan would be in place to minimize any disturbance during the construction period.

The recommendation was to grant planning permission subject to relevant conditions.

Councillors Kreling, Peach and Shearman addressed the Committee jointly and responded to questions from Members. In summary issues highlighted included:

- The planning application was aimed to fit in with the Edwardian building school built in 1909;
- There were currently insufficient school spaces provided to accommodate children in the area, and that the only solution was to build extra schools or extend existing ones;
- The proposals would provide additional open space with the demolition of the property at 6 Queens Drive; however, the plans were not intended to create an adverse affect on the neighbouring area;
- The proposals had met with PP2 and PP3 of the Planning Policy in order to avoid a significant impact on the highways in the vicinity of the site;
- The proposed application was intended to improve the school immeasurably and increase school places by 60;
- The Queen's Drive School had received good Ofsted reports;
- Parents should be discouraged from using transport to take their children to school;
- Care should be taken by parents using the residential parking areas;
- Councillor Shearman confirmed that he lived within the locale and sought confirmation that he could address the committee with regards to any interests he may have. The Solicitor confirmed that if Councillor Shearman did not hold a pecuniary interest in respect of the application then he could speak on the matter. Furthermore as he was not part of the decision making process he couldn't be accused of being biased in respect of the application.
- Parents and staff should not be advised to park on Queen's Drive West and Dogsthorpe Road, as contained in the travel plan, as these were restricted residential parking zones;
- Consideration should be given to install a pedestrian traffic light crossing at the Queens Drive West and Dogsthorpe Road crossing; and
- The Solicitor confirmed that the allegation regarding the disclosure of sensitive information was not a relevant planning consideration and was not pertinent to decision making regarding the planning application submitted at this meeting.

Councillors Kreling, Peach and Shearman responded to questions raised by Councillors:

- There were traffic pressures for most schools in the Peterborough area; however, Queen's Drive Infant School covered a relatively small residential catchment area;
- Installation of a controlled crossing at the Queens Drive West junction would depend on the cost, which would be subject to the Council's affordability; and
- The trees being removed to accommodate the much needed school places within the proposed school extension were in an unhealthy condition.

Dr Reed addressed the Committee in objection to the application and responded to questions from Members. In summary concerns highlighted included:

- The initial comments made by the landscape officer regarding the bio diversity impact and the opinion to reject plans had not been included within the report;
- Consideration should be given to replace trees that were being removed;
- Concerns were raised over flood risk, foul sewer and surface water flooding and the impact that might be presented through climate change;
- There were unpleasant lingering odours around the residential area near the school;
- Measures should be in place to ensure that adequate soak away systems were being installed in order to avoid the build up in foul sewers;
- Disappointment raised over the lack of a grey water system being introduced for the school toilet block; and
- Measures to manage existing unpleasant odours caused by cooking had not been included in the conditions.

Dr Reed responded to questions raised by Councillors:

- Dr Reed did not share relaxed views over the removal of trees, relayed by some of the residents; and
- There were a large variety of birds that were attracted to the trees scheduled for removal and that it would be shameful not to replace all of them.

Following responses to questions, Members debated further and key points highlighted:

- Consideration should be given by planners to take on board the comments regarding the removal of trees and their replacement;
- There was disappointment over the lack of grey water recycling system for the school toilets, which had not been included as a condition within the planning application;

- Introducing grey water recycling would provide the school with an education opportunity for children and would also save money on water bills;
- Concerns were raised regarding the foul odour arising from the sewer along the Alma Road area and whether the development would exacerbate the issue;
- A beneficial educational opportunity should be taken up by the school to involve pupils along with local residents in replanting trees that were scheduled for removal;
- Had the appropriate measures been considered regarding the increase of cooking odours in the area;
- The proposals to extend Queens Drive Infant School was welcomed by Members;
- Landscaping arrangements had been covered by CS3 and was fairly detailed regarding landscaping and tree replacement, although consideration should be given to ensure that it was adequate for the area; and
- The Flood & Water Management Officer would be able to provide advice to Queen's Drive school regarding the use of grey water for toilets; and
- Concerns were raised over the impact of a traffic increase for the area and that the conditions adopted should be robust enough to keep the disruption to a minimum.

The Senior Engineer responded to questions regarding the transport plan being implemented if planning permission was to be granted which included:

- The object of the condition over the travel plan was to reduce car trips to the site;
- Staff would be encouraged to park further away from the residents car parking bays; and
- A school travel plan would be developed to aim to keep the travelling issues down and to an acceptable level.

The Planning Officer responded to questions raised by Councillors regarding the planning application:

- It would be difficult to retain the existing trees;
- The Planning Team would work closely with the school over the implementation of the condition over tree replacement and provide encouragement to plant a good number of suggested species,
- The tree planting would be reviewed within one month of commencement of the works;
- The grey water usage should be adopted as an informative measure and that the Planning Department would work with the school to encourage adoption of a scheme where possible; and
- The planners would raise the issues regarding the ventilation equipment used by the school which may be causing the cooking odour smells.

Following further debate and questions by Members regarding planning permission

being sought, a motion was put forward to grant the application, subject to relevant conditions and the updated conditions, with the inclusion of the following changes:

1. The timescale on condition CS03 to be met within one month of the application permission; and
2. To place an informative on the consent for the Queen's Drive Infant School to consider the use of grey water within the building development and going forward as part of the school itself.

The motion was seconded and carried unanimously.

RESOLVED: (Unanimous) to grant the application, as per Officer recommendation subject to:

1. The conditions CS01 to CS10 as detailed in the committee report;
2. The updated conditions CS07 and CS10 and the addition of CS11 and CS12 as detailed in the update report;
3. The timescale on CS03 to be met within one month of the application permission; and
4. To place an informative on the consent for the Queen's Drive Infant School to consider the use of grey water within the building development and going forward as part of the school itself.

Reasons for the decision:

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

- This was a sustainable development which would make efficient use of an existing school site which served a local catchment;
- The loss of the dwelling would be outweighed by the increased educational capacity of the school and would support the agenda for delivering more school places;
- The layout, scale, proportions and design of the extensions would respect the architectural features of the existing building and would not detract from the existing character of the site or that of the street scene;
- The extensions would not unduly impact on the amenity of the occupiers of neighbouring properties;
- Appropriate provision had been made for safe, convenient and sustainable access to the site and the proposal would not result in a significant increase in vehicular trips to the site that would result in a detrimental impact to users of the highway;
- The Travel Plan set out robust targets to encourage the use of more sustainable modes of transport; and
- The proposal would provide replacement planting and features to enhance the biodiversity within the site.

Hence the proposal was in accordance with policies CS14, CS16 and CS21 of the Adopted Peterborough Core Strategy DPD, policies PP1, PP2, PP3, PP12 and

PP13 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

The meeting was adjourned for ten minutes.

5.3 12/01725/FUL - Thomas Deacon Academy, Queens Gardens, Peterborough, PE1 2UW - Construction of two storey Junior Academy, single storey exam hall and extension to existing construction centre and associated works

The site was approximately 13.6 ha and was currently occupied by the Thomas Deacon Academy which opened in 2007 and was the former site of Deacons Secondary School. The site contained an academy building which opened in 2007 and accommodated up to 2200 pupils aged 11 to 19; a caretakers house and Buttery building to the west of the site and a construction centre to the east. There were a large number of existing sports pitches and playing fields. The site was enclosed by mature trees/shrubs to the boundaries and there were a number of mature trees within the site. The surrounding context was predominantly residential in character and there were two residential nursing homes located adjacent to the Park Crescent exit.

The current access was from Queens Gardens to the west and egress was through a single lane driveway to Park Crescent to the south of the site. Both of these access points could be used by pedestrians with additional pedestrian only access points thorough the schools playing fields on Nottingham Way to the north and on Grimshaw Road to the north east. Servicing vehicles accessed the site from Garton Street to the north.

There were two parking areas, which provided a total of 348 parking spaces; one area provided 238 staff parking spaces which was controlled by a barrier accessed by a key fob and one parking area provided 79 spaces and was used as a drop off area at the school start and finish times and was used for visitors during the school day. Cycle parking was also located within the site in the form of a bicycle shed, which provided storage for up to seventy five bicycles this was located between the two car parks near the entrance to the academy. Emergency vehicle access took place through any existing vehicular access points on Garton Street, Queens Gardens and Park Crescent if necessary.

Coach pick up for pupil travel was accommodated within the site. Coaches would access the site through the vehicular access points and load at a designated bus stop near to the Academy main entrance.

There were a number of schools located nearby including Queens Drive Infant School, All Saints Church of England Junior School on Dogsthorpe Road and Peterborough Regional College to the east of the site on Park Crescent.

It was also important to note that:

- School times would be staggered, which was anticipated to mitigate the impact of the increase in traffic over peak times;
- The widening of the exit lane towards Park Crescent and Park Road would not

- cause an issue with the impact of traffic; and
- The progress of the site development would not be held up if the junction widening was not achievable.

The application sought approval for the following:

- Junior Academy: A two storey junior academy building to be located to the west of the site and on an area currently used as tennis courts. The footprint of the building would be 58.5 metres in length by 23.5 metres in width and would have a flat roof design with edge parapets to a height of 8 metres. Approximately 2,765 square metres of accommodation would be provided, which comprised of classrooms, a double storey height dining hall/sports hall, a double storey height studio, a plant room, kitchen and changing/toilet facilities. A circulation space down the centre of the building would include a double storey height void. The roof would have a central strip rooflight over the central corridor. The external walls would be combination of window system and solid rendered in grey to match the existing academy building.

The junior school would provide a three form entry with four year groups with pupils aged between seven and eleven. It was intended that the school would bridge the gap between the Queens Drive Infant School and the Thomas Deacon Academy. On full occupation the school would have three hundred and sixty pupils and twenty six staff.

- Exam Hall: An exam hall with changing facilities to provide extra exam space for the existing Thomas Deacon Academy. The Exam hall would provide alternative use for ancillary sports facilities as well as for community use. The building would be located approximately 30 metres north of the Academy building. It would be single storey with a flat standing seam roof with parapets and have an overall height of 4.9 metres. The dimensions would be 34.4 metres in length x 18.9 metres in width. The exam hall would provide approximately a 455 square metres of accommodation. The external walls would be combination of window system and solid render in grey to match the existing academy building.
- Construction Centre: An extension to the existing construction training centre located to the north east of the Academy building. The extension was rectangular in shape and the dimensions would be 17.8 metres in length x 9.7 metres in width. The extension would have a flat roof with parapet upstands to a height of 4.2 metres. The proposed materials would be grey render to match the existing academy building.

Entrances to the building would be within the west and south elevations and high level windows were proposed to the east elevation. There were existing trees to the south of this building which demarcates the main school building with the construction centre. The centre was close to the shared boundary to the east with Regional College which was situated some 60m to the east. The building would provide approximately 160 square metres of accommodation.

- An existing Buttery building used for exams and a caretakers house used for construction training would be demolished to make way for new external sports

facilities/Multi Use Games Area (MUGA).

- The proposal included a staff and visitor car parking area comprising 42 spaces and two additional disabled spaces which would be accessed via Garton Street. Access to this car parking would be restricted.
- The proposal included a landscaped area to the west of the academy building which incorporated external teaching areas, an allotment/growing area and a landscape buffer.
- The existing TDA drop off car park area would be used for the Junior Academy building and the existing exit/egress route on to Park Crescent would be widened to 5.5m to provide two lanes. A separate cycle/footpath would be located to the east of the exit lane.

If approved, the junior academy was expected to open in Sept 2014. Its occupation would be phased with each September intake of ninety pupils until fully operational in 2017 with three hundred and sixty pupils. Staffing levels would also increase by phases.

A letter objection was received from a member of public, which raised concerns over the noise pollution being experienced by neighboring properties adjacent to the school and MUGA.

The detail of the amended condition C24 was included in the update report.

The Officer's recommendation was to grant the planning application subject to relevant conditions including the addition of amendments to the condition CS24.

Councillors Kreling, Peach and Shearman addressed the Committee jointly and responded to questions from Members. In summary issues highlighted included:

- There were currently not enough school places in the PE1 area and it was anticipated that the Junior Academy would accommodate the pressure;
- Children who attended the Queen's Drive Primary School would automatically qualify for a place at the Thomas Deacon Academy (TDA);
- Good for TDA to provide their expertise for the proposed Junior Academy;
- Concerns raised over staff and visitors parking access via Garton Street, Kings Gardens and Park Crescent, which may increase the existing traffic issues for the area;
- Consideration should be given to create two lanes on Park Crescent and Park Road junction to alleviate the impact of traffic increases;
- Consideration should be given to reduce any noise disturbance to residents in the Elizabeth Court area, however, TDA had given assurances that measures would be put in place in order to mitigate any noise issues;
- Consideration should be given to introduce trees at the early stages of the development in order to provide an effective noise buffer;

- Although Garton Street residents were generally in favour of the development, some concerns were parking issues on Garton Street, where in some cases divers were parking on the double yellow lines; and
- Concerns were raised over the increase in traffic for Garton Street and Garton End Road and it was hoped that the proposals contained within conditions C6, CS7, CS10, CS11 and CS15 would be robustly enforced.

The Group Manager Development Management and the Acting Senior Engineer, Highways responded to questions raised by the Committee regarding the traffic and noise pollution issues raised which included:

- There would be maximum capacity for forty two restricted parking spaces which would be accessed via the Garton Street and Garton End Road school entrance;
- If the car park was at maximum capacity the vehicle movements entering and exiting the Garton Street entrance would potentially total eighty four vehicle movements in a day;
- The landscaping and fencing proposals were intended to minimise the noise levels for the MUGA;
- It would be difficult to insist on acoustic fencing around all of the site boundaries given the current arrangements for the existing play area and school site;
- The proposed parking provision for the schools current staffing levels of twenty six, which was anticipated to create forty two traffic movements entering and exiting for the Garton Street area;
- The proposal to provide extra parking spaces for staff was adequate for future increases in staffing levels;
- All options regarding junction improvements had been reviewed and were deemed adequate to accommodate the vehicle movements;
- The start time for TDA was 8.45 and 9am for the Junior Academy. The staggered start time was intended to relieve some of the traffic issues.

Members debated and key points highlighted were:

- Concerns were raised over the aggressive traffic movements that currently existed on Park Road to Queens Drive junction and the challenges that may appear following the school development; and
- Concerns were raised over whether the staggered school opening times would resolve the traffic issues, as many parents commuting to work, would arrive at a time that was convenient to them when taking or collecting their children from school.

Following concerns raised by the Committee over the traffic issues on Park Crescent junction, the Group Manager Development Management responded to questions, which included:

- The Highway Team was aware of the traffic impact on Garton Street and in light of the staggered school drop off and collection times, there were no options to improve the junction any further;

- It was important for Committee to note that the traffic issues had been considered carefully by the Highways and Planning Teams and that all solutions to resolve the junction issues had been exhausted; and
- It was also important for the Committee to note that if the development did not go ahead it would not resolve the traffic issues.

Members debated further and key points highlighted were:

- It was not possible for the Committee to introduce any conditions through the planning process that would provide a solution for the traffic issues raised and that it would be the responsibility of the Highways Team to monitor and provide solutions as necessary;
- The staggered school drop off and collection times should be reviewed further in order to relieve the traffic issues;
- Pollution control measures should be adequate in order to meet appropriate levels to mitigate the noise impact;
- The Highway issues should not hold up the planning application to develop the school;
- Concerns were raised regarding access for emergency vehicles; and
- Further traffic issues should not be created for residents and a survey should be conducted over traffic speeds on Park Crescent.

During Members debate the Group Manager Development Management responded to further concerns raised over the Highways impact and the landscaping arrangements, which included:

- The Highways department would be responsible for extending double yellow lines located on Garton Street through a TRO;
- The Group Manager Development would liaise with Environment Health in over the discharge of revised condition C24.
- Emergency vehicles would gain access to the school via the Queens Gardens and Garton Street access; and
- The planning action sheet was to include a speed survey for Park Crescent.

Following further debate and questions by Members regarding planning permission being sought a motion was put forward and seconded to grant the application with amended conditions. The motion was carried unanimously.

RESOLVED: (Unanimous) to grant the application, as per Officer recommendation subject to:

1. The conditions numbered C1 to C35 as detailed in the committee report; and
2. Amendments to condition C24 as detailed in the update report.

Reasons for the decision:

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

- The site was located within the urban area and the proposal would enhance the educational capacity for the catchment area;
- This was a sustainable development which would make efficient use of an existing school site;
- The start and finish times for the junior school and the Thomas Deacon Academy will be staggered and the proposal would not result in an unacceptable impact on the adjoining highway network;
- The site would provide safe and convenient access and is accessible by a choice of means of transport and the use of non-car modes of travel will be encouraged through the School Travel Plan;
- The layout, scale, proportions and design of the Junior Academy building, the exam hall and extension to the construction centre would respect the Thomas Deacon Academy building and would not detract from the existing character of the site or that of the street scene;
- The siting of the building provided an adequate separation distance to existing neighbouring residential properties and the proposal would not result in any adverse effects on the amenity of the occupiers of these properties;
- The proposal would enhance the sports/playing fields within the site which would be available; and
- The proposal would provide replacement planting and features to enhance the biodiversity within the site.

Hence the proposal accords with Policies CS14, CS16, CS21 and CS22 of the Peterborough Core Strategy DPD (2011), Policies PP1, PP2, PP3, PP12, PP13 and PP16 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (2012).

5.4 12/01430/R3FUL - Heltwate School, Heltwate, Bretton, Peterborough - Installation of security fence and gates

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

The Applicant sought consent to erect a 2 metre 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 had been made in order to ensure the safety and security of the school and its pupils with special needs.

The application was deferred at the 18 December 2012 meeting of the PEP Committee so that the Committee could gain a better understanding of why the

fence was needed and why it had to be located in the position shown.

Officer recommendation was to grant planning permission, with conditions, subject to no objection being received which raised a material planning consideration.

Ms Anita Fellows and Mr Alistair Osborn, addressed the Committee in objection to the planning application and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The Ellingdon area appeared to be experiencing a reduction in services due to development in the area, with the removal of amenities such as play grounds, paddling pool and various other open spaces that children in the area would play on;
- Further development in the area was planned, which would result in the loss of further open space relied upon for children's play areas;
- The Heltwate School open land had been used by the community for twenty two years;
- Disputes were made towards the school's claim about the Heltwate School open area being covered in dog foul, needles and broken bottles;
- Parents in the area would not allow their children to play on the school's open area that was unsafe;
- Many different ethnic community groups should be supported by being able to access open area near Heltwate School rather than be segregated to their own community groups;
- Concerns raised over losing an open area would create an increase in child obesity;
- The school already had enclosed play areas;
- The football pitch that was close by was not for community use;
- Installation of gates on the open area at Heltwate School would cause a traffic build up issue;
- Installation of the fence and gates on Heltwate School would separate the whole area as well as cause parking issue; and
- The school was closely monitored by CCTV which had often failed to maintain security.

Mr Osborn responded to questions from Members. In summary responses included:

- Many of the houses on the new development had small gardens;
- The new housing developments had taken away parking from the older houses in the Ellingdon area;
- Around sixty children would play on the Heltwate School open area at any one time during the summer;
- The Police had not investigated the issues of broken glass, needles and dog fouling in the Ellingdon area;
- There was recently a camper residing in the area for a total of ten days in November 2011, as there were no other greens spaces available to pitch a tent;
- The camper had been informed that he would not qualify for housing through the housing association;

- The camper had not appeared to be a drug user, and there had been no evidence of broken glass, discarded needles;
- If Heltwate School land became unavailable, the Bretton football field, located five minutes away from the Ellingdon area would be utilised; however, the use was restricted to weekdays;
- There was an alternative field, which could be utilised as a play area; however, there were development proposals underway for that area;
- The Bretton football field had often presented issues such as youths on mopeds and uncontrolled dogs, which had caused safety issues for children wishing to play;
- There would be no objection from residents if the fencing was to be installed around the Heltwate School, which did not take up the entire oval; however, there would be concerns over the build up of traffic, which would block access for local residents;
- The volume of traffic arising from the use of the Masonic Centre would cause congestion if installation of the Heltwate School fencing was to go ahead;
- Residents disagreed with Officer recommendations that the installation of fencing and gates would not create an adverse highways impact due to loss of space; and
- Young Children playing on the oval in front of Heltwate School would easily be seen by parents from houses in the Ellingdon area.

Ms Debbie Heasman, Headteacher of Heltwate School and Applicant for the planning proposal addressed the Committee and responded to questions from Members. In summary the issues highlighted were:

- Attendance figures at Heltwate School was increasing;
- The installation of fencing and gates around the land; which was owned by the school, was essential in order to ensure the safety of the pupils;
- Pupils attending the school had varied complex special needs;
- The play area located at the back of school was not adequate to accommodate the number of children attending, due to the recent school extension reducing the space in the play area;
- The Ellingdon area had recently experienced an arson attack involving a mini bus being burned out and the school wanted to introduce provisions to ensure that staff and visitors cars were safe and secure; and
- The school want to work with residents over the use of the open area; however there had been many incidents such as camp outs, fly tipping and an increase in traffic.

Ms Debbie Heasman responded to Councillors questions. In summary the responses included:

- The school required the fencing in order to accommodate the staff parking and the protection of vehicles. In addition there were also a number of evening events being held at the school, so there was added protection required for visitors vehicles;
- Installing fencing to only the green area of the school would not be adequate as the entire area was required due to it being a learning zone and fire assembly point;

- Some of the children attending Heltwate School with complex special needs would be capable of climbing over a 1m fence, which was why a 2m fence was being proposed;
- The children would not use the play area without supervision;
- The area was not currently being used as a play area for the pupils at Heltwate School;
- Following installation of a fence, the area was intended to be used as an outdoor classroom and not a play area;
- Members commented that the school should work towards a comprise with local residents;
- There were comments made by residents over congestion issues; however, all the pupils attending Heltwate School arrived by mini bus; and
- The extra space was not intended to provide extra parking solely for evening events and that it was the safety of the children that was under consideration by the school.

Members debated further and key points highlighted were:

- Members considered it unacceptable to erect such a high fence of 2m so close to the highway and local residents properties and that the school should work with the Council's Planning Officers to consider alternative options;
- Neighbouring residents had been used to using the open land in front of the school as a facility and it was a shame that these planning proposals would end that use; and
- Members commented that they agreed with the school over maintaining the safety of pupils; however, there were concerns over the height and the need for the fence to be positioned so close to the highway and whether its installation would provide a solution for the problems being experienced by the school.

The Group Manager Development Management advised Members that the school was entitled to erect a 1 metre fence abutting the highway. Members were also advised that it was acceptable for the school to install a 2 metre high fence if it was not more that 3 metres from the highway.

Following further debate and questions by Members regarding planning permission being sought a motion was put forward and seconded to go against Officers recommendation and refuse the application. The motion was carried unanimously.

RESOLVED: (Unanimous) to reject Officer recommendation.

Reasons for the decision:

The application was refused in accordance with planning policies CS16 and PP2 due to the visual impact of the fence on the street scene.

1.30pm - 4.27 pm
Chairman

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**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 22 JANUARY 2013**

Members Present: Councillors Serluca (Chairman), Casey (Vice Chairman), Hiller, North, Stokes, Kreling, Shabbir, Sylvester and Harrington

Officers Present: Nick Harding, Group Manager, Development Management
Theresa Nicholl, Development Management Support Manager
Jez Tuttle, Senior Engineer (Development)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Todd and Lane.

Councillor Kreling was in attendance as a substitute.

2. Declarations of Interests

There were no declarations of interest.

3. Members Declaration of Intention to make Representations as Ward Councillor

There were no declarations of intention from any Member to make representation as Ward Councillor.

4. Minutes of the Meeting held on 18 December 2012

The minutes of the meeting held on 18 December 2012 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

5.1 12/01409/WCMM – Variation of conditions C2 and C5 of planning permission 09/00078/MMFUL dated 06/05/2010 (Construction of an ‘Energy from Waste’ facility) – Condition 2 to refer to the submitted drawings (which amend the visual appearance of the building) and Condition 5 to refer to the revised throughput of 85,000 tonnes per annum at a calorific value of 9,700 kJ/kg or equivalent, Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough

The site of the proposed EfW facility was located on land off Forth Drove within the Fengate Industrial Estate, on the eastern edge of the built-up area of Peterborough, approximately 2.5km to the east of Peterborough City Centre.

The site covered an area of 1.9 hectares and was currently occupied by the Council's Materials Recycling Facility (MRF), which was operated by Viridor. This facility was comprised of a portal-framed unit, housing the processing equipment, offices and an education centre, with a weighbridge, car parking and external hardstanding used for the storage of recycled materials.

Viridor Waste Management Ltd (Viridor) has submitted an application made under Section 73 of the Town and Country Planning Act 1990 for the variation of conditions 2 and 5 imposed on planning permission 09/0078/MMFUL for the construction of an 'Energy from Waste' facility including access from Fourth Drove and exit onto Fengate.

- Condition 2 stated that the development should be carried out in complete accordance with the specified drawings and information.
- Condition 5 stated that the annual throughput of the Energy from Waste plant should not exceed 65,000 tonnes at a Calorific Value (CV) of 9,400 kJ/kg or equivalent.

The application for the Energy from Waste (EfW) facility had originally been prepared and submitted on behalf of Peterborough City Council in order to secure planning permission prior to the commencement of a competitive tendering process to procure a facility for the treatment of the municipal solid waste (MSW) arisings of the Council. To this end the principle of an EfW at the application site was established following the Council's approval of the application. The waste to be burnt was that which could not be recycled.

Viridor had been chosen as the Preferred Bidder and had entered into a contract to deliver and operate the EfW facility. However, the facility chosen as part of the procurement process required a number of minor changes to the previously approved scheme. The purpose of this application was therefore to ensure that the necessary planning consent was in place to enable Viridor to build and operate the chosen scheme.

The Group Manager Development Management addressed the Committee and gave an overview of the proposal and outlined the proposed physical changes. The recommendation was one of approval subject to the signing of a legal agreement.

Members' attention was drawn to additional information contained within the update report. Comments had been received from English Heritage and meetings had been held which had subsequently resolved their concerns. In addition clarification had been sought from the Highways Authority as to the internal vehicle layout within the site and this had been clarified by the Applicant. There were also two minor corrections to the main report.

Mr Olive addressed the Committee in objection to the application and responded to questions from Members. In summary, the concerns highlighted included:

- The proposal contravened the proximity principle as set out in PPS10 and the Cambridgeshire Minerals and Waste Plan Policy CS28;

- There was no need for an increased size of waste facility in Peterborough;
- At maximum, Peterborough would need an incinerator of 42,000 tonnes, the variation would increase the current permit from 65,000 tonnes to 85,000. The original permit was well within the needs for Peterborough;
- The proposal did not accord with WM1 of the Regional Spatial Strategy for the East of England, nor PPS10;
- The variation did not comply with the Waste Hierarchy Priority Order;
- The variation conditions would permit commercial and industrial waste to be burnt, as well as increasing traffic movement causing additional pollution;
- The permitted approval in 2010 was only for Peterborough's residential households waste;
- The proposed incinerator size would cause excessive emissions of greenhouse gases;
- An additional 20,000 tonnes of waste would create an additional 16,000 tonnes of greenhouse gases per year, this was not in line with the aims of Peterborough Environment Capital;
- The variation conditions proposed an inferior incinerator. It would emit more carbon monoxide, more TOCs and Nitrous Oxides;
- By 2015 there would be an overcapacity of waste treatment facilities in the UK;
- In September 2011, the European Parliament endorsed a resolution calling for an end to the incineration of recyclable and compostable material by the end of the decade;
- A lot of the material going into the incinerator would be recyclable materials;
- Where incinerators had been constructed, recycling rates had remained static and had often reduced;
- Incineration was not the best available technology;
- Energy recovery from incineration was extremely inefficient;
- A number of materials should not be burnt, they should be reused, e.g. plastics and timber.

Mr Richard Pearn, the Waste Partnership Manager and Mr Ewan Grimsdale, on behalf of the Applicant, addressed the Committee jointly and responded to questions from Members. In summary, the key points highlighted included:

- Peterborough currently landfilled 45,000 to 50,000 tonnes of waste per year, this was set to grow;
- The landfill sites in Peterborough were almost full and were becoming increasingly more expensive to use;
- Waste used to cost around £7 per tonne to dispose of, it now cost around £80 per tonne to dispose of;
- Landfill tax alone would be £80 per tonne plus the cost of disposal by 2015;
- The project would reduce the amount of carbon and carbon equivalent that the city produced through its waste management by over 10,000 tonnes and would also generate renewable energy;
- The project solution was smaller than originally planned and would generate significantly more energy;

- Viridor had designed, built and operated a number of waste management facilities across the country;
- The proposal would result in a more technological advanced facility and would generate over 200 jobs during its construction and 25 permanent jobs once built;
- The efficiency of the facility would be 27%, this was a leading example for the scale of the proposal;
- The Council had an environmental permit, which meant that it had been established that there would be a negligible impact on the environment in the city and upon human health. An application would need to be made to modify the permit;
- The decision notice, signed by the Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning, specifically included a separate fund for the investigation of a district heating scheme in Peterborough.

Following questions to the speakers, Members sought reassurance from Officers that all of the relevant planning policies were being adhered to. The Group Manager Development Management individually addressed those policies outlined by the objector and in summarising, advised that in his opinion, all relevant planning policies were being adhered to.

Following debate, Members commented that going forward, the use of landfill would become unfeasible, not only from the cost perspective but also in relation to the space available. It was further commented that the increase in the amount of power that would be generated by the facility was a positive step and the facility would go towards reducing carbon emissions into the atmosphere.

Following further comments both for and against the proposal, a motion was put forward and seconded to grant the application. It was to be noted that assurance was to be taken from the Cabinet Adviser to the Leader for Environment Capital, proposing the motion. The motion was carried by 8 votes with 1 abstention.

RESOLVED: (8 For, 1 Abstention) to grant the application, as per Officer recommendation, subject to:

1. The signing of a Legal Agreement;
2. The conditions numbered C1 to C26 as detailed in the committee report.

Reasons for the decision:

The principle of and EfW facility at the location was established. The main considerations of the application related to the proposed increase in throughput and changes to the design of the facility. The increased throughput would enable the facility to run more efficiently and would enable waste to be moved up the waste hierarchy. The same catchment restriction would apply with regards the additional waste throughput as for the consented. It was considered that the proposal had demonstrated that the facility would operate to minimise as far as possible the polluting effects and that in terms of most emissions, control would be covered by the necessary environmental permit.

The additional traffic associated with the increased throughput would not be significant and would not lead to congestion. As such the proposal was in compliance with PPS10 and with policies CS2, CS22, CS23, CS24, CS29, CS32, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

Policy CS2 was the overarching policy containing strategic vision and objectives for waste management development. The Policy referred to a new generation of facilities that would achieve higher levels of waste recovery and recycling in line with targets. These facilities would be of a good design. Policy CS24 of the Core Strategy required that all proposals for waste management development achieved a high standard of design and Policy CS34 required development to demonstrate there was no significant harm, including visual intrusion to neighbouring uses.

The National Planning Policy Framework contained core planning principles, one of which was always to seek to secure high quality design. It was considered that the revised design was an improvement over the approved scheme and was in compliance with the Policies set out above. The other changes to layout and condenser units were minor changes within the scheme as a whole and would have no adverse impacts.

All other changes since the development had been granted permission in 2010, including physical changes and changes in both national and development plan policy had been taken into account and the conditions revised accordingly. The comments of English Heritage had been taken into account with regards the hydrological monitoring and provisions of a revised legal agreement and it was considered that the proposal met the requirements of the National Planning Policy Framework and Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy with regards to impact and mitigation on the Flag Fen Scheduled Monument. The proposal overall was in conformity with the development plan and with national waste policy objectives and there were no other material considerations which outweighed determination of the application. The application was also accordance with the development plan.

6. Extension of Speaking Arrangements for Consideration of Solar Farm Planning Applications (App. Refs: 12/01904/R3FUL, 12/01905/R3FUL and 12/01906/R3FUL

A report was presented to the Committee which sought its views in relation to considering alternative time allowances for speaking at the Planning and Environmental Protection Committee meeting, at which three solar farm applications were to be considered.

The Group Manager, Development Management addressed the Committee and outlined the main reasons for requesting Members to consider a possible extension, in the main those being to allow Officers to arrange, manage and liaise with interested parties prior to the meeting in a more effective and efficient manner. The existing speaking arrangements were detailed and it was noted that although any change could be agreed in principle, it could not be confirmed until the day, when the Committee would vote on any such proposal.

The suggested alternative speaking times were outlined and Members debated them. A number of points were raised both for and against any extensions to time.

Following debate, the Committee agreed a scheme in principle with the caveat that any extensions to the scheme would be approved by the Committee on the day of the meeting.

RESOLVED:

The Committee agreed a scheme in principle as follows:

i) 20 minutes (total) be allowed for each of the following:

- (a) objectors;
- (b) applicant or agent and their supporters

ii) 30 minutes (total) be allowed for speeches from Ward Councillors and Parish Councillors.

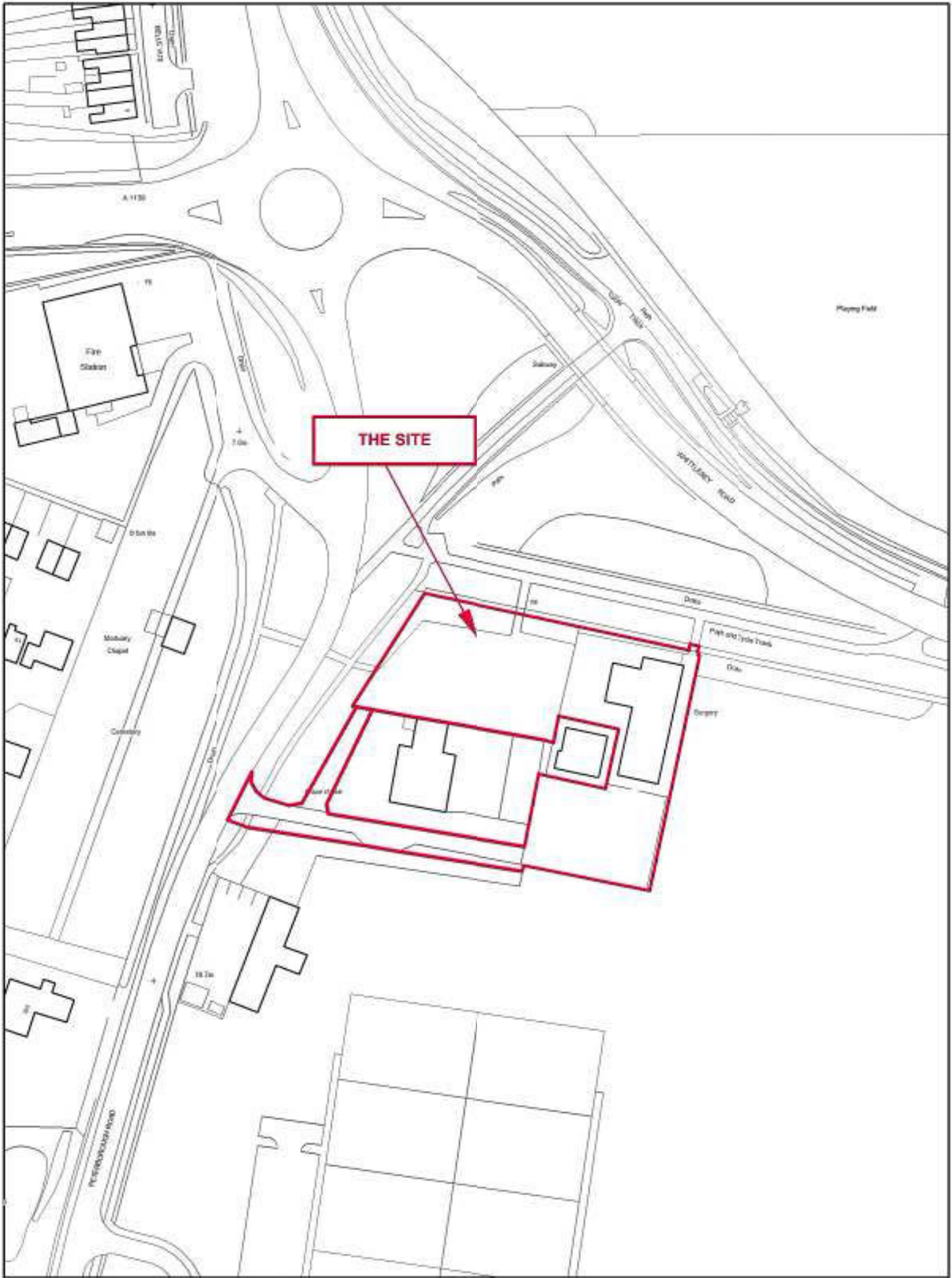
iii) MPs be allowed to speak for 15 minutes.

This was agreed with the caveat that any such extensions would be approved by the Committee on the day of the meeting.

Reasons for decision:

The Committee could not make a binding decision on an alternative amount of time to be allocated to speaking at a meeting of the Planning and Environmental Protection Committee, as the Constitution (Paragraphs 9.2. and 9.3 (under Part 4, Section 3) stated that such a decision could only be made on the day of the meeting when the alternative would be applied. However, in the interest of planning for the meeting, and to allow Officers to arrange, manage and liaise with interested parties prior to the meeting in a more effective and efficient manner, a view in principle was sought from Members.

1.30pm – 2.50pm
Chairman



LOCATION PLAN 12/01919/FUL

Stanground Surgery, Whittlesey Road, Stanground, Peterborough

Scale NTS Date 8/2/2013 Name AA Department Planning Services



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Application Ref: 12/01919/FUL

Proposal: Extension and alterations to provide consulting rooms and administrative offices including alteration to access road and provision of new staff parking

Site: Stanground Surgery, Whittlesey Road, Stanground, Peterborough
Applicant: Mrs Helena Ayres, The Queen Street Practice
Agent: Mr Robin Briscoe, Peter Humphrey Associates Ltd

Referred by: Head of Planning, Transport and Engineering Services
Reason: High number of objections received

Site visit: 28.01.2013

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 a primary health care facility located at the junction of Peterborough Road and Whittlesey Road. There is a shared car park to the immediate south of the site which serves patients attending the surgery and the adjacent Dental Clinic. Access to the site is granted from Peterborough Road via a shared access road of approximately 4.5 metres in width. To the north of the site lies a public footway and landscaping strip along Whittlesey Road. The south and east the site is abutted by Stanground College playing fields and to the west the site lies adjacent to the Co-Operative Funeral Directors. The site falls outside any identified district or local centre.

Proposal

The application seeks planning permission for the construction of single storey extensions to the north and south of the existing building to provide new consulting rooms and administrative offices. As a result of the proposed extension, the internal space of the existing surgery would be reconfigured and a new ancillary dispensary created.

It should be noted that the proposed dispensary is to be located within the existing building with no separate or independent access and would extend to a floor space of only 32 square metres. On this basis, it is considered that the dispensary is an ancillary element to the main use of the building as a Medical Centre/Doctor's Surgery and therefore, falls within Class D1 of the Town and Country Planning (Use Classes) Order (as amended), the same use class as the surgery itself, not Class A1 (retail). As an ancillary use to the main building, it is permitted development and therefore the creation of the dispensary does not require planning permission from the Local Planning Authority.

The scheme has been amended following refusal of application reference 12/01331/FUL for the same proposed extensions. This earlier application was refused for the following reasons:

- R 1 The proposed development does not provide adequate space within the curtilage of the site for the required parking facilities. This would result in cars parking within the access and in unsafe locations on the adjoining public highway and would therefore cause detriment to highway safety. The proposal is therefore contrary to Policy CS14 of the Peterborough*

Core Strategy DPD (2011) and emerging Policies PP12 and PP13 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following Examination 2012).

R 2 *The proposal shall result in an intensification of use in terms of traffic movements to and from the site. Due to the insufficient width of the existing access road into the site, the proposed development would have an adverse effect on the safety of users of the adjoining public highway which is contrary to Policy CS14 of the Peterborough Core Strategy DPD (2011) and emerging Policy PP12 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following Examination 2012).*

This revised application has sought to address the above reasons for refusal by including a car park to the north west of the site (providing 30 additional spaces) and by widening the shared access from Peterborough Road to 5 metres in width with a separate 1 metre wide pedestrian footway.

2 Planning History

Reference	Proposal	Decision	Date
00/01372/FUL	Extensions to provide consulting and meeting rooms.	Permitted	21/12/2000
11/01561/FUL	Proposed portacabin to house temporary pharmacy for 3 years and new fence/gates and paved areas	Withdrawn	23/01/2012
12/01331/FUL	Extension and alterations to provide new consulting rooms and administrative offices	Refused	30/10/2012

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 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)

CS10 - Environment Capital

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

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and 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.

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 Planning Policies DPD (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.

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.

PP11B - (b) External Shutters

Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

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.

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.

4 Consultations/Representations

Transport and Engineering Services

No objections – The amended proposal makes sufficient parking provision to accommodate the proposed extension and the proposed improvements to the vehicular access are in line with guidance previously issued. The proposal will not result in danger to highway safety, subject to conditions requiring the provision of the car parking/access improvements prior to first occupation.

Landscape Officer (10.01.13)

No objections - The Lime tree proposed to be felled is not worthy of protection due to its proximity to the existing building. The loss of existing shrubs is accepted and mitigating landscaping should be secured.

Wildlife Officer (21.01.13)

No objections – Given the proposed removal of shrub planting and a mature tree, it is likely that the proposal would affect nesting birds. Therefore require a scheme of mitigation/survey work during bird nesting season. Replacement landscaping is also recommended and measures to promote biodiversity such as bird boxes are suggested.

Building Control Surveyor

Building Regulations approval required. Part M relating to disabled requirements also applicable.

Police Architectural Liaison Officer (15.01.13)

No objections subject to imposition of a condition requiring measures to minimise the risk of crime to meet the specific security needs of the proposal to be submitted and approved.

Local Residents/Interested Parties

Initial consultations: 432

A total of 1,426 standardised objection letters, collated by Halls the Chemist, have been submitted in respect of the application. A template of the standardised letter was made available to the public at various Halls the Chemist units within Peterborough and on the Park Farm Neighbourhood Watch website. In summary, the letter objects to the application on the following grounds:

- The planning application does not represent the full intention of the application as it makes no reference to the proposed dispensary/pharmacy (previously applied for under application references 11/01561/FUL and 12/01331/FUL).
- Without the dispensary/pharmacy considered as an A1 Use Class, full consideration is not being given to the application.
- The introduction of a pharmacy/dispensary will attract significant numbers of new visitors to the site, who would not normally attend, thereby increasing the number of vehicular movements using a dangerous access. The existing narrow access does not meet the requirements of the application and the issues are further exacerbated by the close proximity of two bus stops, the presence of the school, emergency vehicles coming out of the Fire Station and reduced visibility along Peterborough Road due to an incline, the roundabout and Halls the Chemist vehicular entrance.
- The proposal would cause the loss of Halls the Chemist, reducing services.
- The Co-Operative Pharmacy permission to move from Central Square is based on out-of-date regulations. The move of this pharmacy will make it harder for residents and patients to access medicines and services and increase the use of cars to a non-retail location.
- The relocation of the Co-Operative Pharmacy risks the loss of the local Post Office which will deny residents another essential service.
- The introduction of the new pharmacy/dispensary which will be run by Co-Operative Pharmacy will create a separate entity within the surgery, bringing additional traffic movement from deliveries of medicines, collection of waste and additional staff.
- Like all NHS pharmacies, the new pharmacy/dispensary will be required to provide service to all patients.
- No need to have the pharmacy/dispensary at this location has been identified.

A copy of this standard letter can be found at Appendix A. It should be noted that 30 further standardised letters could not be accepted owing to insufficient information e.g. incomplete or inaccurate addresses.

In addition to the contents of the standard letter, the following additional points were written on some letters:

- No objection to the proposed extension to provide consulting rooms and administrative offices but do object to the parking problems and traffic that would be associated with the proposed dispensary, particularly when Halls the Chemist provide an excellent service next door.
- The proposed dispensary does not make sense given the next door pharmacy. The space could be used for additional consulting rooms.

Further to these standard letters, Mr Damani (owner of Halls the Chemist) has objected to the application. A full copy of this objection can be found at Appendix B however a summary of the objection is provided below:

- The addition of a dispensary/pharmacy at Stanground Surgery will result in a 12-fold increase in traffic at the site. This will place a greater strain on the access road and car parking which is not adequate for its current use.
- The move of the Co-Operative Pharmacy from Central Square to a location outside a retail centre will increase trips by car which is contrary to the Council's environmental statement and intentions.
- In one week in February 2012, Police caught over 32,000 speeding drivers along Peterborough Road. The proposal will substantially intensify the use of Peterborough Road and the junction to the surgery and users will find it more dangerous to leave the site owing to poor visibility resulting from the brow of an incline.
- Yet again the planning application description does not represent the full intention of the application as no reference is made to the dispensary/pharmacy which was previously applied for under application reference 11/01561/FUL, where 400 objections were submitted. This was followed by application 12/01331/FUL which had a further 500 objections. Why has this application been accepted without stipulating the A1 retail use? Without the application being considered with A1 use, full consideration cannot be given.
- 4 days before submission of this application, we received notification from the NHS that Co-Operative Pharmacy had applied to extend the time period for the permission to relocate to Stanground Surgery. If the dispensary/pharmacy is to be an independent unit, owned and operated separately from the surgery, this should be made clear.
- 7 car parking spaces in the existing car park are allocated to the Dental Clinic, leaving only 23 spaces for Stanground Surgery. Does the car parking associated with the application meet current standards?
- The application does address some, but not all, concerns previously identified regarding the narrow access road to the surgery. The access road is still not of sufficient width and the pedestrian footpath stops at the entrance to the surgery car park.
- There have been three fatalities on Peterborough Road in the last 10 years – why risk more death and injuries with this application?
- The NHS permission to relocate the Co-Operative Pharmacy is based on out-of-date regulations.
- The relocation of the Co-Operative Pharmacy risks the loss of the Post Office which currently shared a building.
- The application risks the closure of Halls the Chemist, less than 1 minutes walk from the surgery car park.
- Current waste collection at the site causes difficulty owing to the narrow access road. The proposal will make this situation worse.
- The proposed pharmacy will increase the number of delivery vehicles visiting the site every day.
- The increasing population of the area from South Stanground will place even greater demand on the facilities of the surgery and the car park
- At times when a funeral/burial is taking place at the Funeral Directors, there is even more users of the access road making entry/exit into the site more difficult.
- The proposal poses risks to students walking/cycling to Stanground College
- The planned development of Great Haddon and other developments between Farcet and Yaxley will increase the volume of traffic using Peterborough Road.
- There has been no identified need for another pharmacy in such close proximity to Halls the Chemist.
- The application has not included a sequential test for the location of a retail pharmacy outside a local centre.

In addition, a second individual objection was received on the following basis:

- The proposed on-site Chemist will effectively close down Halls the Chemist.
- The junction to/from the Surgery is positioned on an inclined bend, causing delay leaving the site. A secondary road within the site will make this problem worse.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking, access and highway implications
- Crime risk and security
- Landscape implications
- Ecology
- Other matters

a) Principle of development

The submission of this planning application has resulted from the need for Stanground Surgery to accord with new NHS requirements to separate the various functions of a medical centre. The proposed single storey extensions, combined with internal remodelling of the existing building, would allow this separation of functions and create a total of 14 consulting rooms (both Doctors and Nurses) with ancillary office and welfare accommodation. This is an increase from the existing 7 consulting rooms on site. The National Planning Policy Framework (2012) supports the expansion of existing services and facilities and as such, the principle of the extensions is acceptable.

As part of the proposed internal remodelling of the existing building, a new dispensary would be created. The internal remodelling of the existing surgery does not require planning permission from this Authority. In addition, the proposed dispensary falls within Use Class D1 which is the same class as the wider application site. As such, the dispensary is permitted ancillary element to the existing Doctor's Surgery. The unit would not be independent given its position within the main building and, even if operated by an independent company, owing to the use class within which it falls, cannot be considered as part of this planning application.

As detailed in Section 4 above, a number of the objections received relate to this dispensary. These are discussed below:

- *The planning application does not represent the full intention of the application as it makes no reference to the proposed dispensary/pharmacy (previously applied for under application references 11/01561/FUL and 12/01331/FUL).*
- *Without the dispensary/pharmacy considered as an A1 Use Class, full consideration is not being given to the application.*
- *The introduction of a pharmacy/dispensary will attract significant numbers of new visitors to the site, who would not normally attend, thereby increasing the number of vehicular movements using a dangerous access. The existing narrow access does not meet the requirements of the application and the issues are further exacerbated by the close proximity of two bus stops, the presence of the school, emergency vehicles coming out of the Fire Station and reduced visibility along Peterborough Road due to an incline, the roundabout and Halls the Chemist vehicular entrance.*
- *The proposal would cause the loss of Halls the Chemist, reducing services.*
- *The Co-Operative Pharmacy permission to move from Central Square is based on out-of-date regulations. The move of this pharmacy will make it harder for residents and patients to access medicines and services and increase the use of cars to a non-retail location.*
- *The relocation of the Co-Operative Pharmacy risks the loss of the local Post Office which*

- will deny residents another essential service.*
- The introduction of the new pharmacy/dispensary which will be run by Co-Operative Pharmacy will create a separate entity within the surgery, bringing additional traffic movement from deliveries of medicines, collection of waste and additional staff.*
- Like all NHS pharmacies, the new pharmacy/dispensary will be required to provide service to all patients.*
- No need to have the pharmacy/dispensary at this location has been identified.*
- The application has not included a sequential test for the location of a retail pharmacy outside a local centre.*

Officer response:

The application scheme seeks planning permission for the construction of an extension to the existing surgery to provide additional consulting rooms and administrative offices. Shown on the submitted proposed floor plans are proposals to reconfigure the internal space of the existing building which would create a small dispensary space. Given the size of this dispensary and it being located within the existing building, the use is considered ancillary to the main use of the site as a Doctor's Surgery and accordingly does not require planning permission. As such, it has not been included on the description of development and nor could it be required to be. As set out in the preceding section, the dispensary is a D1 use, not retail (A1) and therefore there is no need for a sequential test. In addition, the existing pharmacy adjacent to the application site (Halls the Chemist) is itself located outside of any local centre and competition is not a material planning consideration.

b) Design and impact upon the character and appearance of the surrounding area

It is considered that the design of the proposed extensions both reflects and respects the character, appearance and architectural proportions of the host building. The extensions would extend the building both to the north and south of the existing western protruding element and mirror the roof design of the original. The areas of extension at present are predominantly planted landscaped areas which offer little amenity value to the site or wider public realm and as such, the extension represents natural development of the built form of the site. Given the single storey nature of the proposal and its sympathetic design, it is considered that the development will not appear incongruous or at odds with its surroundings. It will not appear visually dominant or cramped within the site and is therefore unlikely to result in any harmful impact to the visual amenity of the surrounding area.

With regards to the proposed new car park, this would be sited on an area of existing scrub land at the northeastern-most corner of the application site. At present, this area offers little visual amenity to the locality and appears an untidy and unkempt parcel of land, subject to fly-tipping and antisocial behaviour. The proposal would bring this area of redundant land into use and improve the overall appearance of the public realm. On the basis of the above, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

c) Parking, access and highway implications

Parking

At present, the doctor's surgery shares a car park (located immediately to the south of the building) with the adjacent dental surgery. In total, 32 parking spaces are available for patients and staff of both facilities. The Applicant has provided details regarding the number of staff employed at the existing surgery – the majority of who work on a part-time basis. It has been calculated that at present the surgery has a full-time equivalent staff level of 12.5. In addition, there are a number of rooms within the existing surgery that are used on a part-time basis at varying days throughout the week. This has been calculated to an equivalent of 7 rooms which are used for consultations (both doctor and nurse).

On the basis of the adopted parking standards set out in Policy PP13 of the Peterborough Planning Policies DPD (2012), the existing surgery requires a maximum of 22 spaces for patients and 13 spaces for staff plus some provision for drop off/pick up. The adopted standard sets out a maximum requirement of 1 car parking space per full time staff, 2 parking spaces per consulting room and provision of drop off/pick up facilities. Given the shared use with the Dental Clinic, the existing car park is considered to be currently over capacity.

The proposal consolidates the existing consulting rooms and provides new ones. In total, the proposal would result in an increase in the total number of consulting rooms to 14 (with patients on a full-time and part-time basis). The Applicant has stated that there will be no increase in the number of staff. On this basis, a maximum total of 28 spaces for patients (plus drop off/pick up and additional demand created by the dispensary) and 13 spaces for staff would be required. This represents an increase in the requirement for patient parking by 6 spaces.

Given that the proposal seeks a new staff car park to the rear of the building, those spaces within the existing car park previously taken up by staff would instead be available for patient parking (a total of 13 spaces). Therefore, whilst the car park to be used by patients falls below the maximum standard, the proposed extensions would not result in any worsening of the existing situation. Furthermore, the proposal would result in the provision of 60 spaces overall on the site (for both staff and patients and for both the Doctor's Surgery and the Dental Clinic). This level is far above the standard set out in Policy PP13. Accordingly, should the patient car park become overcrowded at any time, the Surgery will be able to manage the situation by using both car parking areas. Whilst generally a proposal which exceeds the maximum parking standards is resisted, in this instance the additional parking spaces allows for flexibility for the Surgery and allows for expansion (i.e. full-time use of the consulting rooms) and the Local Highway Authority has raised no objections to the application.

On this basis, it is considered that the proposal provides sufficient car parking to meet the demands generated by the proposed extensions and the proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

Access

At present, the surgery uses a shared vehicular access from Peterborough Road with the Funeral Directors and Dental Clinic. This access is approximately 4.5 metres in width with no footway and a passing bay sited approximately 61 metres from the junction. Given the number of uses which share this access (Doctor's Surgery, Dental Clinic and Funeral Directors) it is currently below the current standards which would be required if the site came forward as a new development.

The proposal seeks to widen this vehicular access to 5 metres along the entire length of the road. In addition, it is proposed to modify the junction of the access road to Peterborough Road to a 6 metre radius bell-mouth. This arrangement and widening will allow two vehicles to pass one another and therefore prevent any conflict on the adjacent public highway with vehicles waiting to enter the site while another exits. The requisite vehicle-to-vehicle visibility splays can be achieved at the junction and overall, it is considered that the proposal significantly improves the safety of this junction from the present situation.

With regards to pedestrian access, at present there is no separate pedestrian footway to the surgery along the access road and patients and school children walk in the path of oncoming vehicles. The proposal would result in the creation of a new pedestrian footway measuring 1 metre in width which would be separated from the vehicular access. It is considered that this will significantly improve the safety of pedestrians accessing the site from Peterborough Road.

It is noted that several neighbour objections have raised concerns regarding the potential conflict of the intensified access with the nearby bus stops, Stanground College and Fire Station. However, the proposed access accords with adopted policy and in the opinion of the Local Highway Authority, would not present any danger to highway safety.

In addition, an objector has highlighted that the access road to the site is dangerous and this is highlighted by an accident that took place between a vehicle exiting the site and another travelling along Peterborough Road on Friday 1st February at 3.20 pm (end of the school day). This accident is noted however this does not take in to account the proposed improvement measures to the access road. The Local Highway Authority considers the proposal to accord with adopted standards and the proposal would represent a significant improvement to the existing situation.

On the basis of the above, the proposal would result in improved vehicular and pedestrian access to the site which accords with adopted standards. As such, the proposal is in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

Cycle parking

At present, there is no cycle parking provision on site. In line with Policy PP13, one parking stand for every 8 staff is required plus one stand per every two consulting rooms. On this basis, two secure and covered cycle stands are required for staff and seven covered stands for patients. This provision can be secured by condition.

d) Crime risk and security

The Police Architectural Liaison Officer (PALO) has assessed the proposal and raised no objections to the design of the proposed extension. However, some concern has been raised regarding the internal remodelling of the existing building to provide a new dispensary, given the lack of security, remote location of the surgery and lack of natural surveillance out of hours. Having considered the proposal, it is the PALO's view that issues regarding the potential for crime can be addressed through the inclusion of appropriate security features which would mean that the dispensary area could be resistant to crime. It is acknowledged that whilst the dispensary itself does not require planning permission, the resultant issues with regards to crime should be addressed through the application process. These matters can be readily dealt with by way of a condition and on this basis, the proposal is in accordance with the National Planning Policy Framework (2012), Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Landscape implications

The proposed extensions and new car park would result in the loss of existing vegetation and most notably, a mature Lime tree located adjacent to the landscaping strip along Whittlesey Road. Whilst the loss of this tree is regrettable, it is not considered by the City Council's Landscape Officer worthy of protection by way of a Tree Preservation Order owing to its proximity to the existing building. The tree is so close that at some point, substantial pruning would be needed to abate the conflict and as such, long-term sustainability is questionable. The loss of the landscaped areas would not result in significant harm to the character, appearance or visual amenity of the area. Replacement planting can be secured by condition to soften the appearance of the proposed car park and extensions and to mitigate against the loss of existing landscape features. On this basis, the proposal is in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

f) Ecology

The existing shrub planting and mature tree that would be lost as a result of this proposal may provide suitable habitat for nesting birds during the nesting season (1st March to 31st August). As such, any removal should be avoided during these times or a suitable scheme for monitoring and mitigation provided prior to commencement of development. These can reasonably be conditioned to prevent any harm to nesting birds.

The Council's Wildlife Officer has requested that, owing to the loss of existing shrubs and tree, appropriate replacement planting be secured (using native species wherever possible) to ensure that no long term harm results. Furthermore, in order to promote the biodiversity of the site a range of bird nesting boxes should be secured. On this basis, the proposal is in accordance with the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

g) Other matters

Period of construction

Owing to the constraints of the site in terms of car parking and a narrow, shared access, it is considered necessary to secure a Construction Management Plan by condition. This will require details such as hours of construction, hours of delivery, contractor parking etc to be submitted to Officers prior to the commencement of development and will ensure that no detriment results to the public highway.

Neighbour objections

Those neighbour objections not dealt with in the considerations above, are discussed in turn below:

- *At present the refuse collection vehicle struggles to manoeuvre and access the site, how will this be improved as a result of the application proposal and does it meet necessary requirements?*

Officer response:

The proposal makes provision for improvements to the existing shared access and therefore, accessibility by refuse vehicles will be improved.

- *The number of deliveries to the site will increase as a result of the new pharmacy which will again place greater demand on parking provision and increase the volume of traffic visiting the site.*

Officer response:

The current application does not include the provision of a pharmacy and as such, this objection is not a material consideration. Regardless, the issue of parking and traffic is discussed in detail in section C above.

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 proposed extensions would not result in any unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposed additional car park ensures sufficient parking facilities are available on-site for the

- extended Medical Centre, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012);
- the proposed improvements to the vehicular access accord with adopted standards and improve the safety of the existing access to the Medical Centre, Dental Clinic and Funeral Directors, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
 - the proposal will not pose an unacceptable crime risk, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
 - the proposal will not result in the loss of any landscape features worthy of retention and will improve the general amenity of the locality, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012); and
 - the proposal will not result in harm to the ecology of the site and suitable features for biodiversity enhancement will be provided, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 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 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 Development shall be carried out in accordance with the following drawings:

- Proposed Building Plan (Drawing Number 4866/(P) 05 Revision D)
- Proposed Roof Plan (Drawing Number 4866/(P) 06 Revision A)
- Proposed Elevations (Drawing Number 4866/(P) 07 Revision A)
- Proposed Site Block Plan (Drawing Number 4866/P) 08)

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 3 The materials to be used in the construction of the external surfaces of the extensions 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 Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 4 Prior to first occupation of the extensions hereby approved, a scheme for the landscaping of the site shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved prior to the first occupation of the extensions, with the exception of planting which shall be installed no later than the first planting season following the occupation of the extension.

The scheme shall include the following details:

- Planting plans including retained trees, species, numbers, size and density of planting;
- Boundary treatments and gates (including any changes to existing boundary treatments); and
- Surfacing of vehicular parking, circulation routes and pedestrian paths (including means of parking space demarcation).

Reason: In the interests of the visual amenity of the development and to encourage biodiversity, in accordance with Policies CS16 and CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

- C 5 Prior to first occupation of the extensions hereby approved, the car parking spaces and circulation areas shown on Drawing Number 4866/P) 08 shall be laid out and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: In the interests of 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).

- C 6 Prior to first occupation of the extensions hereby approved, the access road/driveway to the surgery shall be widened and the pedestrian footway provided in accordance with Drawing Number 4866/P) 08.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 7 The extensions shall not be occupied until space has been laid out for cycles to park in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include the provision of two secure and covered cycle stands for staff and 7 covered cycle stands for visitors.

Reason: In the interest of encouraging the use of sustainable modes of transport to visit the site, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C 8 Prior to commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following:

- Hours of construction and operational procedures detailing the movement of site traffic and arrival of deliveries;
- Temporary facilities for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction;
- Facilities for contractor parking;
- Details of material storage;
- Details of all site welfare buildings/cabins;
- Pedestrian routes; and
- Details of vehicle-cleaning equipment (including specification and position).

Development shall be carried out in accordance with the agreed scheme and all vehicles leaving the site shall pass through the approved cleaning equipment before entering the

public highway. In the event that the approved vehicle-cleaning equipment is inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.

Reason: To prevent mud and debris being brought onto the public highway and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 9 Prior to first occupation of the extensions hereby permitted, measures to minimise the risk of crime to meet the specific security needs of the application site (including lighting to the new car park area and physical measures to the building) shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of community safety and amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C10 The external lighting to the parking area (as detailed in Condition C9 above), shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in environmental zone E3 in the Institution of Lighting Engineers document 'Guidance Notes for the Reduction of Light Pollution (Revised) (2005)'.

Reason: In order to protect the amenity of the area and local residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C11 Prior to first occupation of the extensions hereby approved a scheme for the provision of bird boxes, to include details of their siting and specifications to accommodate a range of different species, shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall thereafter be fully implemented prior to first occupation.

Reason: In order to preserve and enhance the biological diversity of the woodland and surrounding area, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C12 No construction/demolition/excavation works or removal of planting/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless a suitable scheme of monitoring and mitigation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

Copy to Councillors Rush B, Walsh I, Cereste M

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Louise Lovegrove
Peterborough City Council
Planning Services
Stuart House, East Wing
St Johns Street
Peterborough
PE1 5DD

 January 2013

Dear Mrs Lovegrove,

I would like to **OBJECT** to the planning application for a dispensary/pharmacy, located at Stanground Surgery, Whittlesey Road but accessed via Peterborough Rd, reference planning application 12/01919/FUL

The reasons for my objections are as follows:-

1. The planning application title does not represent the full intention of the application, particularly no reference to the dispensary/pharmacy, which had also previously been applied for under reference 11/01561/FUL and also 12/01331/FUL, which had received almost 1000 objections in total and had been refused. Without the application being considered with A1 use class for which the pharmacy/ dispensary is intended, will result in full consideration not being given, to protect the public and other users of the facility and neighbouring properties, therefore this application should be taken to the planning committee, due to the historic and current concerns regarding this site.
2. The introduction of the pharmacy/dispensary, will attract a significant number of new visitors to the site, which would not normally attend, thereby increasing the number of vehicular movements, this magnified by the dangerous junction and being able to manoeuvre in and out of the narrow shared service road which does not intend to meet the requirements leading to the application site via the only access from Peterborough Road, the factors are compounded by the close proximity to the two bus stops, the presence of local school and the 1800 college/ academy students, also the emergency services of the fire brigade, adjacent. This coupled with the reduced visibility up the Peterborough Road, due to the incline and also the closeness to the very busy roundabout and Halls The Chemist own car park entrance. The volume of traffic on Peterborough Road and also the speed of the traffic adds substantial further risk for vehicles trying to enter or leave the site.
3. The risk this will cause to the loss of extensive services and closure of Halls The Chemist, being less than 1 minutes walk from the surgery car park. Halls The Chemist, has all the facilities of a modern pharmacy including consultation room and its own car parking, what is the council thinking?
4. The Co-op pharmacy permission to move to the surgery from Central Square, is based on out-dated regulations, resulting in the current NHS thinking not being considered with the move of the Co-op pharmacy, which will make it harder for all the residents and patients to access medicines and services at the new location compared to within the local shopping retail parade at Central Square, which is nearer their homes and will result in many patients having to use cars to access their medication at the new site and therefore moving traffic movements from a retail centre to a non – retail location. The risk and loss of the adjoining Local Post Office, due to the pharmacy moving, will deny local residents of another essential service.
5. The introduction of the new pharmacy/dispensary which will be run by the Co-op pharmacy, therefore a separate entity to the surgery, will also bring additional traffic movement of deliveries for medicines and waste collection of general rubbish and removal of medicine waste, plus extra staff required to run the Co-op pharmacy, e.g pharmacist, dispensers, counter assistants, managers etc. Like all NHS pharmacies, they will be required to provide service to all patients and therefore will increase traffic to site, whereas no need to have this facility at this location has been identified and its current location is already housed appropriately in a local retail centre.

I hope you will take on board mine and the community concerns and REJECT this application.

Yours sincerely



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29 JAN 2013

Halls The Chemist
 92 Peterborough Road
 Peterborough
 PE7 3BW
 Email:-thepharmacist@btinternet.com

Louise Lovegrove
 Peterborough City Council
 Planning Services
 Stuart House, East Wing
 St John's Street
 Peterborough
 PE1 5DD

27th January 2013

By Post & Email
 louise.lovegrove@peterborough.gov.uk

Planning Application (Full)

Extension and alterations to provide consulting rooms and administrative offices including alteration to access road and provision of new staff car parking at Stanground Surgery Whittlesey Road Stanground Peterborough. Ref 12/01919/FUL

Dear Louise,

Thank you for notifying us of this new planning application. This application follows two previous applications, with attempts to introduce a dispensary/pharmacy into the doctor's surgery. As a neighbouring property at 92 Peterborough Road, with the access road to this site going alongside our building we have a number of concerns regarding this development and the material change it will have to existing and future users of our site and also the proposed development site, due to change in function and character. I have summarised all the concerns into one line points and have expanded on each point further below, so that there is substance and clarity, I hope this makes the length of this letter and its contents easier to appreciate the combined effect of the concerns, which then explain why we are so alarmed by this application. We **STRONGLY OBJECT** to this application and request with the information that we have provided that the application be **REFUSED**, to protect the patients, residents, students, road users and most importantly the community.

Summary Points:-

- 1) A tremendous increase in the volume of traffic because of the dispensary/pharmacy.
- 2) Over 32,000 speeding vehicles on Peterborough Road in 1 week adds risk to junction.
- 3) Planning application description does not stipulate dispensary/pharmacy, even though NHS tells us.
- 4) Insufficient car parking for needs of facility, no drop off/pick up facility.
- 5) Shared narrow access road, not wide enough for volume of traffic.
- 6) The dangerous junction, shared access road and Peterborough Road.
- 7) Deaths and accidents on Peterborough Road
- 8) A1 use class pharmacy moving into surgery, why A1 use class not applied for.
- 9) Impacts to the Post Office at Central Square and also other neighbour retailers in retail centre.
- 10) Risk to existing pharmacy near surgery.
- 11) Waste collection, including hazardous waste how will this happen?
- 12) Bus Stops, restricting visibility and increasing risk.
- 13) Extra demands on parking due to suppliers deliveries.
- 14) Increasing population and more demands on services, access and parking at proposed site.

- 15) Visibility risks due to the incline and brow of hill to the left and roundabout to the right
- 16) Emergency vehicles exiting fire brigade adjacent and accidents.
- 17) Risks to Anglia Funeral Directors, for staff and visitors at a difficult time, shared access road.
- 18) Stanground Academy, increased students to 1800 walking and visibility risks on footpath.
- 19) Stanground Academy, increased students to 1800 cycling and visibility risks on cyclepath.
- 20) Stanground Academy, increased traffic due to construction and increased staffing.
- 21) Risks to Stanground Dental Practice, for staff and visitors, shared access and parking.
- 22) Increased traffic on Peterborough Road, due to development of Great Hadden, Farcet & Yaxley
- 23) Increase in Buses, HGV Lorries on Peterborough Road, risks to those entering/exiting access road.
- 24) No identified need to move the pharmacy from the neighbourhood centre to the Stanground Surgery
- 25) Sequential search required for A1 Pharmacy and higher demand as can be seen by rateable value.
- 26) Well established pharmacy of 40 years will bring existing patients to new site
- 27) Existing arrangements work well for the patients and community, why the need to increase risk?
- 28) More development already agreed for Peterborough Road, Care Village

Full Explanation:-

- 1) The tremendous increase in number of visitors and trips that will arrive at Stanground Surgery if the planning permission will be approved is because of the addition of a dispensary/pharmacy, due to patients then having to visit the site every month for their medications, this we estimate to be an **12 fold increase** in traffic, this is calculated by the fact that if a patient is required to see their doctor once a year for their annual check / review, then be signed off for repeat prescriptions, these patient will attend the surgery once a year and will attend the pharmacy 13 times a year (13 times 28 days supply of medication = 364 days medication) to have their prescription filled. Because all pharmacies offer a prescription collection service, these patients will not attend the surgery to collect their prescription as they would order them online or by phone with the surgery and instead the pharmacy teams would attend at the surgery to collect patient prescriptions each day and take back to the pharmacy to have the prescriptions filled and waiting for patients. So if now the pharmacy at Central Square moves into the surgery, the patients using that pharmacy will now have to travel every month to its new location at the surgery to be able to get their medication, therefore instead of 1 visit a year to the surgery site for their review, they will need to make 13 trips a year to the surgery site for their review **and** medication supplies, hence a **12 fold increase** of visits to the site, every day, every month and every year. Currently the demand on the pharmacy at Central Square is managed by the significant off road parking, additionally there is a service parking facility for all the staff and deliveries behind the retail units in their service area, also due to the pharmacy being in a neighbourhood retail centre, some retailers have their own parking, e.g Tesco and Sue Ryder, therefore residents will go to the retail centre and access a number of services in one journey, therefore could park in Tesco's car park, doing shopping then walk round to the pharmacy, to collect medication, which then results is a larger total parking provision in the retail centre. If this move is allowed, this will place a greater strain at the surgery, the access road, the car park and also the very busy roundabout, as all patients will have to pass the roundabout to access the surgery by car....and subsequently past our pharmacy as well!. Currently the location of the Co-op pharmacy is in a neighbourhood retail centre which is surrounded by residential housing, so many can also walk to the pharmacy, with the move away from the residential areas and to furthest edge of Stanground some patients will not be able to walk the extra distance or some will choose not to walk and the use of car will be needed to access their medicines, or making access to their medication impossible or very difficult, this I am sure goes against all the Councils environmental statements and intentions. The current **and** proposed shared parking, access road and junction on Peterborough Road is not adequate for its current users, therefore the introductions of a well recognised A1 retail unit a

dispensary/pharmacy along with the 6 new consultation rooms will be insufficient for the needs and demands of the new facility due to such intensification, particularly in light of the of the significant growth of Stanground South/ Cardea which is resulting in the increased number of patient registering with the surgery and hence the need of DOUBLING the number of consultation rooms. In the number of visitor attending the site I have forgotten to include all the patients that would attend the pharmacy at Central Square, for minor ailments, e.g coughs colds, pain relief, high temperature for child etc and getting advice and purchasing the likes of Calpol, Nurofen, Lemsips, Paracetamol, Ibuprofen, just to name a few, all of these types of items are sold at the pharmacy and not requiring a visit to the doctors, therefore patient will present at the pharmacy and purchase these items to help themselves or their children or families to get better, so if the pharmacy moves then these patient will need to travel to Stanground Surgery to get these items and therefore again increasing the traffic to the site.

- 2) Between February 22 and 29 2012, a special survey by the police on Peterborough Road which outlined there was 32,784 speeding motorist in ONE WEEK, this is more than half the total 62,213 surveyed on Peterborough Road in the week. The speeding vehicles were travelling over 35mph in a 30mph limit, this information is important as the discussion regarding the planning applications, which will substantially intensify the use of Peterborough Road and the junction to the access road to the surgery. The users of the site will find it more dangerous to leave the site, joining Peterborough Road with the poor visibility, due to the incline and brow of the hill so not getting much notice when vehicles are coming and also the speed that the vehicles will be arriving and having to judge so many factors, e.g. buses, students, emergency fire engines, and other users of the access road, will make this a danger to all road users, pedestrians and cyclists.
- 3) Yet again the planning application title does not represent the full intention of the application, particularly no reference to the dispensary/pharmacy, which had previously been applied for under reference 11/01561/FUL, which had received around 400 objections, followed by a further planning application 12/01331/FUL, which had a further 500 objections. Why has this planning application been accepted without stipulating a use class, when previously the application for the dispensary/pharmacy was applied for A1 retail use. Without the application being considered with A1 use class for which the pharmacy/dispensary is intended, will result in full consideration not being given, to protect the public and other users of the facility and neighbouring properties e.g. in light of access, parking issues and volume of traffic. Equally why is clarification not being sought for exact nature of the dispensary/pharmacy as interestingly we have received a new notification from the NHS, 4 days before this new planning applications was submitted, that the Co-op Pharmacy have applied to extend the time they are allowed to move the pharmacy from Central Square to the Stanground Surgery, therefore if the dispensary/pharmacy is to be an independent unit, owned and operated separately from the surgery, than this should be clear, but this does not represent with the number of staff as it does not stipulate any increase in staffing, therefore this would further conclude that the surgery will not be increasing its staffing to introduce this dispensary/pharmacy, but must be separate entity. Without the correct use class being provided, the appropriate planning policies cannot be considered against the application e.g. the Local Plan Retail Strategy, Peterborough Local Plan and Peterborough Planning Policies Development Plan Document etc.
- 4) The lack of sufficient current car parking at the always full surgery car park, of which 7 spaces are allocated for the adjoining dentist (with floor markings DENTIST can still just be seen), leaving only 23 spaces for surgery staff, doctors, nurses, receptionist, administration staff, not forgetting patients and visitors. This application does introduce further parking but for staff only, even though the **massive 34% expansion** will place extra demands on a currently overstretched car park. The car parking provision which is there, does it meet the current standards? as would be required for all new applications, which this is. In regard to parking spaces sizes, turning circles, disabled bay parking sizes, disabled car parking as close to the facility, access provisions to the bays and out of the bays and all the other requirements associated with car parking, have these been demonstrated to be achieved. The application is misleading to any reader by incorrectly representing the number of car parking spaces available for the surgery, equally with an increase of **SIX NEW** consultation rooms

and a further **THREE NEW** offices, not forgetting the **NEW** dispensary/pharmacy, all of which will increase the number of those attending the site to access the facilities, which will now bring an extra facility of a dispensary/pharmacy with its own demands, for parking for its customers, its deliveries, its waste collection, ultimately significantly increased traffic movements. Based on 13 consultation rooms and 3 spaces for each room (one for a patient just seen, one for a patient being seen and one for a patient waiting to be seen, this is even without considering when doctors appointments are running late and the number of patients waiting), then there is a requirement for 39 spaces, this falls well short of the 23 available for the surgery and equally this does not include the demand for the new dispensary/pharmacy with its own substantial demands. When we established our pharmacy we were required to provide 8 car parking spaces, so why would the dispensary / pharmacy be required to provide any less?, both would be NHS pharmacies, therefore the surgery and pharmacy would require 47 car parking spaces for patients but only have 23 a shortfall of 24 car parking spaces. What is the actual current parking provision, on the plan and application form it stipulates 32 car parking spaces, but when you count them up it comes to 30, when you go to site they are marked out for 32 bays, but the one disabled bay is positioned differently to the existing drawing submitted with the application, the drawing shows two bays that are disabled bays, but neither of these bays are marked out at site. It should be noted that there is no drop off/pick facility that is presently available or proposed in the development.

- 5) The application does address some, but not all of the concerns previously identified regarding the narrow access road to the surgery, which is a shared access also utilised by the Anglia Funeral Directors and the Dentist. The width has been proposed to be increased, but not to the level previously identified by highways of 5.5metres for the first 10 metres and 5 meters for the remaining length, equally the introduction of the pedestrian walkway which just stops at the entrance to the car park. These widths were guided in the previous application before the full extent of a further facility of a dispensary/pharmacy, which will bring with it, its own needs and demands and will substantially increase the number of those visiting the site, either by foot, bicycle, car or commercial van. The access road with the new application introduces an intensification of another junction to the access road to the staff car park.
- 6) The difficulty being able to manoeuvre in and out of the shared narrow access road, leading to the application site via the only access from Peterborough Road, due to the small size, the close proximity to the two bus stops, the presence of local school and college/academy (1800 students), also the emergency services of the fire brigade, adjacent. This coupled with the reduced visibility up the Peterborough Road, due to the incline and brow of the hill and also the closeness to the very busy roundabout and Halls The Chemist own car park entrance, results in patients having to take significant risks, every time they use the access road as they cannot easily see the traffic arriving either from left or right due to bends in the road, when leaving the shared access road, equally the footpath and cycle path which crosses the access road adds additional risk factors to a dangerous junction. Even Councillor Walsh who declared an interest as a patient at Stanground Surgery stated “that the entrance to the surgery was extremely dangerous”, at the Fletton, Stanground and Woodston Neighbourhood Committee meeting on the 17th October 2012.
- 7) A student was hit by a car last year on Peterborough Road and a number of years ago a teacher was killed, again on Peterborough Road and when looking at records it identifies that there have been three road deaths on Peterborough Road, for the 10 years records available. In the mornings just before 9am, many students are arriving to attend the Academy and those students during the lunch time, going home for lunch, additionally the students going home at the end of the day just after 3pm etc, result in several times through the day, when there is many pedestrians and 1800 students, which adds to the risks, these risks have already caused death and injury, why risk more deaths and injuries.

- 8) An extension to the time limit to move the Co-op pharmacy from Central Square to the Stanground Surgery was notified on the 14th December 2012 by the NHS and on the 18th December 2012, four days later a new planning application (REF 12/01919/FUL) was submitted to the Peterborough City Council. The Co-op pharmacies, NHS permission to move to the surgery was approved in July 2012 and gave them 6 months to move this was running out on the 15th January 2013. The Co-op pharmacy applied to extend the time to move and was granted permission on the 14th December 2012, all of this links to the previous application REF 12/01331/FUL and this current application, hence the concerns of the additional traffic demands which it will place on the existing and proposed surgery car park. It is disappointing that the applicants have not outlined their full intentions so that the true impact of the application can be considered. The NHS permission was based only on the then pharmacy regulation, which allowed a pharmacy to move upto 500 metres almost automatically, the move was almost 480 metres and was therefore approved, but the NHS panel outlined that their remit related to NHS regulations and that other agencies were responsible for looking at matters of car parking and access. The NHS regulation were changed on the 1st September 2012, from the previous 2005 regulations, therefore the permission to move is based on out-dated regulations, resulting in the current NHS thinking not being considered with the move of the Co-op pharmacy, which will make it harder for many residents and patients to access medicines and services at the new location compared to within the neighbourhood retail centre at Central Square, which is nearer their homes. It should be made very clear that under the old and new regulations for the move of a pharmacy, there is a requirement to continue to provide the same services, therefore if at their existing location they are required to be an A1 use class, why are they not required to be A1 use class at the Stanground Surgery, when they are required by their NHS contract to provide the same services?.
- 9) The risk and loss of the adjoining Local Post Office, due to the pharmacy moving, will deny local residents of two essential services in the neighbourhood retail centre. Community Pharmacy is a sector which draws patients and customers to it, therefore the move of the Co-op Pharmacy will have impacts on more than just the Post-Office, which it currently shares a building with, but also the neighbouring retailers. Patients and residents will find the need to visit the shopping parade less and therefore obtain the items they currently obtain from the parade, from the regular shop to a larger supermarket, this will result in the demise and loss of further services in the retail centre, particularly in these difficult financial times. It should be noted that the Post Office located with the Co-op Pharmacy is the only Post Office in Stanground as the Post Office in South Street was shut some years ago, when the Post Office network, was being reviewed, therefore if the Post Office was to close, then there would be no Post Office in the Stanground area, which the residents could rely on. Is there not protection on retail centres, from introducing retail outlets away from the retail centres?
- 10) The risk this application will cause to the loss of extensive services and closure of Halls The Chemist, being less than 1 minutes walk from the surgery car park. The closeness of the two sites can be seen by the access road to the surgery going alongside our building. Halls The Chemist, has all the facilities of a modern pharmacy including consultation room and its own car parking, including disabled parking, which was required for us to be provide when we established, so why would the rules be any different for another pharmacy/dispensary opening?. Why is there no protection being given to protect Halls The Chemist, as it was identified that the pharmacy was needed at this location and no needs has been identified to move the Co-op Pharmacy to the surgery location. Under the NHS terms of service all NHS pharmacies are required to provide service to all, as part of the core functions, this means patients who need to visit the pharmacy for e.g cough cold or pain relief advise and purchase of appropriate medication with advice from the pharmacy team, the same if a prescription where presented from a GP outside the area, including prescription from Scotland and Wales, there is a duty on the pharmacy to supply the appropriate medication, the same

applies for Dental, Hospital, Nurse, Drug Addiction prescriptions, in affect Pharmacy is no different to an NHS Accident & Emergency department, providing service to all those that attend, which as can be concluded will bring its own demand of patients and customers.

- 11) Refuse collection from the site, currently when the waste is collected from the site, it causes a great difficulty due to the narrow access road, and restriction in size of the car park, therefore how will this be improved for the new and existing users and does this meet the necessary requirements. Additionally pharmacy has regular collection of medicinal waste, as all pharmacies are required by the NHS to take back unwanted medication from patients. Specialist contractors are sent by the NHS due to the hazardous nature of some of the medication, the vehicle that collects this is a 3.5 tonne Luton box van. Also how will this hazardous waste be stored on site at the dispensary/ pharmacy?
- 12) Upon leaving the site immediately to the right is a bus stop and on the opposite side to the left is also another bus stop, from a fast search there is two regular bus routes through here the citi 7 and the citi 3, the indication is that they run through every 10 - 20 minutes, therefore there are four buses stopping (two in each direction) in close proximity to this junction every 10 to 20 minutes. When these buses stop to pick up or drop of passengers then vehicles are required to cross into the flow of the opposite direction of traffic to get past, the visual restriction the bus also causes when stopped, hampers the visibility coming in and out of the access road and increases risk, to pedestrians, cyclist and also car users, therefore how can such a significant increase in demand be acceptable on this access road, with such a reduced visibility and bus hazards.
- 13) Pharmacies, like any A1 retail premises need many deliveries each day, to secure the necessary stock, in the case of the pharmacy, medication and items for sale to patients, therefore there will be many deliveries each day to the site from a variety of suppliers, this will again increase the traffic volume to the site and also adds demand on car parking provision. Due to the importance of getting medication the major pharmacy suppliers deliver twice a day to the pharmacies.
- 14) With the increase in growth in the local community at South Stanground/ Cardea and other local residential building developments, then there is an increase in demand on health service, this has already been seen at the Stanground Surgery and they have been awarded funding to expand their surgery, this is already bringing more visitors to the site and this is increasing weekly as more and more patients register with the surgery as they move into the new houses. All of this extra demand on the health services at the surgery, also puts an additional demand on the limited parking, dangerous junction and restricted access road by patients, doctors, dentist nurses, receptionist and others working at the surgery and the additional existing users. The practice is also a teaching practice, which results in more visitors to the site.
- 15) The exit from the access road onto Peterborough Road, is already difficult at this point, due to the reduced visibility due to the buses, but also due to the fact if you look left as you leave there is a hill with a brow and a bend, therefore this restricts the visibility of seeing all the vehicles as they arrive from this direction. Then if you look right as you leave the access road onto Peterborough Road, then you are faced with a different hazard of the roundabout and people joining Peterborough Road accelerating towards you, which you cannot expect, also that there is a bend in the road, which again reduces the visibility and hampers any expectation of traffic and increase risk. This is not to forget the users of our pharmacy and the patients, staff, delivery vehicles etc entering and leaving our premises joining Peterborough Road, additionally adding further strain in this very congested location or the fencing and bushes which restrict visibility. Then those users using the footpath and cycle path across the access road.
- 16) When it was considered that there was already enough demand on this small section of road, the impacts of the Emergency Services of the local Fire Brigade which is adjacent should be factored, the speed and immediate exit they require when going out to saves lives, all this increased traffic, plus all the additional risks that this places. In the three years we have been at the site, there have

been a number of accidents, when vehicles have had to stop suddenly to allow the fire engines to leave with their blue lights and sirens on, this coupled with the very short distance to the access road to the surgery, adds even further risk for all road users.

- 17) The current access road is also used by the Anglia Funeral Directors, for their chapel of rest. During funerals and gathering for burials, there is a significant increase in the number of users and due to the specialist vehicles of the hearses and the longer limousines, this makes their entry and exit into the access road difficult, if there is allowed to be an increase in the traffic this will create an almost impossible route for them to enter and exit their own site and will make those attending their facilities at a difficult time harder. All of this increases the risk to all road users on Peterborough Road and the access road. There is also times when horse drawn carriages are called upon for funerals and the extra traffic and risk and delays this will also cause. The additional car staff car park proposed, will require the current access road to the funeral directors to become another shared access road, and will have a junction exit to the funeral directors car park, this will create further difficulty, due to the narrow width of this newly shared access road, equally the difficulty with limited space for leaving the funeral directors car park to join the new shared access road, then to join the existing shared access road, then to utilise the dangerous junction to join Peterborough Road, three junctions in such a small distance of approximately 30 metres cannot be safe?
- 18) Twice a day, when the college students arrive and also leave, there is a massive influx of students trying to access or leave the adjoining Stanground College now Stanground Academy, many students walk and this can be seen just before 9am and just after 3.15 pm, these young members of society don't always appreciate the risk that they cause, but purely due to the significant number of students, 1500 growing to 1800 as the new academy building is completed, then this equally places a restriction on the visibility of those entering and leaving this access road, during those times, which are appointment times and times when this new A1 retail pharmacy/dispensary wants to operate. These students are seen many times, walking through the surgery car park as a short cut route through to home, even though there is a sign informing them that this is not allowed, clearly showing that this has been an ongoing issue for many years. There is further student movement during the lunchtime as some students go home for lunch. Therefore this significant number of pedestrian users are put at further risk by this development and so are the other road users, as accidents do not only affect the pedestrian that is hit, but also the driver of the vehicle and their mental wellbeing understanding their responsibilities if a collision occurs.
- 19) Some students attend the college by bicycles and equally other local residents use cycles to travel to and from home to work etc, there is also a bike lane that crosses the access road, which again will increase demand at this point and reduce visibility when they are waiting to cross. Also the faster arrival of bicycles, compared to pedestrian, is another factor which has to be considered by those accessing and leaving this very difficult access road to the surgery. The Academy has planning permission for 200 bicycle places, many of which are already in place, this exhibits the number of student using cycles as the means to get to the Academy on a daily basis.
- 20) With the growth of the college now Academy, due to the increase in population locally, the construction of the new academy can be seen to be making good progress, but requires a substantial increase in road traffic, in this location, from those attending the site to work and also those bringing building material to the site or removal of waste, all again increasing traffic and increasing risk in this very local area. This as well as the increasing employment the larger academy will bring, causing a further increase in traffic. The Academy with over 200 full time equivalent staff and over 200 car parking spaces, gives a true indication o the scale of the academy and the needs it places on the Peterborough Road.
- 21) The demands of the users of the dental practice, its patients, dentist, hygienist, reception staff etc, again add to the user of the shared access road and parking, and again increases risk.

- 22) With the planned developments of Great Hadden, also the other developments going between Farcet and Yaxley and further beyond towards the A1, there has been much objection in regard to the increase volume of traffic which will then result and flow down Peterborough Road, again increasing the traffic coming through this very busy location around the shared access road and will make entering and exiting this dangerous junction, again with all the other risks outlined, even greater.
- 23) The number of buses that also then arrive specifically for the college students and also the HGV lorries that use Peterborough Road, to access the commercial farms, commercial units and now the new expanding commercial units between Farcet and Yaxley, not forgetting the mushroom farm and the Mercedes Benz Truck dealership, which all bring larger vehicles regularly along Peterborough Road, these HGV and larger vehicle numbers will be increasing and this should be taken into consideration when considering this application and the compounding impact if there is such a massive increase in vehicles attending this new A1 retail dispensary/pharmacy.
- 24) There has been no identified need for another pharmacy in such close proximity to ours and therefore the establishment of an A1 retail pharmacy outside a neighbourhood retail centre. What is more bizarre is that the Co-op pharmacy is located within a neighbourhood retail centre and therefore in the correct place for such a service and is now wanting to move away from this outside the appropriate place for such a service, with no identification of need. I have explained whilst they have been given permission to move the pharmacy from the NHS, these regulations, only look at if the pharmacy is moving a distance of less than 500 metres and servicing the same community, they DO NOT CONSIDER NEED, therefore the NHS regulation are limited in their consideration and leave planning to deal with other matters, so just because, they have been given permission to move, does not mean this is an automatic pass of planning, the relevant concerns that planning should undertake as part of the normal planning process should be considered. In regard to need, it is very interesting that during the consultation Peterborough LINK (which represents the views of the patients) had raised a number of questions so that they could correctly assess the impacts to patients, their questions were not answered.
- 25) In regard to the planning policy, Phil Branston, has explained that the application must show a need also that a sequential search be undertaken, all of which we were required to be undertaken when we established our pharmacy, just over three years ago, in the almost same location (just over 100 meters away). I think it is essential that the necessary tests that were required three years ago, such a short distance away, are undertaken, whilst the size of the dispensary/pharmacy premises being smaller, the actual demand from its existing client base (of about 40 years service) needs to be taken into considerations and therefore in reality its small size will have a significantly greater demand than our own larger premises, this is also acknowledged, by the greater rent and greater rateable value to dispensary/pharmacies at doctors surgeries.
- 26) The demands this new dispensary/pharmacy will have will be greater than ours regardless of its size as it is a well established pharmacy and has been situated in its current location for about 40 years, therefore many patients living in the area, will have nominated this pharmacy as their chosen pharmacy, this will continue, even though they move to a new location at the surgery, as explained previously, the pharmacy is contracted to the NHS service to provide service to ALL therefore, patient registered at the many other surgeries will attend to access their medications, as they have done for many years with this pharmacy, hence the additional traffic may well be significantly more than the 12 fold increase as this was only taking into consideration the patients of the Stanground surgery, also the consideration for the many patients that walk into the pharmacy for general advice and support for self care, which is for example when a mother attends the pharmacy to purchase Calpol etc for her young child, this mother may only be passing in the area, or living locally and would have used the existing location will now have to travel to the new location, much further from her home, if she lives in Stanground, and may now have to access by car due to the additional distance if she has a car, or will have to rely on Public transport, making access harder, but making the true number of visitors to the site much much greater than the original conservative estimate of 12 fold increase. The pharmacy will also be required to dispense Hospital prescriptions, prescriptions issued by drug addiction clinics, dental prescriptions, district nurse and community nurse prescriptions, just to name a few. Under the NHS Regulations if the pharmacy moves, the day

the new pharmacy opens the same day the other pharmacy must close, therefore if the pharmacy moves, then there will be no pharmacy at Central Square.

- 27) The application has talked about supply of medicines to patients, but clearly with our close proximity to the surgery and also the car park, then the distance to the surgery from the car and the distance from the car park to our site is almost the same, does no one realise that there is already a convenient facility, located without the need for any additional vehicle journey.
- 28) There has been planning approval for the Care Village on Peterborough Road, which will bring about 50 bed care home, a 40 bed dementia care unit, 22 supports livings units, 22 assisted living units and 29 extra care or residential units and again the extra demands on the roads this will bring, with staff, residents, deliveries and the extra construction traffic during its build, will add further risk.

I would hope with all the above each individual point will be considered and the risk that each point places, then a consideration with all the points in relation to one another and there cannot be any doubt in my mind that this very significant increase in the traffic movements cannot be accepted. I accept that the dispensary/pharmacy will be small, but it is not the size that should be considered, but the demand that it will place. An NHS pharmacy under its terms of service has to provide service to all, therefore all the existing users at its previous location will have every right to use the facility, whether they are registered at the Stanground Surgery or another practice and with the total number of additional visitors to the new site if permission is given will truly bring risk to this location. The Co-op Pharmacy is required to provide all the services it provides at its existing location at the new location, under its NHS contract therefore currently A1 use and this is not changing so why not A1 use at new location?.

I hope that with the information in this letter, even with the new proposed scheme, the risks to the local population and users of Peterborough Road and those attempting to access the Stanground Surgery, plus all the additional facilities existing and proposed, can be appreciated. If there is something I have mentioned which you require further information on please do not hesitate to contact me. I hope the comments and objections made in the previous application will also be added to this current application.

If you are planning on approving this application, I would request that the application is submitted to the planning committee for determination, equally that if you are looking to approve the application the following conditions be applied:-

Dispensary/Pharmacy should only be open to patients of the surgery.

Reason – To reduce more patients arriving at the pharmacy and reducing the risks for existing users.

The Opening hours of the dispensary/Pharmacy should have its open times limited to 8.30 am to 6 pm, Monday to Friday, excluding bank holidays.

Reason – to protect the local community and residents


The occupation of the dispensary/pharmacy should only be by the doctors of the surgery.

Reason to protect the patients existing and new coming to the surgery. Also by limiting the ownership of the dispensary/pharmacy to the surgery, this would reduce the number of staff being employed as the Staff will assist with the running of surgery and also the pharmacy/ dispensary, therefore there will be less demand on the car park and the access road, equally as will be the same entity, resources will be the same e.g. waste etc, therefore reducing demands on the junction and access road.

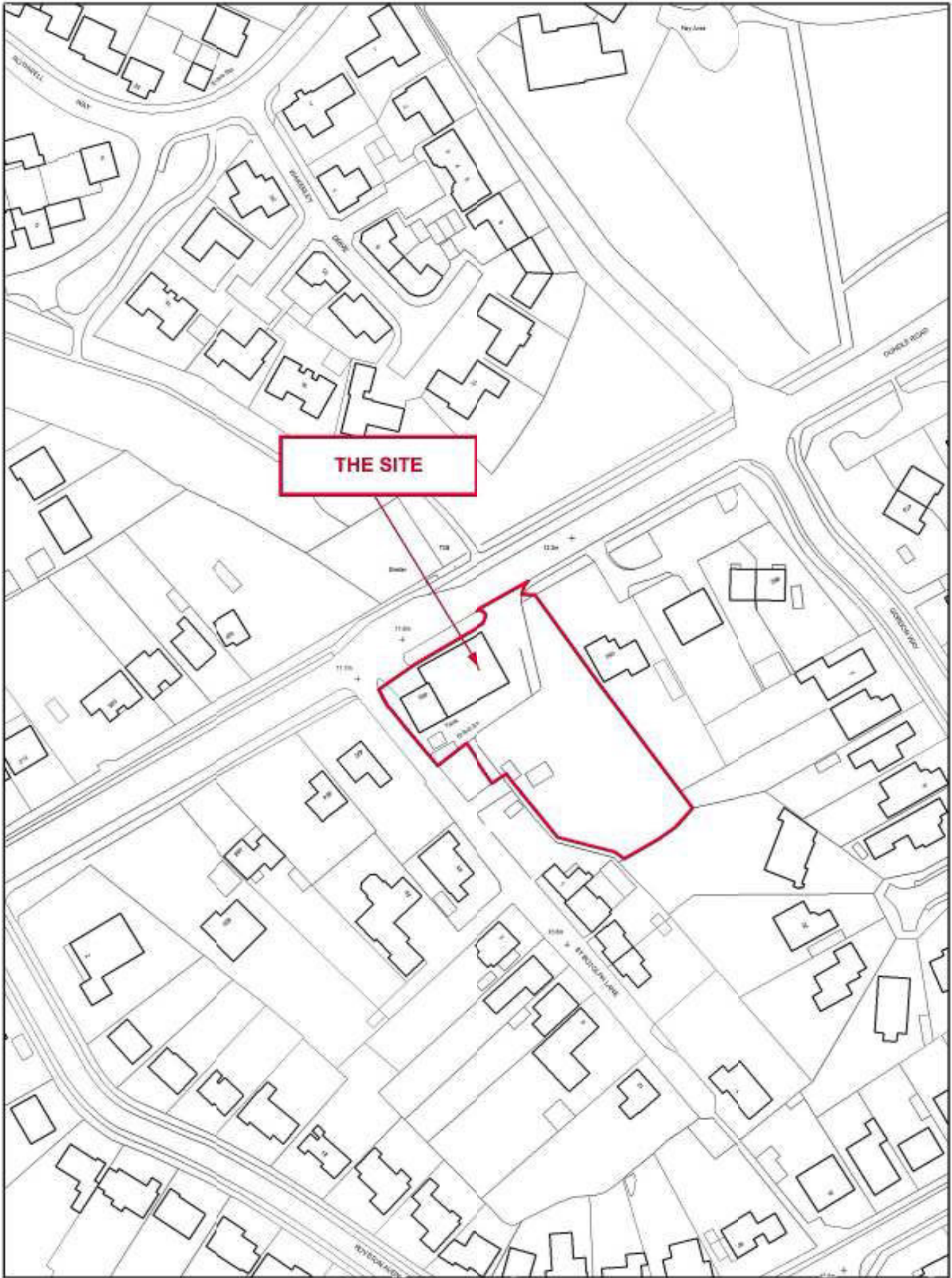
Prior to the establishment of the dispensary / pharmacy, additional consultation rooms and also extra offices then the improvements to the car park and also the access, should have been addressed and operational.

Reason to protect the neighbour properties and road users of the shared access road and Peterborough Road, also the dangerous junction.

Yours Sincerely


Mr S Damani
Halls The Chemist

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LOCATION PLAN 12/01812/FUL

Former Petrol Filling Station, Oundle Road, Orton Longueville, PE2 7DF

Scale NTS **Date** 8/2/2013 **Name** AA **Department** Planning Services



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Application Ref: 12/01812/FUL

Proposal: Construction of 14 x two-bedroom apartments with associated car parking and amenity space

Site: Former Petrol Filling Station , Oundle Road , Orton Longueville, PE2 7DF

Applicant: Mr John Dadge
Abbeygate Developments Ltd

Agent: Mr J S Dadge
Barker Storey Matthews

Referred by: Head of Planning Transport and Engineering

Reason: Previous Case History

Site visit: Several visits have taken place

Case officer: Ms L Lewis

Telephone No. 01733 454412

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

Recommendation: REFUSE

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

The site comprises two separate planning units. At the front is a former petrol filling station, which has been used over recent years for various authorised and unauthorised uses such as car sales. The frontage of this is about 44m, and it extends rearwards (south-east) by about 24m. This part of the site is hard surfaced, with the former petrol station building and canopy still in place. The pumps have been removed. There is an access to the east of the frontage and a separate egress to the west.

To the east of this plot is an overgrown access about 4m wide, leading to a driveway, which leads to a residential site that has been unoccupied for many years. The house is no longer there, and the site is returning to a natural state. There are several trees on the site subject to a Tree Preservation Order (TPO), including 2 Copper Beeches on the central part of the combined site. Residential development is present on three sides of the rear part of the site.

The combined site is about 46m wide along Oundle Road, narrowing unevenly to 20m at the rear, and about 68m deep.

To the west of the site is St Botolph Lane. This is a private road but is a right of way for cyclists and pedestrians. The Lane is a cul de sac for cars with a path at the end giving pedestrians and cyclists access to a residential area and small local centre.

No 486 Oundle Road is a detached house to the east of the site. The house is set about 17m back from the road, and 1-3m from the shared boundary. The house has been extended and altered such that there are bedroom and living room windows on the side elevation looking towards the application site. This property runs along most of the eastern boundary to the application site, apart from 5m at the end, which is the end of the garden to No 4 Gordon Way.

Beyond the rear boundary of the application site is the garden of 33 Latham Avenue; the house itself is about 16m from the boundary.

The western boundary of the application site is staggered. The first 25m or so is to St Botolph Lane, the remainder is set in behind an electricity substation, some garages, and a dwelling which face onto St Botolph Lane. The dwelling is No 1, and the rear boundary of this runs along the side boundary of the application site for about 24m. At its closest point, the house No 1 is about 3m from the application site.

This proposal is for redevelopment of the combined site, with a new access, three/two-storey block of 14 flats, side access, and parking and garden to the rear.

The new access would be two-car width, and separated from No 486 Oundle Road by a landscaped area about 7m wide. The block of flats would be about 14m from this boundary. The block would be set 5-7m back from the front boundary. The driveway would run between the block and the boundary to No 486, leading to the rear of the site where 21 parking spaces would be set out, surrounded by landscaped gardens. Significant levels of new planting are proposed.

2 Planning History

05/02039/FUL	Erection of six two-bedroom dwellings and 12 two-bedroom apartments	WDN	25.04.2006
06/00232/FUL	Change of use from petrol filling station to car sales and erection of metal boundary fence - retrospective	WDN	21.04.2006
06/00756/FUL	Change of use from petrol filling station to car sales, erection of metal railing boundary fence - retrospective	PER	20.09.2006
06/01083/FUL	Erection of five two-bedroomed dwellings and 12 two bedroom apartments	REF	20.09.2006
07/01336/FUL	Continued use as car sales	REF	04.10.2007
07/01490/FUL	Five two-bedroom town houses and 12 two-bedroom apartments	REF	04.12.2007
08/00454/FUL	Continued temporary use for car sales	REF	24.06.2008
10/01042/FUL	Temporary change of use from petrol filling station to car sales	REF	11.10.2010
10/01270/FUL	Demolition of former petrol filling station and erection of 8 pump petrol station and single storey A1 (convenience goods) retail unit with ancillary car parking provision for 15 vehicles with alterations of existing pedestrian crossover	REF	05.11.2010
11/00105/FUL	Demolition of former petrol station and erection of an 8 pump petrol station and single storey A1 (convenience goods) retail unit with ancillary car parking provision for 15 vehicles (including 1 disabled car parking bay), alterations to existing pedestrian crossover	REF	22.03.2011
11/00463/FUL	Change of use from petrol filling	REF	25.05.2011

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 11 - Natural and Local Environment

Should be enhanced through the protection and enhancement of valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity. New and existing development should not contribute to or be put at unacceptable risk by unacceptable levels of soil, air, water or noise pollution and land instability.

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.

Peterborough Core Strategy DPD (2011)

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.

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

CS10 - Environment Capital

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

CS12 - Infrastructure

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

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment

Capital aspirations and development which would improve the quality of environments for residents.

CS16 - Urban Design and the Public Realm

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

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 Planning Policies DPD (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.

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.

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.

PP14 - Open Space Standards

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

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.

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

Landscape Officer (14.12.12). Objection.

The development proposed would require the removal of two Copper Beech trees included in the TPO. There is no arboricultural reason for the trees to be removed.

The trees can be seen from both sides of Oundle Road. Although they are not a major focal point, it is considered that they form part of the landscape along that part of the road and their loss would be detrimental to the visual amenity value.

Peterborough Local Access Forum

No comments received

Rights of Way Officer (12.12.12). No objection.

The Open Spaces Society

No comments received

Ramblers (Central Office)

No comments received

Environment Agency (14.12.12)

No objection.

The Land Contamination Assessment states that the existing underground tanks (formerly used for storing petrol) will be left in situ. However that was based on the site continuing to be used as a filling station, and the EA considers that these tanks should be removed if the site is to be developed for housing. Conditions are therefore recommended requiring that the site is remediated including removal of the tanks. If the LPA is not minded to impose conditions, the EA would object.

Archaeological Officer (10.12.12). No objection.

The site falls within an area of archaeological interest. Roman, Anglo-Saxon, and medieval settlement remains have been recorded in the vicinity. Suitable archaeological mitigation should be obtained through the application of a planning condition to secure a watching brief on groundworks.

Building Control Surveyor

No comments received

Education And Children's Dept

No comments received

Pollution Team (20.12.12)

No objection subject to conditions. The contamination work carried out was based on the underground tanks being retained and the site being used for a shop and petrol filling station. Residential use is more sensitive and further work is required. Conditions recommended.

Transport and Engineering Services (01.02.13). Objection.

These comments are based on the revised layout plan.

The level of on-site parking has increased, however it does not meet the minimum standard set out in Policy PP13 of the adopted Planning Policies DPD. The covered cycle parking does not provide the two spaces per unit required. As there is still an under-provision of parking within the site, the LHA recommends refusal of the application.

Conditions have been recommended in the event of an approval.

Senior Recreation Officer

No comments received

Police Architectural Liaison Officer (05.12.12). No objection.

There are several crime prevention features that could be incorporated into the development.

Travel Choice (06.12.12). No objection.

Household Information Packs should be required as part of the S106.

Waste Management

No comments received

Strategic Housing (07.12.12). No objection.

This development does not meet the trigger for affordable housing.

Childcare Market Facilitation Manager

No comments received

Wildlife Officer (18.12.12). Objection.

The Ecological Appraisal recommends that surveys for reptiles are carried out, but this does not appear to have been done. The presence or otherwise of a protected species should be established before planning permission is granted to ensure that all material considerations are taken into account. There is evidence of foxes within the site. A planning condition should be used to ensure that foxes are suitably protected from groundworks. There are trees on site with bat roosting potential, and a pre-works survey should be required by condition to ensure that any roosting bats are protected.

Conditions are recommended relating to nesting birds, landscaping, and bird/bat boxes.

Parish Council

No comments received

Local Residents/Interested Parties

Initial consultations: 36

Total number of responses: 6

Total number of objections: 5

Total number in support: 1

Neighbours have made the following comments against the application:

- Support the comments of the Landscape Officer
- The mature trees are of value to the wider area and should be retained especially the protected trees
- Proposal will change the face of the area
- The property's size is a concern as the site is currently green and open
- Building is out of scale and overbearing
- A two-storey building asset further back would be better
- Wildlife that uses the area will be negatively affected
- Added vehicles will cause a further nuisance to residents and a danger to school children
- Additional congestion on Oundle Road
- Poor visibility at entrance to St Botolph Lane
- Overflow parking might affect St Botolph Lane, which is private
- Number of parking spaces is inadequate
- There should be two parking spaces per flat and visitor spaces
- Nearby properties are flooding due to increased water table – intended development might increase flooding risk (to 2 Gordon Way)
- How will waste water be disposed of
- The junction of Gordon Way and Oundle Road floods after heavy rain

- After heavy rain the site is left with water lying on the road and path
- The existing site fence encroaches on to St Botolph Lane.

One neighbour has commented in favour of the application.

5 Assessment of the planning issues

Site History

In 2006 an application for five houses at the rear of the site and 12 flats at the front of the site was refused on the grounds of overdevelopment, impact on the character of the area, lack of green space and lack of parking. Several protected trees were proposed for removal, but two of the Copper Beeches were to be retained. This refusal was appealed, and the Planning Inspector dismissed the appeal on the grounds of impact on the privacy of residents at 486 Oundle Road. The appearance of the block of flats, which was a two-and-a-half storey Georgian-influenced design, did not form a reason for refusal.

In 2007 a similar proposal for broadly the same development was refused. The houses to the rear of the site were slightly differently positioned, and the reasons for refusal related to impact on 486 Oundle Road and 1 St Botolph Lane and the lack of a S106 agreement. One of the Copper Beeches was to be retained. The Planning Inspector dismissed the appeal on the grounds of impact on these neighbours and also supported the refusal on lack of a S106 agreement.

486/488 Oundle Road

There has been some confusion regarding the address of the derelict residential plot, and the immediate neighbour. According to the Council's records the derelict residential plot is No 488 Oundle Road, and the house to the east is 486 Oundle Road. This fits with the existing pattern of development, where there are three plots between No 484 and No 492, which should be 486 (existing house), and 488 and 490 (demolished house and petrol station). However the occupant of the house which should be 486 regards his dwelling as 488, and letters addressed to 486 have been returned marked "no such address". Appeal decisions have referred to 488 being the neighbour dwelling, but the current application plans label this property 486.

For consistency, the occupied residential plot to the immediate side of the application site will be referred to as 486 Oundle Road.

Principle of development

The site is within the urban area, in a residential area, with services and facilities within reach. The principle of residential development has been accepted at previous applications and appeals, and is still acceptable under the current policy regime.

Amenity of future residents

Policy PP4 requires that new residential development should ensure adequate internal space; adequate daylight and natural sunlight; privacy and noise attenuation; well designed and located amenity space commensurate with the nature of the intended use, and well designed and located bin storage/collection areas.

Internal space – there is currently no local standard against which to judge this. None of the flats is large, but neither are they unacceptably cramped.

Day and sun light – three of the flats are north-west facing and single aspect. This is less than ideal, as residents will have no sunlight for several months of the year. Six of the flats have deep living rooms, with integral kitchens at the internal end of the room. This is likely to make parts of the rooms quite dark.

Privacy – this is considered to be adequate as the ground floor flats are set back from the street/paths by at least 4.5m, and there are no direct overlooking opportunities to/from nearby dwellings.

Noise attenuation – this will be secured by compliance with the relevant Building Regulations.

Amenity space – only two of the flats have any functional private outdoor space. The garden would probably not be much used for sitting out, and it is not designed for other normal garden uses such as drying laundry or children's play. None of the flats would have balconies or terraces, but two of the south-facing ground-floor flats would have small gardens which would be semi-private. It would be possible to redesign the shared garden to include an area with seating, which would benefit from afternoon/early evening sunlight, and the applicant may wish to include this in the detailed landscaping scheme which would be required by condition should consent be granted. The development allows for plenty of space around the building, and all residents will have an outlook which includes trees/greenery either in the garden or in the general area.

Bin storage – this is shown as Taylor bins in a dedicated store set about 8m from the nearest part of the building. This is considered to be reasonably related to the flats, and details of the store would be required by condition.

The Police Architectural Liaison Officer has made several suggestions that would improve the security of the site, but commented that overall there is no objection. No conditions are considered necessary, but the applicant will be provided with a copy of the comments in case they wish to consider incorporating any of the suggested features.

Although there are several aspects of residential amenity in which the development could be improved, it is considered that the development is acceptable overall and will provide a reasonable living environment.

Amenity of neighbours

The closest neighbour to the site is No 486 Oundle Road. The side of the dwelling is about 1-3m from the boundary, and this elevation includes both bedroom and living room windows. The proposed refuse bin store to serve the flats would be about 2m from the boundary, about 4-5m from the downstairs living room window at No 486. This is considered to be a poor relationship, due to the likelihood of noise and, in particular, odours, arising from the refuse bin store. There is a substantial brick wall on the boundary, which would offer some protection to the ground floor rooms, however it should be borne in mind that the recent uses of the site, and re-use of the site as a petrol filling station should this option be pursued, would be likely to have an impact on residents of this house. It should also be noted that the location of the bin store is constrained by the need to avoid root protection areas for retained trees. Taking these considerations into account, the location of the bin store is acceptable.

The bedroom windows to the side and rear of No 486, and the rear windows of No 1 St Botolph Lane, would have views over the proposed parking area. Occupants would be likely to hear car doors opening and closing, and would hear car movements. However this is likely to be predominantly at peak times, and the brick wall to No 486, and double fence to No 1, will act to some extent as a noise barrier. It is not considered that this would be an unacceptable level of disturbance.

The windows on the proposed block of flats face mostly front and rear, with some secondary windows on the side elevations. These windows are, on the east side, about 18m from the side of No 486 at a 45 degree angle, which would not be likely to generate significant overlooking, and on the west side are about 13m from the side of No 492 Oundle Road. There are side windows on the east side of No 492 which could best be protected by a condition requiring that the first floor side windows to the flats are obscure glazed. These windows are a secondary window to a bedroom, a kitchen window, and a side living room window. Although the obscurity of the side windows to kitchen and living room would restrict resident's outlook, they would still be better off in terms of light and ventilation than residents of the single aspect flats which would have no side windows at all.

Parking

The revised plan shows 24 cycle parking spaces, which is below the level required by the adopted parking standard. This standard requires 28 spaces. There is room within the site for the required level of cycle parking, so this, and the design/appearance of the cycle store, can be agreed by condition. Adequate visitor cycle parking, to the front of the secure fence, is shown.

Twenty-three car parking spaces are proposed; the adopted parking standard requires 30 spaces. The Local Highway Authority has objected to the proposal on the grounds of inadequate parking, and some of the residents of St Botolph Lane have raised concerns about overspill parking on their private road. Parking on Oundle Road is restricted in this area (double yellow lines) and the nearest side street is St Botolph Lane, where residents of the proposed development might be tempted to park, but would have no right to do so.

The applicant has put forward five arguments to justify the underprovision of car parking

The applicant has explained that the provision is in accordance with the standard that was set out in the 2005 Local Plan. The parking standard in that document was formally replaced by the new standard in December 2012, but it has been known for several years that the residential parking standard in the earlier document was too low. The applicant was advised before submitting the application that the parking provision would be a concern, but the comments of the Local Highway Authority were not sought at that stage as the applicant chose not to go through a full pre-application consultation process.

The applicant has commented that "...occupiers ... are anticipated to be downsizers and retired coupled with one car per dwelling." However the applicant has indicated a reluctance to accept a condition requiring that occupation is restricted to, for example, over-55s, as this, in the applicant's view, would be difficult to administer, monitor and enforce. Officers do not share this view; such a restriction on occupation is frequently secured by condition or S106 agreement. Without such a restriction in place this cannot be used as justification for a below-standard level of parking provision. The flats are all shown with two double bedrooms and would be suitable for couples, sharers, and small families.

The applicant has pointed out that there are bus services along Oundle Road, as well as nearby cycle routes. The bus services comprise a service on the No 24 (approximately half-hourly during the day, no service between 8pm and 7am or on Sundays) and a once-a-week service on the No 26. This level of provision is not considered likely to remove the need for residents to have a car.

The applicant has referred to cycle routes. Oundle Road is an advisory route, which has cycle lanes for much of its length, and there is an official cycle route along the river path into the city centre. This route can be isolated and dark. Some occupants might choose to use these routes, but the cycling options are not sufficient to justify an under-provision of parking especially as people might choose to have a car for journeys in the evening or winter.

The applicant has said that accommodating more parking on the site would compromise the quality of the scheme in other ways, particularly open space and amenity. This is true, and the provision of 23 spaces is considered to be the limit of what can be satisfactorily accommodated. This level of parking would be suitable for ten or eleven flats.

For these reasons, it is considered that the proposal is unacceptable on the grounds of insufficient car parking.

Highway Safety

The Local Highway Authority requested some changes to the initial layout, as the site access should be formed as a dropped kerb, and not a bellmouth, in order to maintain pedestrian priority along the footway. This is shown on the revised plan. The existing egress from the site will have to be closed up, and the highway/kerb made good. These matters can be secured by condition.

Neighbours have raised concerns about the impact of the development on pedestrians and cyclists using Oundle Road, with particular reference to vehicle movements and school children walking to Nene Park Academy and Botolph Primary School. The use of a dropped kerb instead of a bellmouth will give pedestrians priority, and there will be adequate visibility splays. This will be an improvement on the current situation.

Design and Streetscene

The building would be large for the area, with a footprint of 29m along Oundle Road and 14m deep. This means that the roof, in order to appear of a suitable scale from the street, would have a large flat area in the centre, incorporating a lantern above the stairwell.

The design of the block incorporates attractive Arts and Crafts features such as are commonly seen on similar blocks from the early 20th Century. There are one full height and two ground floor bays, the fenestration is well balanced, and there is a suitably prominent front entrance.

It is the massing of the block that has raised concerns with neighbours. It would be about 11m high, taller than the nearby two-storey houses, and taller also than the nearest existing flats at Botolph Green, which are two-storey. The building would be slightly larger than the building proposed in 2006/2007, when Planning Inspectors concluded that the building was acceptable. It is however a much more attractive building, and fits in better with the 20th century development along this section of Oundle Road. It is also better placed on the site, with a more consistent set back from the highway.

The development will without doubt change the streetscene considerably, but in a localised fashion, as the road is heavily treed and for much of the year the site will be screened in long views by mature trees. Given the space around the site, it is considered that the development, in terms of massing and impact on the streetscene, and design of the building, is acceptable.

Trees and Ecology

As part of the development two Copper Beech trees are proposed for removal. The trees, being subject to a TPO, should have been taken account of as a constraint during the design process.

These trees are about 15m high, and form a prominent feature in the street scene when viewed from Oundle Road and St Botolph Lane. The applicant has submitted an Arboricultural Assessment which states that one of the trees, despite being categorised as C2 in 2009, could be "...fairly graded as B2". (B2 - of moderate value, offering at least 20 years contribution, distinct landscape feature as a group; C2 - low quality and value, at least 10 years contribution, trees of low or temporary landscape value). These trees were added to the TPO in 2004 and although the condition of trees can change over 8-9 years, the current tree survey does not identify any sound arboricultural reason for the felling of either tree. It is likely that if one tree was removed (the C2), the other, the B2, could adapt and survive.

The tree in question is one of only two trees on the site that has a life expectancy of over 20 years. All the other trees are likely to have shorter lives. The Copper Beech is a large species that will contribute a size and scale that cannot easily be replicated by replacement planting in the short term.

The two Copper Beech trees are among several trees on the site which, together, form a part of the landscape character of the area. They offer visual amenity, contrast in terms of colour and texture against other tree species, and act to draw the eye into the depth of the site. As well as these trees it is proposed to remove, in order to facilitate development, several small trees such as apple trees at the rear of the site, and a total of 8 trees across the centre of the site. These vary in height from 4m to 14m, and are mostly category C2. Although some of these are included in the TPO, they were viewed by the Landscape Officer at the time of an earlier application, and their loss in order to facilitate development was accepted.

The applicant has pointed out that views of the trees from Oundle Road would be blocked by the building. It is clear however that views from St Botolph Lane, a public right of way, would remain.

Officers have concluded that the loss of the trees should be resisted, which means that the application would have to be refused. The applicant has stated that the development would not be financially viable if the trees had to be retained as this would reduce the scale of the development,

and will be submitting a viability assessment. This will be assessed, and comments will be included in the update report.

A further issue is that the recommended surveys, for reptiles and bats, have not been carried out. These should have been carried out in advance of the application, and as the matter was first raised early in 2011 there has been plenty of time for this work to be done. The Wildlife Officer has advised that the submitted reptile mitigation, while acceptable in itself, is not detailed enough and is not based on any survey information.

Reptile surveys have to be carried out in spring or early summer. This site is not considered to be particularly sensitive in terms of wildlife and there is a low probability of reptiles being present. Given the timing of this application, it is considered that a survey, and any further, more detailed, mitigation that might be necessary, can be secured by Condition. There would be space within the landscaped area for some reptile mitigation to be provided if necessary. The alternative is to delay issuing a decision until after surveys have been carried out and mitigation, if necessary, agreed.

In order to protect bats, foxes and nesting birds, conditions would be appropriate requiring that surveys are carried out for bats and foxes prior to felling of trees or groundworks, in order that protection can be secured if any are found, and trees/scrub should not be cleared during the bird nesting season unless an ecologist has confirmed that there are no nesting birds present.

Bird and bat boxes should be provided as part of the development and can be required by condition.

Contamination

As the site was formerly a petrol filling station, there were large tanks underground which have not been removed. This application does not propose their removal, and supports this with a Contamination Report which examines the potential for pollution. The report was written for a different proposal (a replacement petrol station and shop) and so does not properly examine the potential impact on people living on the site. Further information will have to be provided, and the appropriate level of mitigation established. The Environment Agency have asked for conditions regarding this, and it is considered that the reporting and mitigation can be secured by condition.

Drainage

A neighbour in Gordon Way has commented that the site contributes to flooding on his property. No 2 Gordon Way is separated from the application site by another garden, most of the application site is unsurfaced, and the application site slopes down towards Oundle Road, so it is difficult to see how the site could contribute to flooding two gardens away.

Comments have also been made about standing water on the site and in the immediate locality. The applicant has stated that foul and surface water will be disposed of to the main sewer. This would have to be agreed with Anglian Water. No Sustainable Drainage has been proposed, which would normally be expected on a newly developed site and which is sought by Policy CS22. The applicant has not provided any information as to why a Sustainable Drainage system could not be used, but it should be noted that the part of the site to be built on is already hard-surfaced. Much of the site will remain as permeable landscaping, and the parking area and paths can be constructed of a permeable material. This can be agreed under a condition.

Section 106 Contribution

The contribution required under the Planning Obligations Implementation Scheme would be £56,000. The provision of Household Travel Information Packs would also be secured. The applicant has offered a contribution, but has stated that viability of the development overall will affect the sum that can be offered. A viability appraisal is expected. This will be assessed and reported in the Update Report.

Sustainability

The applicant has stated that the development aim to provide high levels of thermal efficiency and

sustainability, but no detailed information has been provided. In the absence of this detail, a standard condition should be imposed requiring that the development achieves a 10% improvement over the Building Regulations Target Emissions Rate.

The applicant has also said that areas of the rear garden can be dedicated to vegetable production and composting, but in the absence of either a dedicated management team or one or more eager residents this would be difficult to secure. The landscaping scheme to be required under condition could secure planting of native and wildlife-friendly species, to support local biodiversity.

Boundary fence

A neighbour has commented that the existing boundary fence encroaches onto St Botolph Lane. As far as can be ascertained from the proposed site layout and the copy of the title plan that has also been provided, the proposed boundary is correctly placed. The proposed site plan also includes a visibility splay at the corner of St Botolph Lane, which will improve Highway safety.

6 Conclusions

Reasons for refusal

The proposal will result in the loss of two Protected Copper Beech trees. The trees form part of the landscape along this stretch of Oundle Road, and offer a valuable contribution to the overall visual amenity of the area.

The proposed development would not provide adequate facilities within the curtilage of the site for the parking of motor vehicles and is therefore contrary to Policy PP13 of the adopted Peterborough Planning Policies DPD.

If Members are minded to refuse the application, then the absence of a S106 agreement will also have to form a reason for refusal.

The proposal is acceptable in these respects:

The principle of residential development is acceptable in this location, and the development would contribute to meeting local housing targets in accordance with Policy CS8 of the Core Strategy
Suitable levels of amenity for future residents would be provided in accordance with Policy PP4 of the Planning Policies DPD

There would be no unacceptable impact on neighbours, in accordance with Policy CS16 of the Core Strategy and Policy PP3 of the Planning Policies DPD

Adequate cycle parking would be provided as required by Policy PP13 of the Planning Policies DPD

Highway safety would be improved with the closure of one vehicular access and the change of the other to give pedestrian priority, in accordance with Policy PP12 of the Planning Policies DPD

The design of the building is appropriate to the site and would be attractive addition to the streetscene, in accordance with Policy CS16 of the Core Strategy and Policy PP2 of the Planning Policies DPD

Suitable mitigation could be achieved for any impact on wildlife, in accordance with Policy PP16 of the Planning Policies DPD

The contamination on the site could be suitably remediated to remove the risk of impact on human and environmental health, as required by Policy PP20 of the Planning Policies DPD

The site could be suitably drained, the development would not contribute to flood risk, and would contribute to the City Council's Environment Capital Agenda as required by Policies CS10 and CS22 of the Core Strategy.

7 Recommendation

The case officer recommends that planning permission is **refused**.

However, should Members conclude that the loss of the Protected tree, and the underprovision of car parking, are acceptable and feel minded to resolve to grant approval subject to the completion of a S106 agreement, the following conditions would be appropriate:

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

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

C2 Development shall be carried out in accordance with the following drawings and documents:

Proposed site layout plan AK0001_P13

Proposed floor plans AK0005_B

Proposed elevations AK0006_B

Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement Reference 2274.AIA.Rev.A.OundleRd.Abbeygate and associated plans.

Reason: In the interests of proper planning and in accordance with Policy CS16 of the adopted Peterborough Core Strategy 2012.

C3 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the Local Planning Authority in writing. No demolition/development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

C4 Prior to commencement of the development detailed contoured plans with existing and proposed spot heights and cross sections shall be submitted to and approved in writing by the Local Planning Authority. These shall show the existing footway levels and the levels of adjacent dwellings and existing boundary treatments, the proposed building, access, ramps, bin store, and levels of the parking and amenity area. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, and to ensure that the building is appropriately placed in the streetscene, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C5 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the Local Planning Authority dispenses with any such requirements in writing:

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

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle

and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority.

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

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

C6 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority.

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

Reason: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

C7 On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

C8 No development shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Walling and roofing materials including masonry, render, roof tiles, material for flat roof, bargeboards and fascias

Cills and lintels

Windows and doors

Roof lantern.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD 2011 and to ensure appropriate disposal of surface water in accordance with Policy CS22 of the adopted Peterborough Core Strategy DPD 2011.

C9 Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

A scheme of vehicle cleansing to prevent mud and debris being carried on to the Highway

A scheme of working hours

Measures to ensure that all construction and delivery vehicles can enter the site immediately on arrival

A plan showing adequate space within the site for construction traffic to park and turn

A scheme of noise and dust control to prevent unacceptable impact on neighbours.

Development shall be carried out in accordance with the approved Plan.

Reason: In the interests of Highway safety and neighbour amenity, in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD 2011.

C10 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.

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

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

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

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy PP16 of the adopted Peterborough Planning Policies DPD 2012.

C11 Prior to any development taking place surveys shall be carried out to establish the presence or otherwise of reptiles and bats on the site. The results of the survey, and appropriate mitigation based on the survey and the strategy set out in the approved Ecological Appraisal (January 2011, ECO2457.EcoApp.vf), shall be submitted to the Local Planning Authority for approval in writing. The mitigation strategy shall be implemented prior to any development, including site clearance.

Reason: To ensure the survival and protection of important species (a feature of nature conservation importance) and those protected by legislation that could be affected adversely by the development, in accordance with Policy CS21 of the adopted Peterborough Core Strategy 2011.

C12 Prior to any groundworks being carried out, a survey shall be made to establish the presence or otherwise of foxes or other large mammals. If any are present on site then suitable measures shall be taken to either protect the young until they have left the nest, or to prevent animals from returning during development.

Reason: To ensure the survival and protection of important species (a feature of nature conservation importance) and those protected by legislation that could be affected adversely by the development, in accordance with Policy CS21 of the adopted Peterborough Core Strategy 2011.

C13 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless a survey undertaken immediately prior to development demonstrates that the site is clear of nesting birds.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the adopted Peterborough Core Strategy 2011.

C14 Prior to the development being occupied, a store for refuse bins, and a hard-surfaced collection point, shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure suitable provision for the storage, collection and sorting of waste, in accordance with Policy PP4 of the adopted Peterborough Planning Policies DPD.

C15 Prior to the development being occupied, a secure, covered store for the parking of 28 cycles, and suitable parking for visitor cycles, shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of Highway safety, and to encourage travel by sustainable modes in accordance with Policies PPP12 and PP13 of the adopted Peterborough Planning Policies DPD 2012.

C16 Prior to the development being occupied, lighting to the shared areas including the entrances and the refuse bin store shall be installed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of residents, and to ensure that lighting does not cause a danger to users of the Highway, in accordance with Policies PP4 and PP12 of the adopted Peterborough Planning Policies DPD 2012.

C17 Prior to occupation of unit 14, the side (south-west) facing windows shall be obscure glazed and non opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall subsequently be retained as such.

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 2012.

C18 Prior to the first occupation of the building a scheme for the landscaping of the site including boundary treatments shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved prior to the first occupation of the building, with the exception of the planting which shall be installed no later than the first planting season following the occupation of any building.

The scheme shall include the following details:

Proposed finished ground and building slab levels

Planting plans including retained trees, species, numbers, size and density of planting

Bird and Bat boxes

Boundary treatments to the front of the site and the boundary to St Botolph Lane

Details and siting of gates

Any changes to existing boundary treatments

Surfacing of vehicular driveways and pedestrian paths

Permeable or porous surfacing to parking area, with details of the marking out of spaces and allocation to individual units

Hard landscaping features such as seating, retaining walls.

Reason: In the interests of the visual appearance of the development, the enhancement of biodiversity, the provision of adequate parking and the amenity of residents in accordance with Policies CS16 and CS21 of the adopted Peterborough Core Strategy 2011, and Policies PP4, PP13 and PP16 of the adopted Peterborough Planning Policies DPD 2012.

C19 Unless alternative features of sustainability are incorporated into the development, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, the development hereby approved shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

C19 Prior to first occupation of the development the off-site Highway works shall be satisfactorily completed as follows:

Removal of the existing western access to Oundle Road and reinstatement of double height kerbing

Construction of new vehicular access as shown on drawing AK0001_P13, and reinstatement of redundant areas of the access as footway with double height kerbing

Any associated road markings.

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

Associated informative:

With regard to Condition 19, "satisfactory completion" can be demonstrated by compliance with the requirements of the Local Highway Authority, and completion of the necessary Highways Act agreements.

Copy to Councillors Scott OBE S M, Seaton D A, North N V

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LOCATION PLAN 12/01922/FUL

R and P Meats Ltd, 55 Cherry Orton Road, Orton Waterville, Peterborough

Scale NTS

Date 8/2/2013

Name AA Department Planning Services



PETERBOROUGH



CITY COUNCIL

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Application Ref: 12/01922/FUL

Proposal: Change of use of remaining part of residential garage to business use - Retrospective

Site: R And P Meats Ltd, 55 Cherry Orton Road, Orton Waterville, Peterborough

Applicant: R And P Meats Ltd

Agent: Mr M Watson

Referred by: Head of Planning Transport and Engineering Services

Reason: For reasons of fairness and transparency

Site visit: 29.01.2013

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 application site is located on the southern edge of the Orton Waterville Conservation Area. The site consists of a dwelling to the front of the site that has been rendered and remodelled over the years and is no longer of historic character. Along the left hand side of the site and to the rear is the meat wholesale premises that has been in operation since the mid 1950's. Along the left hand side of the site these are relatively narrow, single storey brick built outbuildings that are in commercial use. To the rear of the site is a larger modern structure which is in mixed use of commercial, incorporating residential garaging. To the centre of the site there is a garden space and gravel driveway that is used for the parking and turning of the 4 commercial vehicles stored on site.

Proposal

Permission is sought for the change of use of remaining part of residential garage to business use - Retrospective

2 Planning History

Reference	Proposal	Decision	Date
11/00340/FUL	Proposed canopy to existing building - retrospective	Application Permitted	19/04/2011
11/00879/FUL	Change of use of existing residential store to store room for business use (part-retrospective), removal of existing mono-pitched roof, and replace with flat roof and covered access to store room, change use of part of existing garage to upgraded toilets	Application Permitted	29/07/2011
P0601/74	Change of use from private garage to garage and storage of refrigerators	Application Refused	14/02/1975

3 Planning Policy

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

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

Peterborough Planning Policies DPD (2012)

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.

4 Consultations/Representations

Parish Council (21.01.13)

The Parish Council is objecting on the grounds as on previous application 11/00879/FUL:

1. Since the site forms part of the designated Conservation Area of Orton Waterville and is allocated primarily for residential purposes, any consolidation of the existing further industrial uses undertaken on the site would be seriously detrimental to the residential amenities of the area generally, and of nearby households in particular.
2. An intensification of the commercial use of the site would have further impact on the traffic flow to the premises and be detrimental to the residential amenity of the area.

Conservation Officer (23.01.13)

An intensification of use of the site would neither preserve nor enhance the character or appearance of the conservation and if it is considered that this would likely arise from approving the retrospective application then the application should be refused.

Transport and Engineering Services (31.01.13)

No objection

FAO Emma Doran Pollution Team (30.01.13)

Any further intensification of the use may therefore result in additional disturbance to existing complainants, for whom there is no satisfactory legislative remedy where the operator conducts his business using the Best Practicable Means to control noise nuisance. Consequently further intensification of the use of the site should be avoided.

The operator comments that:

The installation of a fridge and condensing unit to store the above meats etc. The above is a requirement by the Food Standard Agency to increase the fridge storing facilities due to the existing fridge storage capacity being inadequate, overloaded and therefore inefficient

This is probably an indication of an intensification of use.

Should permission be considered for the site, further evaluation of noise from the condensing unit will be required.

Councillor J Stokes (21.01.13)

If you are minding of recommending approval for this application then I would like to call it in to Committee

Landscape Officer (22.01.13)

No objections

Local Residents/Interested Parties

Initial consultations: 10

Total number of responses: 13

Total number of objections: 13

Total number in support: 0

A single letter of objection signed by 14 Signatories was received raising the following points;

The last four planning applications by this business have been retrospective and this current one is the third in 22 months. (This is evidence of the creeping/incremental expansion of the business.)

The business' planning application includes some inaccuracies which are corrected below :

- (1) In section 10, (Vehicle Parking), it is claimed that the business has 4 vans, whereas it has 5.
- (2) In section 14, (Existing Use), the application omits to mention that it also supplies eggs as well as fresh meat, cooked meat, bacon and cheese.
- (3) In section 20, (Hours of Opening), the business claims that it only operates from Monday to Friday between 7.00am and 5.00pm. Referring to the start time, cardboard packaging collection in the yard occurs as early as pre-5.00am on some days; one of the business' vans arrives at 5.30am most mornings and the workers arrive at 6.00/6.30 on 3 working days of each week. (On Friday 11 January'13, the workers were arriving at 5.45am.) During the summer, the outside catering activities of the business, eg barbeques/hog roasts, usually take place on a Saturday and the very noisy and disturbing unloading and clearing up activities in the yard have continued as late as 1.30am on the Sunday morning.

Summary of relevant background information:

- (1) During the period from 1957 to 1977, when the business was smaller than it is now, on 8 separate occasions the Council refused planning permission because it considered that the proposals would damage the residential amenity of nearby residents. The planning authority summed up the situation by saying "It has become clear that the original grant of consent in 1957 was, to say the least, unfortunate. It introduced an industrial use into an area ill-suited for such activities and has subsequently been the cause of much complaint and objection. The site is now part of the designated conservation area and is within a predominantly residential neighbourhood. The introduction of a new non-conforming use involving additional traffic and activity would cause serious damage to the amenity of the area in general and nearby property in particular." This is even more relevant today.
- (2) In the mid-90's, residents petitioned the Council regarding what planning officers described as demonstrable harm to the residential amenity such that it justified discontinuance action. The then Policy Committee acknowledged "the exceptional and severe nature of the problems." At that time, there were 5 or 6 employees: since then, the workforce has increased to 17, there is at least a 10-fold increase in van capacity and there is a larger range of goods supplied.

(3) The 1978 Orton Waterville Conservation Report, which was adopted by the Council as a planning guideline, recommended that any further expansion which might generate more traffic or disturbance to neighbouring residents should be resisted. It also stated that the Council will take action to restrict non-conforming uses to their present scale and extension would normally be refused.

(4) By virtue of the narrowness of the road and business' entrance, and the small, congested yard, almost all of the lorries serving the business unload on the road outside No 53. There are up to 4 each working day. In addition to this, occasionally, a large customer van is loaded up outside No 53 using the fork lift truck.

(5) In the past few years, apart from telephone calls, 6 letters have been sent to the Council complaining about the business' practices and their harmful impact on nearby residents.

In section 2 of the business' "Design and Access Statement.." it openly admits that its existing fridge storage capacity is inadequate. The obvious conclusion is that the business has outgrown its existing facilities and this additional refrigerator represents an expansion of the business.

- Noise pollution when lorries are unloading on the road outside No 53. Lorries often park on the pavement so close to the cottage that pedestrians cannot use it.

- Diesel exhaust fumes in homes when lorry refrigerators are left running during unloading and parking on the road.

- Early morning (pre 7.00am) and, at some weekends, late night (post 11.00pm) noise pollution from the business' yard. Sleeping in the back bedroom of No 57 is almost impossible when, as early as 6.00am, boxes are being dumped into vans and their doors slammed.

- Blocking of light from living room of No 53 when a lorry is parked just a couple metres away.

 - Blocking of driveways when Lorries serving the business are parked on the road.

 - Blocking of the road itself by unloading Lorries. (Some examples are shown in the photographs)

When refuse Lorries have been prevented from proceeding past the business, either residents' bins have not been emptied or the wheelie bins have been dragged along the road to the refuse lorry.

- Damage to the listed cottage at No 53. There have been numerous occasions when the cottage has been damaged by Lorries either entering or leaving the premises. On one occasion, the corner coping stone of the roof was knocked down to the pavement.

In addition to the above, with the business using a fork lift truck on the road to unload Lorries, there are risks to the public which the Council ought to recognise.

Referring to the Council's Development Plan Policies, it follows those criteria

CS16(d), (e), (f) and CS 17 are not and cannot be met. In a similar vein, the photographs demonstrate that the activities of this business clearly fail to preserve or enhance the character or appearance of our conservation area, even though, referring to the Planning Policy Guidance (PPS) 5, the courts have confirmed that such criteria should be given a high priority. The business has a history of expansion and in recent years this has accelerated. The current planning proposal is seen as part of this expansion.

In conclusion, it is the residents' opinion that this planning application for yet further expansion of the business should be rejected because it seriously conflicts with the Council's planning policies and, with its totally inadequate unloading facilities, small, congested yard and close proximity to residential property, the business already unacceptably damages the residential amenity of nearby residents

5 Assessment of the planning issues

The main consideration is:

Do the proposals represent an intensification of the use of the site?

The site has a history dating back to the 1950's. As residents have stated in their representation the Council considered but did not take discontinuance action in the mid 1990's when it is claimed that the operation was smaller scale. Since then local residents have claimed that the business has

expanded. During the 1970's a number of applications regarding the incremental expansion of the site were refused by the Local Planning Authority. It would appear that application number P0601/74 refused the change of use of part of the residential garage to garage and storage of refrigerators, though it is difficult to tell from the remaining records whether this is the same garage that is proposed for conversion now. Recently two retrospective application permitting incremental expansion of the business have been approved.

With regard to this application the issue is not to establish whether the operation of the business causes issues to local residents, the evidence suggests that it does. The issue to be decided is whether the proposal results in an intensification of the use of the site, as any intensification would be likely to increase the issues experienced by nearby residents.

It is clear from the representations received from local residents, Conservation Officer and from the environmental health department that the operation of the business causes numerous problems to neighbouring residents; mainly noise outside of the agreed hours of operation and damage to property and obstruction by HGV's making deliveries to the site. Some of these problems have been addressed by the Environmental Health Department; others cannot be addressed due to the business operating using best practicable means to avoid neighbour disruption, or issues with HGV's within the public highway. Environmental Health also state that any further intensification of the use may result in additional disturbance to existing complainants, for whom there is no satisfactory legislative remedy where the operator conducts his business using the Best Practicable Means to control noise nuisance. Consequently further intensification of the use of the site should be avoided.

The Local Highways Authority have raised no objection to the proposal, it is assumed that this is because they believe that the any intensification of the site through the installation of the fridges is negligible. However both local residents and the Environmental health team disagree with this viewpoint, with Environmental Health stating that the applicant himself has said that The installation of a fridge and condensing unit is a requirement by the Food Standard Agency to increase the fridge storing facilities due to the existing fridge storage capacity being inadequate, overloaded and therefore inefficient.

The Local Planning Authorities considers that the proposal converts some of the remaining residential floor space within the site into cold storage. This is an increase in commercial floor space and is considered to represent an intensification of the use of the site in the physical sense. Any increase in commercial floorspace may result in more deliveries and dispatches and more moving of product within the site, harming the amenity of neighbours. If this were to occur they would be no satisfactory legislative remedy for local residents.

It must also be considered that the siting of the refrigerator will result in the loss of two residential parking spaces. This could result in more parking and manoeuvring within the public highway, to the detriment of both the character of the area and the amenity of the occupiers of neighbouring dwellings.

For the reasons above it is considered that the proposal will intensify the use of the site and this will have a negative impact upon the character of both the Orton Waterville Conservation Area and upon the amenity of the occupiers of adjacent dwellings through increased operational noise and deliveries. This nuisance could not be controlled through statutory noise nuisance controls.

6 Conclusions

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

7 Recommendation

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

R 1 The siting of the refrigerator will result in the loss of two residential parking spaces and an increase in the commercial floor space and cold storage capacity of the site. This is considered to be an intensification of the operation which could result in more parking and manoeuvring within the public highway and increased numbers of deliveries and noise, to the detriment of both the character of the Orton Waterville Conservation Area and the amenity of the occupiers of neighbouring dwellings. This is contrary to policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and policies PP3 and PP12 of the Peterborough Planning Policies (DPD) 2012 which state;

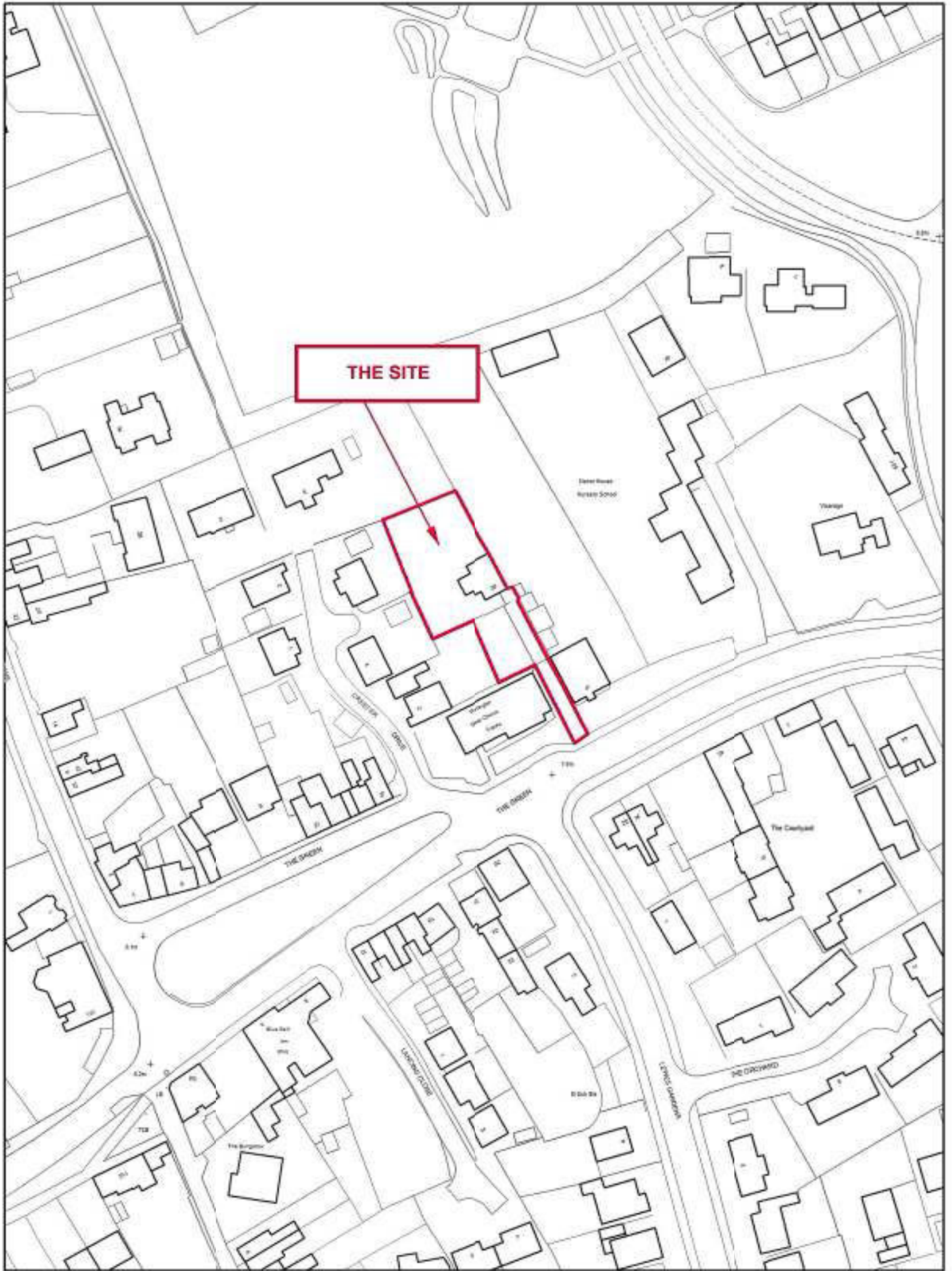
CS16 - New development should not result in unacceptable impact upon the amenities of occupiers of nearby properties.

CS17 - The Council will protect, conserve and enhance the historic environment throughout Peterborough. All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas of high heritage value.

PP3 - Planning permission will not be granted for development which would result in unacceptable noise and disturbance for the occupiers or users of nearby properties.

PP12 - Planning permission for development that has transport implication will only be granted if it would not result in an unacceptable impact on any element of the transportation network.

Copy to Councillors Stokes J, Elsey G A, Allen S



LOCATION PLAN 12/01832/HHFUL
39 The Green, Werrington Peterborough PE4 6RT

Scale NTS **Date** 8/2/2013 **Name** AA Department Planning Services



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APPLICATION REF: 12/01832/HHFUL

PROPOSAL: TWO STOREY SIDE EXTENSION TO DWELLING

SITE: THE GREEN, WERRINGTON, PETERBOROUGH
APPLICANT: MR R ANTON

AGENT: N/A
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: COMMITTEE CONSIDERATION WAS AGREED FOLLOWING A MEETING WITH THE APPLICANT
SITE VISIT: 18 JANUARY 2013

CASE OFFICER: MIKE ROBERTS
TELEPHONE: 01733 454410
EMAIL: mike.roberts@peterborough.gov.uk

RECOMMENDATION: REFUSAL

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

Site and Surroundings

The application property lies along the north side of The Green close to the junction with Fulbridge Road. It is of brick and tile construction. The dwelling is located in a backland location to the rear of the Werrington Green Church Centre. To the south of the dwelling is the rear garden of no.2 Crester Drive, to the west is the rear garden of no.4 Crester Drive and to the west of the rear garden of the dwelling is the rear garden of no.6 Crester Drive. To the east of no.39 is the long rear garden of no.41 The Green. The dwelling was originally wholly two storey in height although it has been extended by way of a single storey extension that is located alongside the east facing elevation and to a point half way along the rear elevation.

The character of the immediate area is principally residential. The application has its vehicular access directly off The Green between no.41 and The Church Centre.

The front elevation is set back approximately 50m from the public highway. The front elevation of the dwelling is partly visible from the public highway

Part of the north boundary of the garden of no.2 Crester Drive is shared with that of no.39. The boundary is marked by a 1.8m high fence. A mature deciduous tree is located just to the north of this fence within the application site curtilage. The rear garden of no.2 is principally open. No.4 Crester Drive has a rectangular shaped rear garden with a depth of 12m and a garage set back within its garden alongside its northern boundary. Alongside its rear boundary, shared with no.39, is a small row of mature Leylandii trees to a height in excess of 8m. Such is the maturity of these trees that they screen the application dwelling from view within the curtilage of no.4.

No.6 Crester Way has a rear garden of a depth of 8m with a width of 19m. The rear shared boundary with no.39 is marked by a 1.7m high fence. The rear garden area of no.6 is generally quite open and faces over towards the rear garden of no.39. There was, up until recent years, a good sized tree between the two properties (i.e. no.39 and no.6) within the rear garden of no.6, close to the boundary. This has been totally removed and has opened up the views into no.39 from the rear of no.6 and vice versa.

Whilst the application dwelling is principally 2 storey it does have a single storey extension that extends from the front elevation of the eastern side of the dwelling round to the mid-point of the

rear elevation of the dwelling. The garden of no.39 is at a lower level than its dwelling. To the north of the application site is a rear garden of a residential property. The boundary is defined by trees and bushes. The rear garden of no.39 is well maintained, principally grassed over with areas of paving slabs close to the west facing and north facing elevations dwelling. There is an existing wide window in the first floor west facing elevation of the house that has the potential to overlook both the rear gardens of nos.2 and no.6 Crester Drive respectively.

The Proposal

The proposal is a re-submission following on from a similar scheme that was withdrawn last year. The proposal is for a two storey side extension with a width of 6.2m and a depth of 7.03m. The proposal will involve the demolition of an existing single storey, flat roof side extension to the west side of the dwelling. The proposed extension would represent an increase in the width of the dwelling by 78%.

The ground floor of the extension would comprise a lounge and the first floor would add two additional bedrooms giving a total of five for the dwelling. Also proposed is a modest single storey rear extension centrally located that would not extend beyond an existing single storey rear elevation of the dwelling.

The proposed south facing wall of the two storey side extension would be 6.1m away from the shared garden boundary with no.2 Crester Drive. The west facing wall of the extension would be 5m from the garden boundary with no.4 Crester Drive. The north facing wall of the extension faces into the garden of the application dwelling.

Fenestration for the extension:-

- a) South facing front elevation – Ground floor – 1 high level obscure glazed lounge window
First floor – 1 bedroom window to be obscure glazed
- b) West facing side elevation – Ground floor – 2 large clear glazed windows to serve the lounge
First floor – 2 high level bedroom windows
- c) North facing rear extension – Ground floor – Patio doors
First floor – a French door arrangement to a bedroom that is to be fixed closed

The internal ground floor level of the extension would have to be raised to be in keeping with that of the existing dwelling. The materials would match those of the dwelling.

2 Planning History

Reference	Proposal	Decision	Date
12/00407/HHFUL	Two storey side extension	Application Withdrawn	15/05/2012

3 Planning Policy

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

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm,

address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (2012)

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.

4 Consultations/Representations

Parish Council

No comments received

Conservation Officer (19.12.12)

No objections. The extension would be barely visible from the public domain and as such it would not have any impact upon the character and appearance of the Werrington Conservation Area.

Local Residents/Interested Parties

Initial consultations: 10

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Objections have been received from the occupiers of two of the adjoining residential properties.

No.4 Crester Drive

The proposal would impact upon the privacy to the rear of the no.4 both to the garden and the dwelling. The windows of the flank elevation of the application dwelling are at present 11m away and the extension would result in windows being only 6m away from the common boundary with no.39. Leylandii trees have been planted alongside the common boundary of no.4 Crester Drive and no.39 The Green due the concerns that the occupiers of no.39 were looking to extend towards no.4. These trees are now creating structural issues such that it is likely in the near future that they would have to be removed. By doing this the applicants would be able to clearly view into the rear of no.4 to the detriment of the privacy of its occupiers. This would mean that replacement trees would have to be planted to mitigate against the overlooking that would result although this would not solve this problem as any such trees would take many years to screen the extension and particularly its first floor windows. The extension is large and poorly sited. The extension would be expected to take a long period of time to construct, as was the case with respect to a rear garden shed that the applicant has erected. Therefore this would extend the period of noise from the construction works to the detriment of the amenities of the close by neighbouring residents. The immediate area is quiet and peaceful but its character would be irrevocably damaged were the application to be granted planning permission.

No.6 Crester Drive

The proposal would be obtrusive and would encroach upon the privacy of both the dwelling and the rear garden of no.6. Currently the applicant can see into the dwelling at no.6 and the proposal would only serve to increase the overlooking potential by the closer proximity of the application

dwelling closer to no.6 which is proposing a large first floor window in the rear first floor elevation of the extension. The purchase of this property involved consideration regards to the privacy it enjoyed which is acceptable at the moment but this is now under threat. If the large extension is built, in order to protect the privacy afforded to no.6, trees would have to be planted within the rear garden. However they would take years to grow and when they mature they could remove the natural light from the garden and within the dwelling at no.6. The applicant recently erected a very large outbuilding close to the boundary of no.6. Whilst building this he would work evenings, early mornings and weekends causing noise to the detriment of the residential amenity afforded to no.6. There is concern that this may be similarly repeated in the construction of the proposed extension to the detriment to the amenities of no.6. The area is currently peaceful and in keeping with a village location and it is considered that the character would be irrevocably damaged by the applicants wish to build this large extension.

COUNCILLORS

No comments have been received.

5 Assessment of the planning issues

The main considerations are:-

- **The design/scale of the extension**
- **The impact of the extension upon the amenities of the occupiers of no.2, no.4 and no.6 Crester Drive.**

The design/scale of the extension

The proposed south facing elevation of the extension would be dominated by brickwork with the proposed two windows of this elevation being located 4.4m away from the nearest window in the existing dwelling. This fenestration is also very much contrived in an attempt to ensure that there would be no overlooking of the rear garden of no.2. The ground floor window would be high level and the bedroom window would be obscured glazed. This, and the scale of the extension would be detrimental to the existing character and appearance of the property particularly as one enters the property from The Green.

The impact of the extension upon the amenities of the occupiers of no.2, no.4 and no.6 Crester Drive.

No.2 Crester Drive - The south and west facing elevations of no.39 are visible from within the dwelling of no.2, but particularly so from its rear garden. It is considered that at present there is sufficient separation between the application dwelling and the garden of no.2 and the west and south facing side elevations of no.39. Consequentially there is minimal overbearing presence from the application dwelling to the amenities of the occupiers of no.39. This is assisted by a mature deciduous tree adjacent to the boundary between the two dwellings during the summer months.

However, the extension will bring 6.2m closer to the boundary with no.2. This together with the extensions bulk and width, will give rise to a more significant overbearing presence that would be harmful to the amenities afforded to no.2. This would be reduced in the summer months due to the presence of the mature deciduous tree but this would not be all year round and when not in leaf the extension would be very noticeable. There would be no overlooking into the rear garden of no.2 from the south facing first floor bedroom window of the extension as it is proposed to be obscure glazed. This is a somewhat contrived as whilst solving one issue it would compromise the internal amenity of the bedroom that it is to serve as it has no other windows.

No.6 Crester Drive - The application dwelling is generally clearly visible from no.6. The rear elevation of the proposed extension will bring the application dwelling to within 6m of the boundary with no.6 and 14m of the house itself. This closer proximity would result in a greater dominating presence of no.39 due to the scale and the mass of the extension and therefore would adverse

impact upon the amenities afforded to the occupiers of no.6 Crester Drive, from the house and the garden.

The proposal includes two windows in its rear elevation. Patio doors are proposed to serve a lounge on the ground floor and two fixed closed clear glazed tall French door type windows at first floor level. Due to there being a change in levels from the floor level of the application dwelling and the rear garden, the ground floor of the extension would have to be raised to match the existing internal floor level. This would result in views out from the ground floor patio doors overlooking the rear garden of no.6 as the common boundary fence between the two properties is only approximately 1.7m high. The proposed first floor rear window, whilst it is proposed to be fixed closed, it would still permit clear views towards the rear garden area of no.6 to the detriment of the amenities of the occupiers of that dwelling.

The amenities of the occupiers of no.4 Crester Drive would not be adversely affected by the extension, despite its scale and proximity to its shared boundary with no.39, due to the presence of a small row of mature Leylandii located along the boundary of its rear garden.

6 Conclusions

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

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **REFUSED** on the grounds that:-

R1 The proposed rear facing first floor bedroom window, floor to ceiling in design, of the extension would allow overlooking into the rear garden of no.6 Crester Drive to the detriment of the privacy the occupiers of that property and would therefore be contrary to policies PP2 and PP3 of the Peterborough Planning Policies Development Plan 2012.

R2 The proposed extension would, due to its scale, mass and siting, have an adverse overbearing impact upon the amenities of the occupiers of no.2 and no.6 Crester Drive. Therefore the proposal would be contrary to policies PP2 and PP3 of the Peterborough Planning Policies Development Plan 2012.

R3 The proposed south facing elevation of the extension would be detrimental to the character and the appearance of the existing dwelling due to the type, size and positioning of the ground and first floor fenestration. Therefore the proposal would be contrary to policy PP02 of the Peterborough Planning Polices Document 2012

R4 By having to restrict overlooking of the rear garden of no.2 Crester Drive, bedroom 5 (drawing no.RTA/102 refers) would be afforded a poor internal amenity with only a high level window in the west facing elevation and a fixed closed obscure glazed within the south facing elevation. Therefore the proposal would be contrary to policy PP02 of the Peterborough Planning Polices Document 2012.

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

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LOCATION PLAN 12/01429/FUL

Newark Court, 7 Newark Avenue, Dogsthorpe, Peterborough

Scale NTS

Date 7/2/2013

Name AA Department Planning Services



PETERBOROUGH



CITY COUNCIL

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Application Ref: 12/01429/FUL

Proposal: Demolition of the existing building and erection of health centre (Use Class D1) with associated car parking

Site: Newark Court, 7 Newark Avenue, Dogsthorpe, Peterborough
Applicant: Allen Primary Care Premises Ltd

Agent: Turley Associates

Referred by: Head of Planning, Transport and Engineering Services
Reason: Application of wider public interest

Site visit: 08.02.2013

Case officer: Mr N J R Harding
Telephone No. 01733 454441
E-Mail: Nicholas.harding@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site is approximately 0.47 hectares in area and currently comprises a vacant single storey building and associated car parking and access road. The building was previously used by 'Best Deal 4 Baby' providing opportunity for the exchange of unwanted baby items albeit this use was never permitted and the lawful use of the building is for B1 offices. In addition, part of the site area is formed by garden land associated with No.5 Newark Avenue, a residential dwelling.

The site is located within a predominantly residential area, with residential dwellings enclosing the site to the north, south and east. There is variety of built form in the surrounding area, with a mix of size and style of dwellings along Newark Avenue, Eastfield Road and Derby Drive. To the north of the site is modern backland development comprising 4 no. flats. To the south-west of the site is an established children's day nursery (Class D1).

Proposal

The application seeks planning permission for the demolition of the existing building and construction of a new two storey medical centre (Class D1) comprising:

- 8 no. consulting rooms
- 3 no. treatment rooms
- 2 no. Healthcare Assistant/Phlebotomy rooms
- 4 no. rooms for District Nurses, Health Visitors and District Midwife
- Ancillary office and staff accommodation
- Pharmacy (100 square metres of floor area)

The total gross internal floor area of the proposed surgery extends to 992.7 square metres. In addition to the above, the proposal includes improvement to the existing vehicular access, provision of 41 car parking spaces (14 of which result from the change of use of part of the garden associated with a dwelling) and associated landscaping. The proposed new accommodation would provide replacement facilities for four GP practices located in the surrounding areas - Welland, Dogsthorpe, Parnwell, Burghley Road/Church Walk.

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 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

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 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.

Section 11 - Re-use of Previously Developed Land

Should be encouraged provided that it is not of high environmental value.

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)

CS06 - Neighbourhood Regeneration

Regeneration will focus on key areas with service delivery through Neighbourhood Management Areas.

CS10 - Environment Capital

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

CS12 - Infrastructure

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

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

Peterborough Planning Policies DPD (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.

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.

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.

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.

4 Consultations/Representations

Building Control Surveyor (03.01.13)

Building Regulations approval is required. Part M relating to disabled requirements is applicable.

Transport and Engineering Services (10.01.13)

No objection – The proposed scheme does not provide sufficient parking to accord with the relevant maximum parking standards and may result in additional demand for on-street parking in the locality. However there is sufficient on-street parking capacity to accommodate any extra demand and the proposal therefore should not result in any undue danger to highway safety.

Landscape Officer (08.01.13)

No objections - The details contained within the submitted Arboricultural Survey require securing by way of a condition. Detailed landscaping proposals will be required which could be secured by condition.

Travel Choice (30.01.13)

The proposal would serve a population of approximately 10,000 people and as such, would have an impact upon the number of people using public transport. As such, bus stop improvements should be secured and a contribution towards monitoring of the Travel Plan is required.

Police Architectural Liaison Officer (31.12.12)

No objections however concern is raised as there is little opportunity for safe and legal off-site parking close to the facility. Details relating to closure of the site out of hours, car park lighting and measures to reduce the risk of crime need to be addressed however this can be secured by condition.

Environment and Pollution Control

Comments awaited.

Archaeological Officer (17.12.12)

No objections subject to securing a scheme of archaeological investigation through a monitoring/recording brief of all groundwork and evaluation by trial trenching.

Victoria Park Residents Association

No comments received.

Councillor Peach

Whilst not against the proposal, concern is raised regarding the level of parking provision which appears to be insufficient to meet the needs of the proposed surgery. The existing bungalow (within the ownership of the Applicant) should be demolished to provide additional parking. Traffic calming along Newark Avenue will be required.

Councillor Shearman

Whilst not against the proposal, concern is raised regarding the impact of the proposal and associated vehicular movements in relation to the junction of Eastfield Road with Newark Avenue.

Central and East Neighbourhood Committee

The proposal was put before the Neighbourhood Committee on 11th December 2012. The minutes of this meeting were forwarded to Officers as the following issues were raised:

- Concern that the size is not of a sufficient size to accommodate the proposal.
- Accessibility to the site for all users appears poor with no safe pedestrian linkages across Newark Avenue for patients.
- Concern that the level of parking is insufficient to meet the needs of the proposal.
- Concern regarding the impact of the proposal upon the junction of Eastfield Road and Newark Avenue.

Local Residents/Interested Parties

Initial consultations: 32

Total number of responses: 42

Total number of objections: 3

Total number in support: 37

37 standardised letters and one independent letter of support have been received in respect of the application, with the following points raised:

- The new centre will be a substantial improvement on the existing practices that are no longer fit for purpose.
- The proposal will provide modern facilities, offering a full range of primary healthcare facilities and a pharmacy in an accessible location for all residents.
- The development will regenerate a derelict and unsightly site, improving the overall appearance of the area.
- The proposed redevelopment will reduce crime risk and issues of vandalism/antisocial behaviour that currently take place on the site will be resolved.

Two letters of objection have been received on the following grounds:

- The parking on site is insufficient to accommodate a GP surgery.
- The building on site is not of a sufficient size to accommodate a GP surgery.
- The access on to Newark Avenue from the site is poor with inadequate/poor visibility.
- The proposal may result in an unacceptable impact to local residents from noise and general disturbance if the hours of opening are too early or late.
- The proposed building will appear overbearing and will have an oppressive impact upon neighbouring residents.
- The proposal will intensify the access to the site which will impact upon the junction of Eastfield Road and Newark Avenue.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Impact upon neighbour amenity
- Security and crime risk
- Archaeology
- Landscape implications
- Developer contributions

a) Principle of development

The application proposal seeks to construct a new two storey purpose-built medical centre which would consolidate four existing GP practices within the wider PE1 locality. The facilities within Welland, Dogsthorpe, Parnwell, Burghley Road and Church Walk would be closed and relocated to the application site, providing one facility for all patients. The application has been supported by assessment detailing the catchment areas of the existing facilities and it is considered that the application site represents a suitable location to meet the needs of the population it would serve. The site is well served by public transport routes, is readily accessible on foot and by private car and on this basis, is considered an appropriate location in which to site the proposal.

With regards to the proposed pharmacy (Class A1), whilst it is acknowledged that this lies outside of any identified Local Centre and no sequential test has been submitted, the use complements the proposed medical centre and would allow for shared trips by users. Subject to securing no other change of use within Class A1 (retail) by way of condition, it is considered that the proposal is acceptable in its context.

On this basis, the principle of development is acceptable, in accordance with the National Planning Policy Framework (2012), Policy CS6 of the Peterborough Core Strategy DPD (2011) and Policy PP1 of the Peterborough Planning Policies DPD (2012).

b) Design and impact upon the character and appearance of the surrounding area

The application proposal would result in the demolition of the existing single storey building on site and construction of a new two storey building. Whilst it is acknowledged that the new building would be much larger in size, scale and footprint to the surrounding built form, given its position centrally within the plot and the nature of the application site, it is not considered the proposal would result in any unacceptable harm to the character of the area.

The proposed building would stand at two storeys to a maximum height of 8.8 metres. The building has been designed to respect the context within which it is sited, by reducing the overall mass through varied roof heights, building form and cladding with a vertical emphasis. This will ensure that the overall appearance of the building would not appear unduly overbearing or dominant within the locality. The final proposed materials to be used within the finish of the building are subject to confirmation and this may be secured by condition to ensure that the final appearance of the building is of sufficient quality. On this basis, it is considered that the proposal will not result in any unacceptable harm to the character, appearance or visual amenity of the surrounding area and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

c) Parking and highway implications

Parking provision

The application scheme proposes to provide a total of 41 parking spaces for use by staff and patients of the medical centre and pharmacy. In total, the centre is proposed to have 16 staff present, thereby providing 25 parking spaces for patients. This number falls below the maximum parking standard set by Policy PP13 of the Peterborough Planning Policies DPD (2012) and is therefore likely to result in increased demand for parking on the nearby public highway. Whilst this situation is not ideal, the surrounding roads (particularly Newark Avenue and Eastern Avenue) have sufficient on-street parking capacity for any 'overflow' demand and therefore, it is not considered that the proposal will result in vehicles parking in dangerous locations or causing a danger to highway safety.

Access

It is proposed to improve the existing access to the site from Newark Avenue through widening to 5.5 metres for the first 10 metres in to the site and then narrowing to 5 metres in width. This improvement would ensure that two vehicles can easily pass one another when entering/exiting the site, preventing any conflict between road users and ensuring that cars are not kept waiting of the adjacent public highway. With regards to pedestrian access, it is proposed to provide a separate 1.5 metre wide footpath running alongside the access road. Given the signalised junction of Newark Avenue and Eastfield Road is in close proximity to the application site, this allows those patients wishing to walk or use public transport to safely cross Newark Avenue to access the site. The application scheme also proposes to provide secure and covered cycle parking for staff and patients and has submitted a draft Travel Plan for the proposed medical centre. It is considered that these measures, in combination with the improved vehicular and pedestrian access, ensure that the proposed development would be readily accessible by a variety of transport other than the private car.

Relationship to the junction of Newark Avenue/Eastern Avenue/Eastfield Road

It is noted that concern has been raised by local residents, Ward Councillors and the Neighbourhood Committee in relation to the impact of the proposal upon the junction of Newark Avenue, Eastern Avenue and Eastfield Road. The Local Highway Authority has confirmed that there are no improvements that can be made to this junction. Notwithstanding this, it is not considered that the proposal will result in a significant detriment to the free flow of traffic using this junction. It is acknowledged that the arrangement is not ideal however traffic moving along Newark Avenue would have the right of way and as such, vehicles wishing to exit the application site would have to wait.

On the basis of the above, the proposal is considered to be in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

d) Impact upon neighbour amenity

Overlooking, overshadowing and overbearing impact

The proposed replacement building would stand taller than the existing building to a maximum height of 8.8 metres. The building has been designed with a mono-pitched roof and therefore the highest elevation would face towards the block of four flats behind the residential dwellings fronting Newark Avenue. To the rear, the building is proposed to reach a maximum height of 6.3 metres with a variety of single and two storey elements. The proposed building would be sited more centrally within the wider infill area, set back from the position of the existing building on site.

The proposed principal elevation (at first floor) of the new building would be set approximately 22 metres from the residential flats located to the north of the application site. Whilst it is acknowledged that these residential units have windows to primary habitable rooms (i.e. living and bedrooms) facing the proposed medical centre, it is not considered that any unacceptable loss of privacy will result as the proposal is to have only high level (above 1.7 metres from floor level) or obscure glazed windows to this elevation. In addition, it is not considered that any overbearing impact would result owing to the level of separation.

With regards to other neighbouring residential dwellings to the east and west of the application site, it is considered that sufficient separation distance is maintained to prevent any unacceptably overbearing impact upon occupants. The proposed separation distances (17 metres to the west and 22 metres to the east) may result in some opportunities for overlooking to neighbouring dwellings and therefore a loss of privacy for occupants. This may be overcome through ensuring those side windows facing neighbouring dwellings are obscure glazed and non-opening, unless above a height of 1.7 metres above floor level. It is proposed to secure this by way of condition.

Noise and general disturbance

The application scheme seeks to widen the existing vehicular access to 5.5 metres at the junction with Newark Avenue, reducing to 5 metres further in to the site. It is proposed to include a 1.8 metre wide landscaping strip along the shared boundary with No.6 Newark Avenue to provide separation to the neighbouring dwelling. It is considered that this separation would reduce the level of potential noise disturbance to occupants and prevent any unacceptably harmful loss to amenity. In addition, it is also proposed to introduce a landscape buffer to the eastern and southern boundaries of the proposed car park extension (to the rear of Nos. 342 and 344 Eastfield Road). At present this area is used as garden land associated with No.5 Newark Avenue and accordingly, the neighbouring residents benefit from an intrinsically quiet area. The application proposal would result in vehicular movements adjacent to the garden areas of these nearby dwellings and it is acknowledged that some disturbance will result. However, subject to the strengthening of the boundary treatment through the landscaping proposed, it is considered that the proposal will not result in any unacceptable loss to occupant amenity.

It is noted that some concern has been raised by local residents with regards to the intended hours of use and the impact that may result in terms of noise and general disturbance. The Applicant has not provided any proposed hours of use however it is anticipated that the centre would be open out of hours in some instances where local demand requires it. At these times, it is not anticipated there will be a significant level of vehicular movements to and from the site and the impact upon neighbour amenity would be minimal. During an average week, it is anticipated that the centre would be open throughout the day and in some evenings. This does not represent a significant change from the existing lawful use of the site (B1 offices) and as such, it is not considered that the proposal would give rise to an unacceptable increase in

the level of disturbance to neighbours.

Impact upon adjacent Children's Nursery

It is acknowledged that the proposed medical centre building would be sited in very close proximity to the existing children's nursery 'The Manor'. However, it is considered that the scheme has been designed to respect this relationship with the south-western corner of the building (nearest to the neighbouring building) reduced in size to only single storey. As such, this relationship is no worse than the arrangement to the existing building on site. Furthermore, the proposal has been designed to ensure that no direct overlooking results to the outdoor play area of the nursery by use of obscure glazing. This will ensure that the safety of children at the adjacent site is maintained.

On the basis of the above, it is considered that the proposal would not result in any unacceptable impact upon the amenities of neighbouring residents and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Security and crime risk

Medical centres such as that proposed, are known to attract crime and anti-social behaviour and given the location of the proposed building, set behind existing development and with little or no natural surveillance, measures to reduce crime risk will be key. As such, it is considered necessary to secure a scheme of crime prevention measures including external lighting, CCTV cameras and physical security of the building. On this basis, the proposal is considered to be in accordance with the National Planning Policy Framework (2012), Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

f) Archaeology

The application site is located within an area of known archaeological interest. Given that the proposal would result in development on previously undeveloped land, there is potential for disturbance to unknown archaeological assets. To ensure that no harm results to any unidentified assets, the City Council's Archaeological Officer has requested that a scheme of archaeological investigation be secured by condition. On this basis, the proposal is in accordance with the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

g) Landscape implications

As a result of the proposed development, it would be necessary to remove one of the existing trees on site. Whilst this tree is of good quality, it makes no contribution to the overall visual amenity of the surrounding area and as such, the loss in this instance is accepted. The application scheme proposes areas of landscaping to soften the appearance of the development and a detailed landscaping scheme can be secured by condition. On this basis, the proposal is in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

h) Developer contributions

In accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution to the infrastructure demands it generates. The City Council has adopted a tariff approach to these contributions, set out in the Planning Obligations Implementation Scheme SPD (2010). Contributions relating to Class D1 development are negotiated on a case-by-case basis. The Travelchoice Team has requested a contribution towards improvements of the two nearest bus stops to the application site (on Eastern Avenue) owing to the additional demand for bus transport as a result of the development. It is considered that this contribution is sufficient and accordingly, no further financial contribution is being sought.

i) Other matters

The submitted application drawings identify some areas for the storage of refuse on the site. However, the area of refuse storage for the proposed medical centre appears to be accessed through an area which may be confused for car parking and no refuse collection point has been proposed near to the public highway. As such, it is necessary to condition these elements and on this basis, the proposal is in accordance with the RECAP Waste Management Design Guide SPD (2012).

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 proposed medical centre would replace existing facilities which are no longer fit for purpose in an area centrally located to the catchment that would be served and the principle of development is therefore acceptable, in accordance with the National Planning Policy Framework (2012) and Policy CS6 of the Peterborough Core Strategy DPD (2012);
- whilst the proposed pharmacy is located outside any identified local or district centre, the use complements the proposed medical centre and would allow for shared trips by users, in accordance with the National Planning Policy Framework (2012);
- the proposed building would not appear unduly incongruous or result in unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any danger to highway safety and is accessible by a range of modes of transport, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- no unacceptable harm to the amenity of neighbouring residents will result from the proposed development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal will not result in harm to or loss of unidentified archaeological assets, in accordance with the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal will not result in any unacceptable loss of existing landscape features, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012); and
- the development makes adequate contribution towards the infrastructure demands it will generate, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

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

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

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

- C 2 Development shall be carried out in accordance with the following drawings:
- Site Survey as Existing (Drawing Number 06/11/P/01)
 - Proposed Site Layout Plan (Drawing Number 06/11/P/02 Revision E)
 - Proposed Ground Floor Plan (Drawing Number 06/11/P/03 Revision E)
 - Proposed First Floor Plan (Drawing Number 06/11/P/04 Revision F)
 - Proposed Roof Plan (Drawing Number 06/11/P/05 Revision C)
 - Proposed North and West Elevations (Drawing Number 06/11/P/06 Revision C)
 - Proposed South and East Elevations (Drawing Number 06/11/P/07 Revision B)
 - Proposed Sections A-A and B-B (Drawing Number 06/11/P/08 Revision C)
 - Proposed Landscaping Plan (Drawing Number 06/11/P/10 Revision B)

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 3 No development shall take place until samples and details of the following materials have been submitted to and approved in writing by the Local Planning Authority:
- External walling and roofing
 - Windows and doors
 - Rainwater goods
 - Obscure glazing
 - Boundary treatments

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 4 Prior to the first occupation of the building, a scheme for the landscaping of the site shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved prior to the first occupation of the building, with the exception of the planting which shall be installed no later than the first planting season following the occupation of any building.

The scheme shall include the following details:

- Proposed finished ground and building slab levels;
- Planting plans including retained trees, species, numbers, size and density of planting;
- Boundary treatments (including any changes to existing boundary treatments);
- Surfacing of vehicular parking, circulation routes and pedestrian paths (including means of parking space demarcation); and
- Permeable or porous surfacing to the footpath serving the pharmacy.

Reason: In the interests of the visual appearance of the development and the amenity of neighbouring residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012).

- C 5 Prior to first occupation of the development, secure and covered cycle parking shall be provided for staff in accordance with the details shown on drawing number 06/11/P/02 Revision E.

Reason: To encourage users of the site to travel by sustainable means, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C 6 Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following:

- Hours of construction;
- Haulage routes to and from the site;
- Temporary facilities for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction/demolition;
- Facilities for contractor parking;
- Details of material storage;
- Details of all site welfare buildings/cabins; and
- Details of vehicle-cleaning equipment (including specification and position).

Development shall be carried out in accordance with the agreed scheme and all vehicles leaving the site shall pass through the approved cleaning equipment before entering the public highway. In the event that the approved vehicle-cleaning equipment is inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.

Reason: To prevent mud and debris being brought onto the public highway and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 7 Prior to first occupation of the development hereby permitted, measures to minimise the risk of crime to meet the specific security needs of the application site (including lighting to the car park areas (which shall not be high level), CCTV cameras and physical measures to the building) shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of community safety and amenity, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C 8 Prior to the first occupation of the building, a scheme for the storage of refuse bins (including a refuse collection point) shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that adequate bin storage space is available and to protect the visual appearance of the streetscene, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

C 9 No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework, particularly paragraphs 128 and 141.

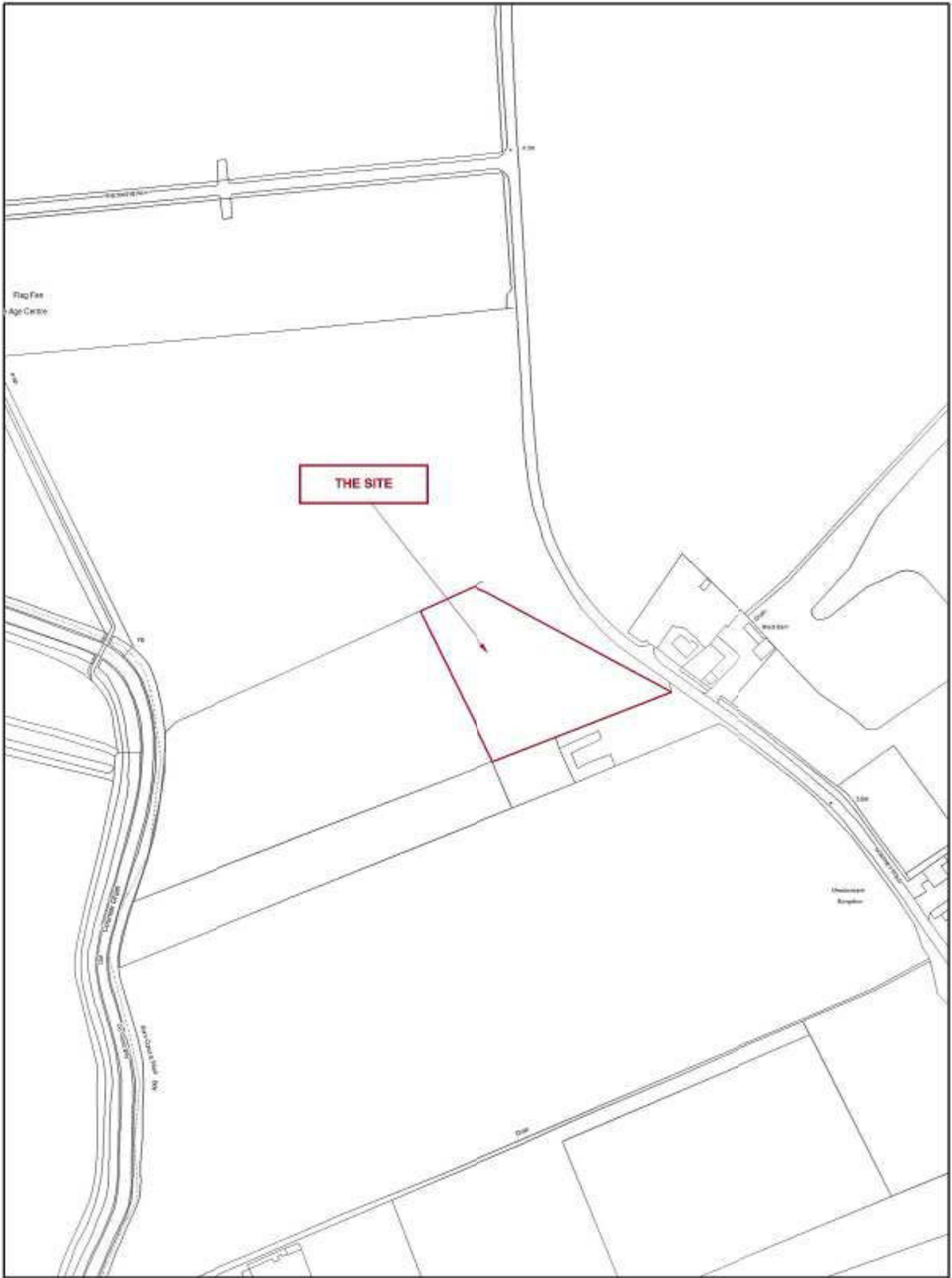
C10 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order (as amended), the Pharmacy hereby approved shall not be used for any other purpose within Use Class A1.

Reason: The site is unsuitable for other retail uses owing to its location outside of any identified District or Local Centre, in accordance with the National Planning Policy Framework (2012) and Policy CS15 of the Peterborough Core Strategy DPD (2011).

C11 Notwithstanding the submitted drawings and prior to first occupation, all windows at first floor shall be obscure glazed to a minimum of Level 3 obscurity, and non opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Those windows shall subsequently be retained as such.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

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



LOCATION PLAN 12/01734/FUL

Land on the South West Side of Northey Road, Peterborough

Scale NTS **Date** 8/2/2013 **Name** AA Department Planning Services



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APPLICATION: 12/01734/FUL

PROPOSAL: PROPOSED GYPSY AND TRAVELLERS SITE FOR ONE EXTENDED GYPSY FAMILY CONTAINING TWO STATIC CARAVANS AND TWO TOURING CARAVANS

SITE: LAND TO THE SOUTH WEST SIDE OF NORTHEY ROAD, PETERBOROUGH

APPLICANT: MR GRAY

AGENT: ARCHITECTURAL AND SURVEYING SERVICES LTD

REFERRED BY: CLLR SHEARMAN

SITE VISIT: 11 DECEMBER 2012

DEPARTURE: NO

CASE OFFICER: Mr M Roberts

TELEPHONE: 01733 454410

E-MAIL: mike.roberts@peterborough.gov.uk

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

Site and Surroundings

The site is approximately 0.54 hectares and is located on the south side of Northey Road approximately 1.5km from the urban area boundary and within land designated as open countryside. The site is on agricultural land. The site lies within the southern boundary of the Flag Fen Bronze Age Settlement, which is now designated as a Scheduled Ancient Monument, (SAM). To the east are sporadic residential dwellings and the Northey Lodge Carp Fishing Lakes, otherwise the surrounding character is flat open agricultural land. An area of rough scrub land to a height of a maximum of 2m lies between the site and Northey Road. The site lies at a lower level than the public highway. The SAM is located to the west, north and north east of the application site and covers an area of approximately 48sq.ha.

Proposal

The proposal is for the residential use of site by one Gypsy family currently residing at the Oxney Road Caravan Site. The living accommodation would include 2 static caravans and 2 touring caravans. There is to be parking for 4 vehicles. It is apparent from the submitted drawings that the static caravans are in effect mobile homes. The sizes of these are to be 9m long by 3m wide and would comprise one double bedroom. The touring caravans would have a length of 9m and a width of 2.5m. The caravans are to be located to the north of centre of the site and the parking spaces are sited immediately alongside the touring caravans. The vehicular access would use the same access that serves the field at present through the eastern boundary of the site off Northey Road. The proposal shows extensive planting of native plant species and wild flowers as a part of the landscaping within all four boundaries. The application details show that the land within the landscaped areas will be raised by a 0.75m by the importation of top soil. The caravans would not have any foundations. All foul water is to be pumped into an above ground septic tank to be located close to the northern boundary of the site. As the application site lies within a SAM English Heritage would also have to give its approval for the development under the SAM consent regime.

2 Planning History

There have been no previous development proposals upon the application site. However, there have been two proposals for a Gypsy and Travellers site upon the land immediately to the south. Both of these applications were refused planning permission. The site of these refused applications lies just outside of the SAM. Both of these applications were refused on the grounds of:-

1. Their adverse impact upon the setting of the SAM;
2. The fact that the public benefits from the proposal would not sufficiently outweigh the harm caused to the setting of the SAM;
3. The potential to physically harm the SAM due to ground works;
4. Lack of information with respect to the foul sewerage works in terms of ensuring that there would be no adverse impact upon the water environment;
5. The fact an approval for a traveller's site in this location would cause a potentially undesirable precedent that would be harmful to the setting of the SAM.

12/01565/FUL – Use of land for one gypsy family comprising 1 x residential caravan, 2 x ancillary caravans, 2 portacabins for use as a utility room and storage and 1 x storage container – part retrospective (re submission of 11/01987/FUL) - **REFUSED**

11/01987/FUL – Use of land for one gypsy family comprising 1 x residential caravan, 2 x ancillary caravans, 2 portacabins for use as a utility and storage and 1 storage container (part retrospective) – **REFUSED**.

3 Planning Policy

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

National Planning Policy Framework (NPPF) (2012)

Section 12 - Conservation of Heritage Assets

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

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.

The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, including SAM's, should be wholly exceptional.

Peterborough Core Strategy DPD (2011)

CS09 - Gypsies and Travellers

Sites for permanent Gypsy and Travellers pitches within the district will be identified through a separate SPD document. Specific criteria will be used to identify suitable sites.

There is no current policy that requires the Authority to find suitable sites for the Gypsy and Travellers community.

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.

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.

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 Planning Policies DPD

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

Material Planning considerations

The Setting of Heritage Assets – English Heritage June 2012
Planning Policy for Traveller Sites (DCLG) March 2012
Peterborough Landscape Character Assessment 2007

4 Consultations/Representations

Local Residents/Interested Parties

Initial consultations: 9
Total number of responses: 0
Total number of objections: 0
Total number in support: 0

English Heritage – The application would have a direct impact upon the SAM and would cause harm to its setting. It would change the experience of this heritage asset and therefore it would harm its significance. Flag Fen is exceptionally significant and its conservation should be given great weight in the planning process. English Heritage considers that the proposals for the site are not sufficient to outweigh the harm that would be caused to the Monument. The proposal is therefore contrary to NPPF policy. It may set a precedent for the acceptance for other such similar development and the cumulative impact of these would undermine over time, and would cause harm to, the setting of the SAM.

The application site lies within the southernmost area of the Flag Fen SAM. Flag Fen is recognised as containing some of the most significant Bronze Age archaeology in the country. The archaeological remains are exceptional and are highly valued in evidential and historic terms. The significance of the site is high and whilst remains are rare and unusual they are also fragile and highly vulnerable. Flag Fen is one of the few places in the country where it is possible to see Bronze Age archaeology in its landscape context. The designated area of the SAM also contains remains from the Roman period. The extensive proposed landscaping and the addition of structures and caravans has the potential to cause physical damage to the SAM. The bringing in of materials to provide for solid bases for these has the potential to damage the SAM by way of contamination with archaeological material which would compromise the integrity of the SAM. The development would, by way of the proposed structures, tree planting and mounding of earth for example, interrupt views across the site towards the wider area of the SAM. This would have an adverse impact upon the relationship of the site to the wider rural context.

There is a critical relationship between the archaeology at the museum complex and the surrounding landscape which forms its setting. The report of the archaeological consultants,

submitted with the application, fails to recognise the full significance of the site and the wider landscape.

The proposed development may cause an undesirable precedent for other such proposals in the near vicinity of the site and English Heritage is concerned that the SAM would be further affected on a cumulative basis. On this point they have advised, as set out in their document - The Setting of Heritage Assets - that *'the cumulative impact of incremental small scale changes may have a great effect on the setting of a heritage asset as a large scale development'*.

Environment Agency – No objections – The southern boundary of the proposed development site lies 20 metres north of Flood Zone 2 'medium probability', defined by the Technical Guide to the National Planning Policy Framework as the zone that comprises land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year. Various informatives have been advised to accompany the decision notice were the planning application to be approved.

The Local Highways Authority – Objection on the grounds that Northey Road is a 60mph road and due to the significant high speed of vehicles and the intensification of use of the access, vehicle to vehicle visibility splays of 2.4m x 215m would be required in both directions from the access. The available visibility falls short of that required and the vehicle to vehicle splays and cannot be achieved without encroaching onto third party land.

Archaeology Officer – Objection. There is a need to ensure that the underground archaeology remains wet to preserve it. Any groundwork activity may have a detrimental effect on the waterlogged buried remains through either direct impact (truncation and exposure) and indirect impact (de-watering). The NPPF advises that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be to its protection. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The extent of the setting of a SAM is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

5 Assessment of the planning issues

The main considerations are:-

- Background to the proposal
- The principle of the proposal
- Impact upon the Flag Fen Ancient Monument
- Ground works
- Setting of the Heritage Asset
- Land and water contamination
- Vehicular access
- Residential amenity
- Flood risk

a) Background

The land is owned by the applicant who currently lives at the Oxney Road Travellers Site on the east side of the city adjacent to the open countryside. The applicant has advised that the site is very overcrowded and wants to move to a site with a better living environment. The nearest school and amenities are in Parnwell. The applicant meets the definition of a Gypsy as described in Annex 1 of the Planning policy for traveller sites (DCLG 2012). The Local Authority is not currently seeking to allocate sites for Gypsy and Travellers accommodation. However, there is a proven shortfall in the provision of pitches.

b) The principle of development

Proposals for Gypsy and Traveller sites are assessed primarily against policy CS9 of the Peterborough Core Strategy DPD. The criterion of this policy is used to assess the site characteristics and constraints to development and whether a proposed site would be suitable to

accommodate a Travellers family. The National Planning Policy Framework and its supporting document 'Planning Policy for Traveller Sites' are also material planning considerations in assessing the proposal.

The document 'Planning Policy for Traveller Sites,' March 2012, advises that when considering applications Local Planning Authorities should attach weight to such matters as effective use of previously developed land (Brownfield sites), untidy or derelict land, sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness, promoting opportunities for healthy lifestyles.

The document also states that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites; this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

There are currently no sites allocated for Gypsy and Travellers within the Proposed Site Allocations Document DPD and there is a demonstrable need for Gypsy and Traveller sites as identified in the Cambridgeshire sub-Regional Gypsy and Traveller Accommodation Needs Assessment 2011.

The site is located approximately 1.5 km from the urban settlement boundary and within a reasonable distance from the Parnwell Local Centre with associated facilities. The proposal accords with policy CS9 (b) of the Peterborough Core Strategy DPD.

The main thrust of local and national gypsy and traveller policy is that there is a presumption in favour of granting consent for new sites. However account has to be taken when assessing such proposals to balance the need for a new site against other planning policy considerations and constraints. Policy CS9 (a) of the Peterborough Core Strategy states that proposed Gypsy and Travellers sites and their subsequent use should not conflict with other development plan policies or national planning policy relating to issues such as flood risk, contamination, landscape character, protection of the natural and built environment or agricultural land quality.

c) Impact on Flag Fen

The site lies just within the southern boundary of Flag Fen which is considered to be one of the most important Bronze Age monuments in the country. The National Planning Policy Framework (NPPF) states that when considering the impact of a development on a designated heritage asset, the more important the asset, the greater the weight that should be given to the protection of the asset. The significance of the asset can be harmed or lost through its alteration or destruction or by inappropriate development within its setting. The significance of a heritage asset derives not only from physical presence, but equally and importantly, from its setting.

In addition Policy CS17 of the Peterborough Core Strategy emphasises the importance of protecting, conserving and enhancing the historic environment requiring that all new development must respect and enhance the local character and distinctiveness of an area, particularly in areas of high heritage value.

d) Ground works

Both the Council's Archaeological Officer and English Heritage are both of the opinion that due to the sensitivity of the site any intervention could cause direct (visual) and indirect (dewatering) damage to the scheduled monument and surrounding area. The Officers state that the groundwater levels in the area have to be maintained sufficiently high to ensure that the buried archaeological remains are saturated and hence preserved. Any new development must ensure that the current groundwater levels are maintained or even increased. Any groundwork activity may have a detrimental effect on waterlogged buried remains through direct impact (truncation and exposure) and indirect impact (de-watering).

Notwithstanding this the Local Highways Authority has advised that further surfacing works would be needed in order for the access to accord with current highway standards.

Notwithstanding the applicant's report, it is therefore considered that there will be associated ground works to be required to support the development that have the potential to impact upon the preservation of the archaeological remains as discussed. The proposal therefore does not satisfy

policies CS9 (a) and (d) and policy CS17 of the Adopted Peterborough Core Strategy DPD or the requirements as stated in the NPPF.

e) Setting of the Asset

In respect of the setting of a heritage asset the NPPF defines the setting of a heritage asset as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.'* The siting of caravans within the heritage asset would be an incongruous feature within the context and as such the two are not considered an appropriate feature within the SAM.

English Heritage state that the while the archaeological report provided by the applicant acknowledges the significance of the buried archaeology, it fails to recognise the full significance of the site, and the wider landscape. They disagree with the premise that the site has no reference points in the contemporary landscape. The relationship between the land at Northey Island and the land at the visitors centre is important to experiencing and understanding the site, and its setting, as defined in the NPPF. English Heritage is concerned regarding the impact the development would have within the boundary of the scheduled monument and on its setting. The proposal would build up structural elements on the boundary of the SAM by the siting of caravans, vehicles and landscaping. At present the landscape is very much rural in character and the full implementation of the proposed development would change this.

The development would therefore alter the relationship between the site and the wider rural context, and interrupt views across the site and through to the monument. The harm done to the setting of the SAM would damage its significance.

Furthermore, 'The Setting of Heritage Assets,' guidance of English Heritage 2011, states that *'the cumulative impact of incremental small-scale changes may have as great an effect on the setting of a heritage asset as a large-scale development'*.

It is not considered that there would be a public benefit from the development to sufficiently outweigh the harm that would be caused to the SAM, The proposal is therefore contrary to policies CS9 (a) and (e) and CS20 of the Peterborough Core Strategy DPD, policy PP17 of the Peterborough Planning Policies Document 2012 and section 12 of the NPPF.

f) Impact on Landscape character

The site lies within the Peterborough Fens Landscape Character Area as defined in the Peterborough Landscape Character Assessment. The Flag Fen Bronze Age Monument is of national historical and cultural significance and is an important historical remnant to the city's past and the history of the fens and its people. The SAM is a museum and part of the experience of the site is viewing it in its context formed by the flat open field layout. Part of the setting of the SAM is this landscape character and therefore it is important to protect it. The surrounding setting is part of the experience gained by visiting the site. The proposal includes a significant area of landscaping. This would not relate well to the SAM and would serve, along with the caravans, to detract from views to into the SAM particularly when travelling north along Northey Road. Policy CS20 of the Peterborough Core Strategy seeks to ensure that development within these areas should be sensitive to the landscape setting, retaining and enhancing the distinctive qualities of the landscape character area. Policy CS20 requires that planning permission should only be granted if a development would 'safeguard and enhance important views within the development layout'. It is considered that the development would be out of keeping with the surrounding landscape contrary to policy CS20.

The applicant has referred to the approval of the Energy Park development that is to be located to the north east of the Power Station in Storey's Bar Road. His argument is that in terms of scale the implementation of the development would have a far greater impact upon the immediate landscape and therefore upon the setting the SAM. The site of the Energy Park is just outside of the SAM. However the approval of the Energy Park is considered to be very much in the public interest in that it will be a local base in dealing with a good deal of the waste that the City produces and that it will provide a significant output of electricity as a result to the benefit of the City and the National Grid.

e) Vehicular Access and Highway implications

The Local Highway Authority have advised that vehicles travelling along the stretch of Northey Road close to the application site generally do so at speed and therefore in order for the access to be safe the visibility splays in either direction from the access need to be 2.4m by 215m. In reaching this conclusion account has been taken of the fact that a greater number of vehicle movements would take place to and from the site than were the field to be agricultural use or used for the grazing of horses. The necessary visibility splays cannot be achieved as they would have to cross through third party land within which works/structures could be erected that could restrict the required visibility splays from the access to the detriment of highway safety.

f) Residential Amenity

It is unlikely that the proposed use of the site would have an adverse impact upon the occupiers of the nearby residential properties and therefore the proposal, in this respect would be in accordance with policy CS9 of the Peterborough Core Strategy

g) Contamination

The location of the site is within the vicinity of a quarry facility that may have been infilled. The potential for gas migration from that site to the application site requires consideration. The Pollution Control Officer recommends contaminated land conditions.

h) Flood Risk

There have been no objections from the Environment Agency.

6 Conclusions

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

7 Recommendation

The Head of Planning Transport and Engineering Services recommends that planning permission is **REFUSED** on the grounds that:-

R 1 The application site is located just within the southern boundary of the Flag Fen Bronze Age Settlement which is designated as a Scheduled Ancient Monument. Flag Fen is an important complex of Bronze Age archaeology recognised both nationally and internationally and is highly valued in evidential, communal and historical terms. It is one of the few places where it is possible to understand the physical remains of Bronze Age archaeology in its immediate landscape, in this case, the landscape of the Flag Fen basin and Northey Island. The Bronze Age Settlement is a museum and part of the experience of the site is viewing it in its wider landscape which protects the context and setting of the heritage asset.

The proposal site, to be occupied by two static caravans, two touring caravans, four parking spaces and or landscaping would be highly visible and would detract from the setting and significance of Flag Fen and would have a direct impact upon the monument. The development would alter the relationship between the site the wider rural context, and interrupt views across the site and through to the monument. The harm done to the setting of the monument would damage its significance.

Hence the proposal is contrary to policy CS9 (a) and (e), CS17 and CS20 of the Adopted Peterborough Core Strategy DPD, policy PP17 of the Adopted Peterborough Planning Policy Document and section 12 of the National Planning Policy Framework.

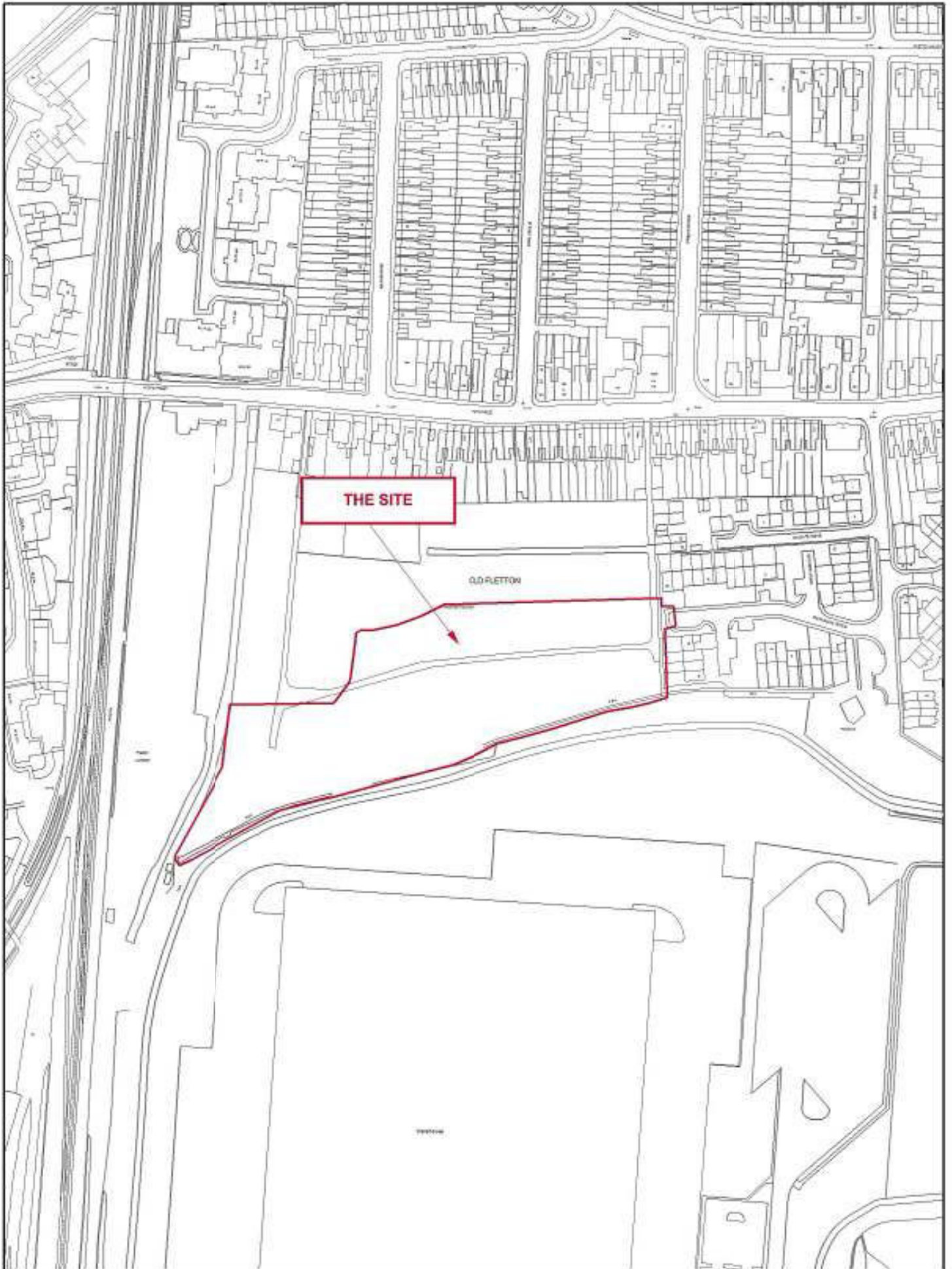
R2 The groundwork and landscaping associated with the development, regardless of depth, would have the potential to detrimentally effect the waterlogged buried archaeological remains within the Scheduled Ancient Monument through the direct impact (truncation) and indirect impact (dewatering). The shortfall in the supply of Gypsy and Travellers pitches does not outweigh the harm that the proposal would have upon a nationally important

archaeological site

The proposal is therefore contrary to policies CS9 (a) and CS17 of the Adopted Peterborough Core Strategy and section 12 of the National Planning Policy Framework.

- R3** The proposal, if approved, could result in an undesirable precedent which would make similar proposals difficult to resist. Indeed, the Local Planning Authority has had a similar proposal immediately to the south of the application site. It is important to recognise that there is a danger of incremental change caused by successive developments of this type, which together would have a cumulative impact. Such developments, taken together, have the potential to cause further collective harm to the setting of the Scheduled Ancient Monument contrary to policy CS17 of the Peterborough Core Strategy DPD, the National Planning Policy Framework and English Heritage setting guidance (The Setting of Heritage Assets 2011).
- R4** The proposal would result in an intensification of use of the vehicular access in terms of vehicles entering/leaving the site and the available vehicle to vehicle visibility splays from the access road on to Northey Road would be insufficient to provide for a safe exit for vehicles leaving the site. Therefore the use of the access would result in a detriment to highway safety and the proposal would be detrimental to policy CS14 of the Peterborough Core Strategy DPD.

Copy to Councillors Sanders D A, McKean D



LOCATION PLAN 11/01778/R4FUL
 Land West of Maonarch Avenue, Fletton, Peterborough

Scale NTS **Date** 7/2/2013 **Name** AA Department Planning Services



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Application Ref: 11/01778/R4FUL

Proposal: Erection of 59 dwellings

Site: Land West Of, Monarch Avenue, Fletton, Peterborough
Applicant: Larkfleet

Referred by: Head of Planning, Transport and Engineering
Reason: In the wider public interest
Site visit: 03.04.2012

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

Recommendation: **GRANT** subject to relevant conditions

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

The application site covers an area of approximately 1.45 hectares. The land was previously used for allotments, but now is overgrown and unused. The City Council owns the site. The site is bounded to the east by the two storey high residential properties of Monarch Avenue. To the north by allotments, beyond which are residential houses which front on to Fletton High Street. To the south of the site is a bridleway and then the large IKEA distribution centre, and to the east are redundant railway sidings and the East Coast railway line.

Planning permission is sought for the erection of 59 affordable houses, 29 will be affordable rented and 30 will be shared ownership. The development will comprise of 44 x 3 bedroom and 15 x 2 bed properties, all of which are two storeys in height. The houses are a mixture of detached, semi-detached and terraced properties.

A play area is also proposed on site. There is also an attenuation pond for surface water drainage.

Vehicle access to the site is from Monarch Avenue, and the proposed layout allows possible vehicle access to the allotment land to the north should it be required in future.

2 Planning History

Reference	Proposal	Decision	Date
05/01187/OUT	Residential development comprising 45 dwellings (social housing)	Application Withdrawn	28/09/2005

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)

Local planning authorities should apply the presumption in favour of sustainable development.

Peterborough Core Strategy DPD (2011)

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.

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

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.

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.

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)

SA03 - Urban Area

Identifies sites within the Urban Area that are allocated primarily for residential use

Peterborough Planning Policies DPD (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.

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.

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.

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.

4 Consultations/Representations

Transport and Engineering Services – No objections subject to conditions and a financial contribution towards a pedestrian crossing.

Police Architectural Liaison Officer – No objection. The layout provides high levels of

natural surveillance. Permeability has been limited to essential areas/routes only. The boundary treatments should address vulnerability to crime. The open space areas along the southern boundary should be designed to prevent vulnerability to crime.

Pollution Control – No objections – The conclusion of the noise report are accepted. Due to the previous use of areas adjacent to the site there may be land contamination issues, therefore planning conditions are recommended to address this.

Wildlife Officer – No objections - Accepts the findings of the ecology and reptile report. A nesting bird condition should be imposed to safeguard birds during construction. Biodiversity enhancements should be secured by way of a planning condition.

Drainage Team – No objections - Further information in respect of the proposed surface water drainage needs to be submitted and agreed. This could be secured by planning condition.

Archaeological Officer – No objections - The site may contain preserved features associated with the medieval and post-medieval development of the historic village of Fletton. Therefore an archaeology condition requiring trial trenching is required.

Environment Agency - No objection - Subject to the imposition of a surface water drainage condition. The site is adjacent to a historical landfill site, so any risks this former use has to the development site will need to be investigated.

Natural England - No objection - Biodiversity enhancements should be secured by way of a planning condition.

Anglian Water Services Ltd – No objection - Request the imposition of a surface water disposal condition.

Rights of Way Officer – No objection - There is a bridleway along the southern boundary of the site. During construction the right of way must be maintained free of obstructions.

Peterborough Local Access Forum – No objection – Supports this proposal which aims to increase sustainable travel by improved access to public transport, footpaths and cycleways and makes good use of a brownfield site for affordable housing.

British Horse Society– No objection – The adjacent bridleway will not be affected by the development. During construction consideration should be given to protect the bridleway and its horse users.

Network Rail Network Rail – No objection -The site is in close proximity to an electrified railway. The design of proposed fencing and soundproofing should take this into account.

Councillor I Walsh – Concerned about the access from Monarch Avenue and the impact of the proposal on existing development

Councillor B Rush - Concerned about the access from Monarch Avenue and the impact of the proposal on existing development.

Local Residents/Interested Parties

Initial consultations: 105
Total number of responses: 2
Total number of objections: 2
Total number in support: 0

Two letters of objection have been received from neighbours raising the following points:-

- There has been a lot of recent development in this area, which has had harmful impacts on the High Street and made it very dangerous for pedestrians
- Local schools and medical facilities are already stretched
- Further traffic on Monarch Avenue will impact on children's safety
- Loss of trees/shrubs and habitat wildlife, particularly birds
- The use of access track to the rear of Knights Mews will be increased, which will reduce the security of neighbouring properties
- Health and safety issues
- The land should be retained for allotment use, as allotments are becoming more popular, and this could meet future needs

5 Assessment of the planning issues

The main considerations are:

a) The principle of development

The Site Allocations DPD 2012 document identifies the site as being part of the housing land site allocation site SA3.34. This allocated site extends to 4.12 hectares; however this application site only forms part of it, at 1.45 hectares.

The principle of housing on this site has therefore been found to be acceptable through its allocation through the development plan process. The site allocation states that any application must enable access to the whole site, and the layout has been designed to allow access to the land to the north to be accessed should this be required in future. The principle of housing on the site is therefore acceptable and in accordance with Policy SA3 of the Site Allocations DPD.

b) Design and layout

The proposed residential land use is considered to be compatible with the adjacent residential land use of Monarch Avenue. The properties proposed are all two storey, which is in keeping with the character of the surrounding residential properties.

The proposed layout has undergone a number of revisions to address issues of inadequate separation distances between properties, small gardens sizes, parking etc.

It is considered the revised layout now provides each property with an adequate provision of amenity space, car parking, together with acceptable bin storage and

access arrangements. The houses are now acceptable arranged on site in relation to one another to prevent any unacceptable overbearing or overshadowing impact.

It is considered that the proposal is in accordance with Policies CS16 of the Core Strategy and Policies PP04 and PP13 of the Planning Policies DPD.

c) The impact on neighbouring sites

It is considered the houses proposed have been positioned sufficiently distant from the existing properties on Monarch Avenue so as to not result in any unacceptable reduction in current privacy, light levels or have any unacceptable overbearing impact.

As a result of the development there will be more traffic on Monarch Avenue, but this is not considered to be of a level that would unacceptably impact on the residential amenity of these neighbouring properties.

It is not considered the development would unacceptably impact on the neighbouring allotments or distribution warehouse site.

The proposal therefore accords with Policies CS16 of the Core Strategy and Policies PP03 of the Planning Policies DPD.

d) Ecology

An ecological assessment was undertaken which found no evidence of badgers or bats. It did however identify the sites suitability for nesting birds, and therefore a planning condition is recommended to protect any birds from construction works during the bird nesting season and the provision of bird boxes within the development to compensate for habitats lost.

A reptile survey was required, as the site was identified as having the potential to support reptiles. This survey however produced a negative result with no animals being recorded on the site. Therefore no mitigation package for reptiles is required.

There will be the loss of trees and shrubs on site, however their quality and amenity value is considered to be limited. Replacement landscape planting will take place by way of a condition.

e) Drainage

The flood zone mapping shows the site falls within Flood Zone 1, where it is considered there is low probability of flooding. Residential development is considered appropriate within this Flood Zone. It is considered the proposed development would not cause an increase in flood risk in the wider catchment area from flood flows from the developments drainage, subject to provision of an acceptable surface water drainage design to take into account the increased impermeability of the site. It is considered a sustainable urban drainage system would be a feasible solution, with the use of ponds, swales, permeable paving etc.

The applicant proposes to deal with the surface water drainage via a detention basin on site, with subsequent discharge to the existing surface water drainage network, with flow

rates restricted to the pre-development rates. Full details of the proposed surface water drainage scheme will be needed to be agreed by way of a planning condition.

f) Highway Implications

The site will be accessed from Fletton High Street, via Monarch Avenue. Monarch Avenue is a no through road which serves only residential housing, similar to the surrounding Earls Close and Knights Mews.

The concerns raised by residents in respect of increased danger for children and pedestrians have been considered. However in this instance Officers are of the view that the anticipated levels of additional pedestrians, cyclists and motorised traffic generated by the development are not considered likely to have any significant impact on any existing or potential highway safety issues.

Amendments have been made to the layout to address highway concerns, and Officers are now satisfied that the layout is acceptable in highway safety terms. The Local Highway Authority have requested the provision of a financial contribution to be secured by way of a legal agreement to contribute towards the provision of a new pedestrian crossing on the High Street.

g) Noise

A noise assessment was submitted in support of the proposal given the proximity of the site to a railway line and commercial development. It categorised the site as being within noise exposure category (NEC) B, which is interpreted as a development site where noise should be taken into account when determining a planning application and where appropriate conditions should be imposed to ensure an adequate level of protection against noise.

The report found that rail noise, from the adjacent railway line was the dominant noise source affecting the site. It did not find that the noise level from the adjacent distribution centre was unacceptably impacting upon the site. The report recommended mitigation measures to allow the development to meet the appropriate noise criteria in accordance with the British Standard. This included increased sound reduction glazing, wall construction, and ventilation measures for windows within 100m of the railway track. A 2m high acoustic fence is also required to protect noise levels in gardens within 100m of the railway track. These measures are recommended to be imposed as conditions to any planning consent.

h) S106 Obligation

Under the Planning Obligations Implementation Scheme a S106 Contribution of £324,000 should normally be paid for the development proposed. However the amount has been reduced to £54,000 (plus monitoring fee) to be used for neighbourhood infrastructure (i.e. excluding strategic infrastructure) and £5,000 to be used towards a new pedestrian crossing, in light of the economic viability information submitted by the applicant. The applicant has indicated a willingness to complete a Unilateral Undertaking for the sum sought.

i) **Miscellaneous**

- Residents concerns that schools and medical facilities already overstretched - This has not been raised as an issue by the education or NHS consultees. The proposed Planning Obligation Implementation Scheme contribution that would be sought as part of this development would be used to help fund any identified deficiencies in local services that this development would impact upon.
- Residents concerns that this former allotment land should be kept for any future demand - The land has been formally decommissioned as allotment land, and allocated through the local development plan process as being suitable for housing land therefore retention to meet any future need is not deemed to be feasible.

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 site is allocated for housing use in the Site Allocations document, therefore the principle of residential use is acceptable and in accordance with Policy SA03 of the Site Allocations DPD.

- The development provides an acceptable safe vehicle access to the site, together with sufficient car parking. Therefore the proposal would not have any adverse impact upon highway safety. This is in accordance with Policy PP12 of the adopted Planning Policies DPD.

- The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore is in accordance with policy PP3 of the adopted Planning Policies DPD.

- Subject to the imposition of conditions to deal with surface water drainage the proposal is in accordance with Policy CS22 of the adopted Core Strategy DPD.

- Biodiversity enhancements are to be secured by way of a planning condition, in accordance with Policies PP16 of the adopted Planning Policies DPD and CS21 of the adopted Core Strategy DPD.

- Subject to the imposition of conditions, the risk of contaminated land can be appropriately managed.

7 Recommendation

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

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

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

- C2 No development other than ground works and foundations shall take place until details/samples of the following have been submitted to and approved in writing by the Local Planning Authority;**
Wall, render and roofing materials (samples)
Windows and external doors including roof lights (details);
Cills lintels and external steps (details);
Rainwater goods (details);

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

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

- C3 No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation for evaluation by trial trenching has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.**

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

- C4 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless it has been demonstrated to the Local Planning Authority that immediately prior to the proposed commencement of works a survey has been undertaken to show that the site is free of nesting birds.**

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

- C5 Prior to the commencement of development a scheme of surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority.**

Full details and the confirmation the scheme is as described, should be provided at detailed design stage. This should include but is not limited to:-

- **Details of the ownership and responsibilities of maintenance of all drainage elements for the lifetime of the development, plus maintenance programme.**
- **Actual storage calculations to be provided, the drainage strategy currently states approximate volumes**
- **Full details of the proposed pond**
- **Confirmation that the discharge is still to be to the ditch**
- **Provide further details of how the flow will ensure the development will not pose a flood risk elsewhere**

The scheme shall thereafter be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012)

- C6 Prior to the occupation of any dwelling the pedestrian visibility splays associated with that dwelling shall be provided. These splays shall thereafter be maintained free from any obstruction over a height of 600mm.**

Reason: In the interests of the safety of all users of the public highway in accordance with emerging policy PP12 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

- C7 The roads and footways linking any dwelling with the public highway shall be constructed to base course level prior to the occupation of that dwelling.**

Reason: In the interests of the safety of all users of the public highway in accordance with emerging policy PP12 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

- C8 Prior to the commencement of any development a construction management plan shall be submitted to and approved by the Local Planning Authority. The construction Management Plan shall include(but not exclusively) the following:-**

- **Haul Routes to and from the site**
- **Hours of working**
- **Parking, Turning and Loading/Unloading areas for all construction/contractors**
- **vehicles**
- **Site compounds/storage areas**

- **Temporary Access points**
- **Wheel cleansing facilities capable of cleaning the underside of the chassis and wheels of all vehicles entering and leaving the site during the period of construction.**

Reason: In the interests of the safety of all users of the public highway in accordance with emerging policy PP12 of the Peterborough Planning Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

C9 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- **human health,**
- **property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
- **adjoining land,**
- **groundwaters and surface waters,**
- **ecological systems,**
- **archaeological sites and ancient monuments;**

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

C10 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

- C11 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.**

Reason: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

- C12 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.**

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

- C13 The development shall be carried out in accordance with the approved Noise Assessment dated 23rd December 2011 and the mitigation measures set out therein. These measures shall be put in place before the dwellings to which they relate are occupied. No occupations shall take place until the 2 metre high acoustic fencing along the western boundary of the site have been erected to protect the gardens of plots 22-30, and 31 as they are within 100m of the railway line.**

Reason: To protect the amenity of future residents, and to accord with policy PP4 of the Planning Policies DPD and NPPF (2012).

- C14 Notwithstanding the submitted information and prior to the commencement of any development full details for the laying out of the Public Open Space and associated play equipment shall be submitted to and approved in writing by the Local Planning Authority. The Public Open Space and play equipment shall thereafter be laid out in accordance with the approved details within 6 months of the last dwelling being first occupied or within 3 years of commencement of development whichever is the latest.**

Reason: In the interest of ensuring future residents have adequate access to Public Open Space and in the interest of the visual amenity of the area, in accordance with Policy CS16 of the adopted Core Strategy DPD.

- C15 Prior to the first occupation of any dwelling a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the Local Planning Authority. The development shall therefore be carried out in accordance with the approved details.**

Reason: In the interests of biodiversity in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

- C16 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.**

Reason: To be in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011).

- C17 Notwithstanding the details hereby approved the "approach" to the principal entrance to the dwellings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.**

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

- C18 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of residential amenity and to protect wildlife in accordance with policy CS16 and CS21 of the Peterborough Core Strategy DPD (2011).

- C19 There shall be no land raising on site, and slab floor levels shall not be more than 200mm above existing ground levels, unless full details are submitted to and approved in writing by the Local Planning Authority.**

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

- C20 All of the dwellings on the site shall be 'affordable' as defined in the supporting statement to Policy CS8 in the Peterborough Core Strategy DPD 2011.**

Reason: As a result of the development being 100% affordable, it has been demonstrated that the development would not be viable unless a reduction in the scale of contribution required by Policy CS13 of the Peterborough Core Strategy DPD 2011 and the associated Planning Obligation Implementation Strategy (2010) is given.

- C21 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following details of the maintenance schedules. The development shall thereafter take place 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 PP16 of the adopted Planning Policies DPD.

- C22 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a scheme for the soft landscaping of the site has been submitted to an approved in writing by the Local Planning Authority. The scheme shall include the following details:-**
- Planting plans including retained trees, species, numbers, size and density of planting

The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier, or in case of the public open space its completion.

Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping within the Public Open Space (but not contained in enclosed rear gardens to individual dwellings) that die, are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD.

- C23 In this condition "retained tree and hedges" means an existing tree or hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.**

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

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

(c) The erection of fencing for the protection of any retained tree and hedges shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to

the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

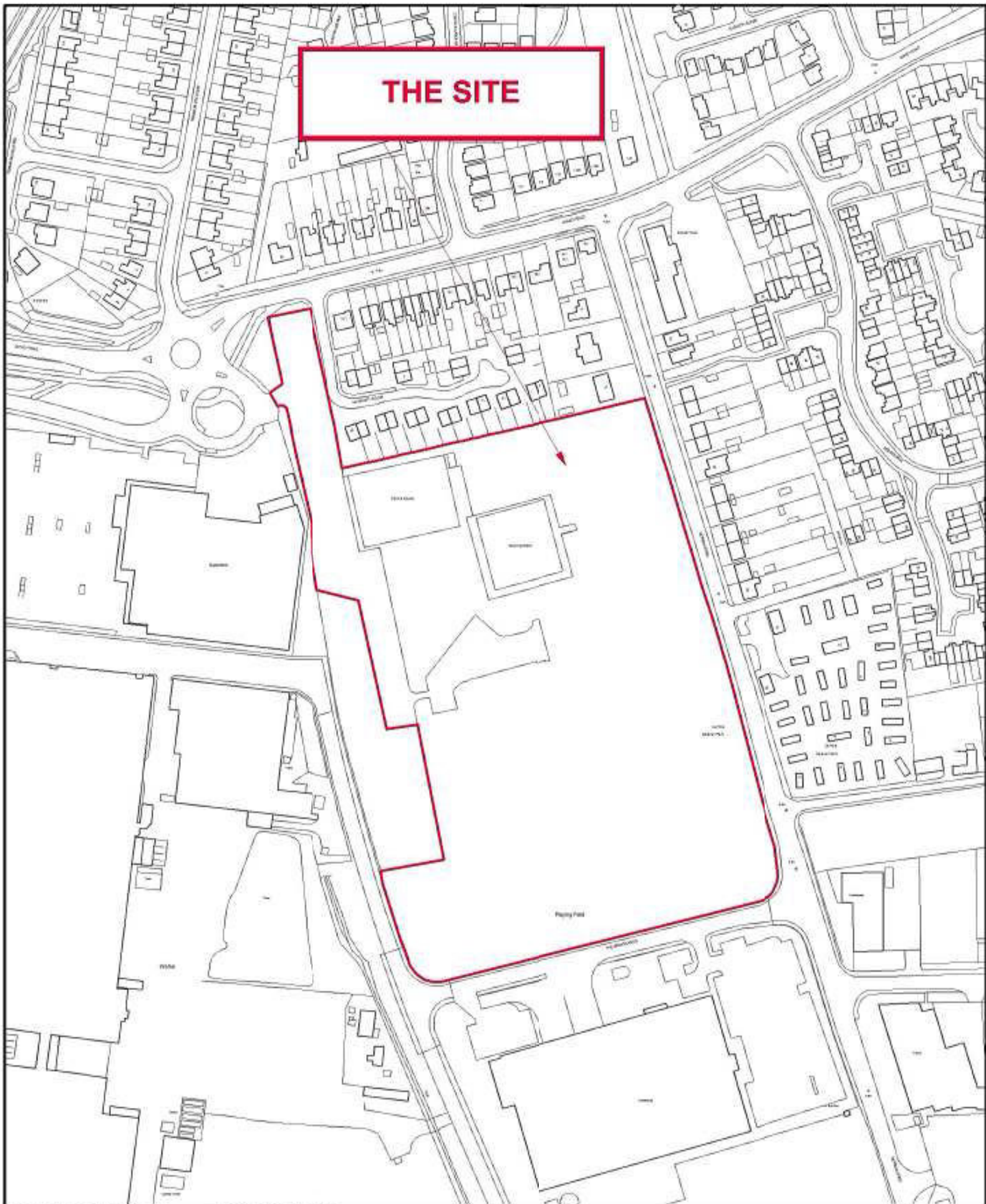
Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C24 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. This shall include details of the proposed fencing around the pond. Development shall be carried out in accordance with the approved details and shall be completed before first occupation.**

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

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LOCATION PLAN **12/01106/OUT**
Perkins Sports Association Club, Site North of Ideal World, Newark Road, Peterborough
Scale NTS **Date** 7/2/2013 **Name** AA **Department** Planning Services



PETERBOROUGH
CITY COUNCIL

PCC GIS

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Application Ref: 12/01106/OUT

Proposal: Residential development comprising up to 230 units, car parking, landscaping and associated works including means of access.

Site: Perkins Sports Association Club, Site North Of Ideal World, Newark Road, Peterborough

Applicant: Perkins Engines Ltd

Agent: Turnberry Planning Ltd

Referred by: Head of Planning, Transport and Engineering Services

Reason: The application is of wider public interest

Case officer: Mr A P Cundy

Telephone No. 01733 453470

E-Mail: andrew.cundy@peterborough.gov.uk

Recommendation: **Grant** subject to conditions and the completion of a S106 Agreement

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

The site forms a rectangular shape and covers an area of approximately 4.43 hectares. The site lies within the north western section of the Perkins factory estate and comprises land formally used for recreation by factory workers. The recreation areas have not been in formal use since 2005 and are currently under-utilised and in poor condition.

The site is bounded to the north by rear gardens to existing residences at Marriot Court and to the south by The Broadlands, a private access road for the Ideal World office building. The site is contained by Newark Road to the east and to the west by an internal access road serving the industrial estate. Adjoining land uses comprise employment to the west of the site specifically the main Perkins facility and office buildings. Further employment uses are located immediately south of the site at Ideal World House. Residential uses are located immediately north of the site (Marriot Court) and to the east beyond Newark Road.

Existing pedestrian and vehicle access to the site is from an internal access road via Vicarage Farm Road, also known as Gate 6 and from Oxney Road. An informal access point is available from Newark Road.

The north and south sites were allocated in the Peterborough City Council Local Plan (First Replacement) 2005 for employment uses. Given the proximity of housing to the north and west of the site, housing was considered a more suitable use for the north site. The site was subsequently reallocated for housing in the Site Allocation Development Plan Document.

Proposal in detail

Outline planning permission is sought for residential development. Up to 230 units are proposed including the provision for 30% affordable housing and open space provision including equipped play areas. The average density of the proposed development is approximately 50 dwellings per hectare. The indicative masterplan indicates that the majority of the buildings are 2-3 storey with a small number of 4 storey flats on the south boundary. Access will be via two new accesses on Newark Road.

In addition a bus gate is proposed along Newark Road. The bus gate will be sited between The Broadlands and Palmers Road junctions. The bus gate will have a CCTV / Camera and only buses, cycles and emergency vehicles will be allowed through it. This will mean that there will be no through traffic between The Broadlands and Palmers Road.

2 Planning History

Reference	Proposal	Decision	Date
12/00003/SCREEN	Screening opinion	Comments	18/05/2012

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 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

Section 6 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

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 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.

Section 10 - Development and Flood Risk

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

Section 11 - Re-use of Previously Developed Land

Should be encouraged provided that it is not of high environmental value.

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.

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.

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.

Peterborough Core Strategy DPD (2011)

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.

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

CS10 - Environment Capital

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

CS11 - Renewable Energy

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

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.

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.

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)

SA03 - Urban Area

Identifies sites within the Urban Area that are allocated primarily for residential use

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.

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.

PP14 - Open Space Standards

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

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.

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.

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.

Community Infrastructure Levy (CIL) Regulations 2010

/ Planning Obligations

Requests for planning obligations whether CIL is in place or not are only 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

Sport England

Object – Sport England consider that to grant planning consent for residential development on this site without adequate replacement provision contravenes the guidance within the NPPF. To comply with Sport England's policy, the proposal would need to satisfy exception E4 of their policy, which states

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing fields or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

Sport England would only be willing to re-consider this recommendation if a suitable financial contribution can be secured which compensates for the loss of the sports facilities on this site and is used to secure quantitative or qualitative improvement to playing field/sports facilities provision in the locality.

Drainage Team

No Objection - In principle the Drainage Team agree with the use of sustainable drainage systems (SuDS) in the drainage strategy for this site. As a part of the drainage and flood risk management the Drainage Team would expect the following to be taken into account:

- Overland flood flow routes in the event of exceedance as laid out in the FRA
- Details of ownership/ maintenance for the lifetime of the development including any information relating to asset adoption
- Details of all elements of the proposed drainage system
- Confirmation from Anglian Water of acceptable discharge rates

Landscape Officer

No Objection - The trees (Lombardy Poplars) on site do form part of the landscape in that location, but due to the species and planting arrangement, their contribution to the landscape is both stark and unnatural, the trees do not provide any positive linkages or softening properties within the landscape there. The survey was carried out as per BS5837 and the Landscape officer agrees with the tree categories provided.

Highways Agency - Zones 6, 8 & 13

No Objection – This application is unlikely to have a material impact on the A47 trunk road.

Planning Policy & Research

No Objection - The site (site ref SA3.42) is allocated for 190 dwellings. The site is in Flood Zone 1 and suitable for residential development.

Environment Agency

No Objection subject to conditions:

- requiring a detailed surface water drainage scheme for the site
- requiring a scheme to deal with the risks associated with contamination of the site
- requiring a remediation strategy should contamination not previously identified be found during development
- restricting infiltration of surface water drainage into the ground

Wildlife Officer

No Objection subject to conditions:

- restricting works to trees within the bird breeding season
- requiring a detailed visual inspection of the trees to be felled for roosting bats
- requiring landscape details
- requiring details of bird nesting and bat roosting features

Anglian Water Services Ltd

No Objection

Pollution Team

Noise – No objection

The report submitted with this application indicates that noise from the Perkins factory is likely to have a significant impact upon the outdoor amenity of the proposed residential development and is an important planning constraint. This would need to be taken into consideration during the design phase of the development and measures to reduce this effect implemented. Recommend a condition requiring submission of a scheme for protecting noise sensitive residential development from noise from the Perkins factory and other significant noise sources

Contaminated Land – No objection

A potential developer will need to satisfy the local authority that any unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development. Recommend a conditions requiring

- 1 - an assessment to be undertaken
- 2 – submission of a remediation scheme,
- 3 – submission of a remediation validation report
- 4 – notification of any unexpected contamination

Transport and Engineering Services

a) Impact on Local Highway Network

A Stage 1 Safety Audit of the proposals is required before the LHA could support the installation of such a feature on the public highway. Even with the installation of the bus gate, the impact of the development on the Oxney Road / Edgerley Drain Road and the Empson Road / Edgerley Drain Road junctions needs to be mitigated. The required mitigation at these locations would be significant (i.e. a roundabout is required at the Oxney road / Edgerley Drain Road junction). As

there are other allocated sites in the vicinity, the LHA would accept a contribution from the applicant towards the cost of this scheme.

b) Accesses Design

No objection but request revision to junction design.

c) Reducing the need to travel by private car

LTP3 seeks to improve frequencies of bus services wherever possible; it is reasonable to expect that a development of this size provides a contribution towards the running of more frequent buses along Newark Road. A drawing detailing which bus stops are to be improved (and what improvements are to be carried out) is required as part of the planning application, but can be submitted as part of the reserved matters application. Transport and Engineering Services would require the link to be 3m wide and to connect to the existing cycleway at the Sainsburys roundabout. Full details of this link can be agreed through the reserved matters application.

Police Architectural Liaison Officer

a) Principle

No objection to principle

b) Bus gate

The temptation of offending or lack of attention by drivers, will require a significant level of enforcement action. Local users will eventually become accustomed or 'educated' to such a prohibition. However, visitors to the area, particularly those from outside Peterborough, visiting the Eastern Industry businesses off Newark Road, are likely to be directed by their maps or Satellite Navigation Units on a route which uses this bus gate. It is not clear in the submission, what if any, advanced signage is being proposed. It is also not clear, if any consideration has been given to potential actions, of particularly large vehicles once they are faced with the bus gate, directly in front of them. Those travelling North, will have to make a 'U' Turn. Those travelling South likewise or I would expect that Palmers Road is a very likely diversion route. I would ask you to consider the suitability of this alternative route.

Senior Recreation Officer

No objection - The on-site pocket parks are a welcome part of this proposed development but represent around 50% of open space required for a development on this scale. Taking measurements from online documents the pocket parks create around 1.1 HA of on-site POS, ideally we would be looking for around 2 HA . As such I would be looking for a contribution towards off-site public open space. The amount of the contribution would be something that would require negotiation and potential projects identified before a figure could be set.

Travel Choice

No objection - Happy with the information contained within the framework travel plan and what is set out within the document.

Archaeological Officer

No objection – The site is located in an area of known archaeological importance along the Flag Fen basin, with human activity dating back to the Neolithic period. If present, archaeological remains are expected to have survived in good condition of preservation. Recommend conditions requiring a desk based assessment and a programme of archaeological work.

Building Control Surveyor

No objection – Building regulation approval will be required

Waste Management

No comments received

Strategic Housing

No objection - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed, subject to viability. The Core Strategy sets out an appropriate mix of affordable tenures which is 70% social rented tenure and 30% intermediate tenure. However, given the changes to the definition of

affordable housing set out in NPPF which includes affordable rented tenure, the council is committed to offering a degree of flexibility regarding the tenure of any affordable units. The mix of affordable house types should meet housing needs as evidenced by the Peterborough Strategic Housing Market Assessment (update 2010). In accordance with Policy CS8 of the Peterborough Core Strategy, there is a requirement to provide 20% of dwellings to lifetime homes standard on sites of 15 or more dwellings. Policy CS8 of the Peterborough Core Strategy states that on development sites on which 50 or more dwellings are proposed there will be an additional requirement to provide 2% of the dwellings as wheelchair homes. All affordable housing should meet the Homes & Communities Agency's quality and design standards to enable Housing Associations to include the affordable homes within a Framework Delivery Agreement with HCA. All affordable homes should meet Level 3 (minimum) of the Code for Sustainable Homes.

Local Residents/Interested Parties

Initial consultations: 123

Total number of responses: 11

Total number of objections: 8

Total number neither objecting or supporting: 2

Total number no objection: 1

Eleven neighbour letters received raising the following issues

- Lombardy poplars are a great visual asset and should be retained
- If the willow and associated shrubs are to be removed from the boundaries, notably TG3, appropriate replacements should be planted to create, promote and maintain wildlife corridors for birds; small mammals and insects
- Is there capacity in the local schools or space to expand on site to accept more pupils?
- Are there plans to enhance evening and Sunday bus services from this area?
- Are there plans to upgrade and improve cycle route from this area?
- Newark Road has become much busier, to the extent that at certain times we have great difficulty reversing into our driveway, particularly during the morning and evening rush hour – concern that there will inevitably be extra traffic using this road if the access to the estate is as on the plan
- Believe that these new properties will be built with no regard whatsoever to the traffic congestion that will be caused to the residents already here
- A access should be via the entrance next to Sainsburys, Oxney Road as Newark Road is already heavy and dangerous and should not have more traffic/or access on it
- There are ambulances tearing along here most times of the day and obviously they need clear access – However with the prospect of many more vehicle movements on this stretch, it could delay their arrival at their destination.
- Most people do not bother with the 30mph speed limit, there are many doing over 50mph
- Concerned about loss of my privacy – the possibility of tall dwellings opposite which will overlook the dwellings along Newark Road, many of which are bungalows. If we have to have dwellings there, I would urge that bungalows were placed alongside Newark Road, but if not bungalows, then dwellings with no windows on that aspect
- Development would block our panoramic view of many beautiful sunsets
- There are currently no blocks of flats in the area – the area is mostly made up of single homes with a very small number of houses with more than one floor - the building of multi storey blocks will be out of character with the area and will significantly alter the feel and demographic of the neighbourhood
- The proposal will increase levels of crime
- I hope that there will be shops on this development if so a post office would be welcome as our nearest ones are miles away
- The ecology survey contains significant and relevant omissions – specifically hedgehogs are not mentioned at all, goldfinches, starlings and sparrows are all under pressure in the UK and use the site in large numbers
- Concerned as to the effect that noise reducing barriers will have

- If consent is granted it is requested that all contractors park on-site and that noise, dust and general disturbance is kept to a minimum
- Concern about noise nuisance from construction
- Thought need to be given with regards to access routes to schools
- Concern about impact on utilities
- Our contention is that Ideal Shopping operations could have a seriously adverse impact on residential amenity by virtue of:
 - o 24/7 operations
 - o Security lighting
 - o Noise from heavy goods vehicles manoeuvring
 - o Noise from fork lift trucks loading and unloading
 - o Light and noise from the outdoor studio
 - o Noise and disturbance from staff vehicles entering and leaving the site in the early hours of the morning

In order to achieve this objective and to overcome their objections to any detailed proposal that might impact upon their business, Ideal Shopping would encourage the Local Planning Authority to require the following:- The positioning of open space/play space between dwellings and the southern boundary; a significant bund, running east – west adjacent to the southern boundary, of say 20m in width and at a height of 3m; a 2m acoustic fence on top of the bund; landscaping on the bund with shrubs and trees (including heavy standards). Such measures would go some way to avoiding future complaints from residents about noise, views, activity and light.

Second consultations (including consultation on proposed bus gate) - :164

Total number of responses: 4

Total number of objections: 4

Total number neither objecting or supporting: 0

Total number no objection: 0

Three neighbour letters received raising the following issues

- Think its an appalling idea - for us living on the Maples it is going to be such a bother – will now have to drive round the long way, using more petrol
- It will be increasingly difficult to exit from Newark Road into Oxney Road, nearly impossible at rush hour
- Traffic congestion will be increased on Empson Road due to re-directed vehicles trying to access the ideal home shopping side of Newark Road
- Access for staff and delivery agents will be limited with further distance to travel to get around the closed Newark Road – HMF UK will incur financial penalties due to the increased distances - The Fengate site already has poor access and limited high speed broadband; this change would further limit the benefits of the industrial park and may result in HMF UK seeking a different location.
- If the access to the new estate cannot be via the Sainsbury roundabout there has got to be traffic/pedestrian-controlled lights at the junction of Newark Road and Oxney Road
- Suggest that they use the existing access off Newark Road

5 Assessment of the planning issues

1. Principle of development

This application is in Outline and seeks to establish the principle of development of the land for up to 230 residential units together with the creation of two new accesses off Newark Road. All matters relating to the design of the buildings, scale, layout and landscaping are to be considered in the submission of a reserve matters application.

In accordance with current government guidance in respect of outline applications the Design and Access Statement has included a schematic layout together with details of a possible scale and form of development that could be accommodated within the site constraints. However, it

should be emphasised that these drawings are indicative only and as such should not carry any weight in the determination of this application and would not constitute part of any planning permission.

The Peterborough Site Allocations DPD was adopted in April 2012 Policy SA3.42 of that document allocates 5.08 ha of land at Perkins North for residential development. As that document has been adopted, use of the allocated housing site for housing is acceptable. Further the proposal would result in the efficient and effective use of land on a site which is located close to services and facilities to meet residential needs, would provide housing to support the City Council's growth agenda and deliver affordable housing.

The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy DPD, policy PP1 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

2. Loss of playing field

The proposed site, a former private sports ground open to employees and associated families only, closed in 2008 and has since remained unused. It covers an area of approximately 4.3 hectares. No replacement facilities have been provided, but clubs that used the site have received funding from a Sports and Social Fund Committee to help clubs secure alternative facilities, equipment etc. When the site was operational it contained 1 football pitch, 1 cricket pitch, 1 bowling green, 3 tennis courts, a car park, a clubhouse and sports hall.

Para 74 of the National Planning Policy Framework states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.*

Sport England consider that to grant planning consent for residential development on this site without adequate replacement provision contravenes the guidance within the NPPF. To comply with Sport England's policy, the proposal would need to satisfy exception E4 of their policy, which states:

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing fields or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

However, in his report on the Peterborough Site Allocations DPD the inspector acknowledged that the site was a former playing field used by employees of the Perkins Engines Factory and that it has been disused since 2008. The inspector also noted that Perkins now operate a sports and social fund giving financial support to employees to use recreational facilities elsewhere, rather than continuing to provide their own. Taking into account that the site has been allocated for employment development since 2001, in the Local Plan First Replacement and its predecessor and that the site has been re-assessed and reallocated for housing in the DPD the inspector concluded that the objective of maintaining an adequate supply of open space and sports and recreational facilities, set out in the then PPG17: Planning for Open Space, Sport and Recreation, would not be compromised by the allocation of these sites for housing development.

3. Transport

The Highways Agency raise no objection. They consider that the application is unlikely to have a material impact on the A47 trunk road.

a) Impact on Highway Network

In terms of the transport assessment work that has been done, the Council's highway engineers, subject to provision of a bus gate along Newark Road and a contribution towards junction improvement schemes at Oxney Road / Edgerley Drain Road and Empson Road / Edgerley Drain Road are generally satisfied with the proposals. It has been accepted that a contribution can be secured through Council's Planning Obligation Implementation Scheme.

b) Bus gate

The provision of a bus gate along Newark Road is critical to the delivery of this allocated housing site. The bus gate is proposed along Newark Road between The Broadland and Palmers Road junctions. The bus gate will have a CCTV Camera and only buses, cycles and emergency vehicles will be allowed through it. The Council's Highway Engineers have asked that a Stage 1 Safety Audit of the proposals be provided before they could support the installation of such a feature on the public highway.

c) Access

Detailed permission is sought for the siting and design of the access into the site. A plan has been submitted by the applicant showing that, subject to some revisions, an acceptable junction can be provided.

d) Reducing the need to travel by private car

Policy CS14 of the Core Strategy emphasizes the Council's objectives to reduce the need to travel especially by private car. Specifically part 7 of that policy seeks the provision of new or enhanced public transport, walking and cycling links, routes and infrastructure. Accordingly Transport and Engineering Services require a 3 metre wide cycle link to connect from the site to the existing cycleway at the Sainsburys roundabout. The Council's Highway Engineers are happy that details of this link can be agreed through the reserved matters application.

LTP3 seeks to improve frequencies of bus services wherever possible; it is reasonable to expect that a development of this size provides a contribution towards the running of more frequent buses along Newark Road. It has been accepted by officers that a contribution can be secured through Council's Planning Obligation Implementation Scheme.

The Council's highway engineers are therefore content with the principle of the proposal subject to various conditions and the completion of a S106. The proposal is therefore considered to be in accordance with Policies CS14 of the Core Strategy.

4. Affordable Housing and Life Time Homes

The application proposes 30% affordable housing, 20% life time homes and 2% wheel chair housing. The proposal therefore affords with policy CS8 of the adopted Core Strategy. The City Council Housing Needs Study for the Peterborough area identifies the requirement for a mix of accommodation i.e. small units as well as family homes. The proposed mix of dwelling types proposed would not fulfil this requirement. The applicant will be required to consider an alternative mix through the reserved matters application process.

5. Open Space

The application proposes 2 acres of public open space. The recently adopted Planning Policies DPD introduces new open space standards. However, given that the application was prepared and submitted when the old Local Plan standards were in use (policy LT1 referred) it is considered appropriate in this instance to assess the proposal against this standard. Under policy LT1 4.95 acres of on site open space are required. Whilst the amount of open space proposed would fall below this, the proposed on site provision is considered acceptable as a contribution of £447,460 towards the provision of new and improved playing fields, play equipment, pitches, courts, greens and allotments within a 3km radius of the site and/or the

upgrading of play equipment on site is also proposed.

6. Residential amenity – future occupiers on site

The noise report submitted with this application indicates that noise from the Perkins factory is likely to have a significant impact upon the outdoor amenity of the proposed residential development and is an important planning constraint. This would need to be taken into consideration during the design phase of the development. Should permission be granted it is recommended a condition requiring submission of a scheme for protecting noise sensitive residential development from noise from the Perkins factory and other significant noise sources be appended.

The indicative scheme appears to indicate that a satisfactory level of amenity could be provided for the future occupiers of the development including private gardens. Notwithstanding detailed assessment will take place at Reserved Matters stage. It should be noted that this conclusion does not necessarily mean that 230 dwellings will be acceptable, hence the wording “up to”.

7. Impact on Existing Neighbours

As previously stated this application is in outline only and as such the form, layout and design of the option provided as part of the application package are indicative only and are identifying one of a number of possible options for the development of the site. The indicative scheme introduces buildings that are 2-3 storeys with a small number of 4 storey flats providing a total of 230 units at a density of 50 dph. Following consultation with the local community concerns were raised regarding the height of the buildings especially those closest to the dwellings on Newark Road. As the application is in outline, if planning permission is granted this does not commit the LPA to agreeing to 3-4 storey buildings. This will be a matter dealt with at reserved matters stage.

8. Landscaping and Ecology

Landscaping

The site has two linear groups of Lombardy Poplar trees, a group of 15 trees running east to west and a group of 62 trees running north to south on the western site boundary. Both groups of trees do form part of the landscape in this location, but due to the species and planting arrangement, their contribution to the landscape is both stark and unnatural. The trees do not provide any positive linkages or softening properties within the landscape there. The Council's landscape officer raises no objection to the proposed development. A comprehensive landscaping design will be required to accompany a reserved matters application

Ecology

A phase 1 habitat survey of the site was undertaken in April 2012. The appraisal concluded that the site was a low value habitat that had no significant ecological or biodiversity value. The Council's wildlife officer is satisfied with the report's assessment of impacts on protected species and has no objection to this application subject to conditions, restricting works to trees within the bird breeding season, requiring a detailed visual inspection of the trees to be felled for roosting bats, requiring landscape details, requiring details of bird nesting and bat roosting features.

9. Flood Risk and Drainage

The Environment Agency Flood Map indicates that the site is located within Flood Zone 1; land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year. As a result, the site is considered to be at low risk of fluvial flooding. Table 3 of the NPPF technical guidance identifies that all development is appropriate within this flood zone. A flood risk assessment has been submitted with the application. The Environment agency has no objection to the proposed development subject to conditions requiring submission of a detailed surface water drainage scheme. Further the applicant has been liaising directly with the council drainage team. The drainage team agree with the use of sustainable drainage systems in the drainage strategy for the site.

10. Other matters

a) Contamination

On a precautionary basis, the possibility of contamination should be assumed when considering individual planning applications in relation to all land subject to or adjacent to previous industrial use and also where uses are being considered that are particularly sensitive to contamination – e.g. housing, schools, hospitals, children’s play areas. A Phase 1 land quality report has been submitted with the application. The report has identified potentially unacceptable moderate to high risks to high sensitivity future site users and residents posed by the historical use of the site and the current activities occurring at the main Perkins Engines Centre. Subject to conditions requiring further assessment and mitigation prior to the commencement of development the Environment Agency and the Council’s Pollution Control Section have raised no objection.

b) Archaeology

The application site lies within an area of archaeological interest along the Flag Fen basin, with human activity dating back to the Neolithic period. If present, archaeological remains are expected to have survived in good condition of preservation. A condition would therefore be appended requiring a desk based assessment and a programme of archaeological work, to include evaluation by trial trenching, to be undertaken

c) Construction Management

A condition requiring the submission and approval of a Construction Management Plan is recommended to ensure that there is no adverse impact upon neighbouring residents.

11. S106

Under the Council’s Planning Obligation Implementation Scheme (POIS) the indicative development gives rise to the requirement for the following contributions

Nos. of units	Unit type	Cost per unit	Total contribution
3	Studio flat	£2,000	£6,000
38	1 bed flat	£3,000	£114,000
67	2 bed flat	£4,000	£268,000
18	3 bed flat	£5,000	£90,000
63	3 bed dwelling	£6,000	£378,000
18	4 bed dwelling	£8,000	£144,000
		Total	£1000000.00

The applicant has submitted a viability appraisal to demonstrate that the development cannot afford this payment in full and so the POIS contribution has been reduced to £852,540.

In addition to the above the following are also proposed for inclusion in the Section 106 1 – a contribution of £447,460 towards public open space 2 - provision of a bus gate along Newark Road, 3 - 30% affordable housing, 4 – a 2% monitoring fee

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 allocated for housing and will provide housing to support the City Council's growth agenda
- the development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway can be provided
- the development can be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties
- the impacts of noise can be adequately mitigated
- the impact of the development upon the existing landscaping is not considered to be significant and as such is considered acceptable
- the impact of the proposed development upon ecology of the site is considered to be acceptable
- the development will allow for the provision of Public Open Space
- the site can be adequately drained and mitigation measures secured to deal with ground contamination
- the impact of the proposed development upon archaeology is considered to be acceptable
- the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK
- further to the submission of a viability appraisal the developers have demonstrated that the proposal cannot pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution is acceptable in this instance
- the proposal is therefore in accordance with Policies SA3 of the adopted Site Allocations DPD, and Policies CS02, CS08, CS10, CS11, CS12, CS13, CS14, CS16, CS19 and CS22 of the adopted Peterborough Core Strategy DPD, Policies PP01, PP02, PP03, PP04, PP12, PP13, PP14, PP16, PP19, PP20 of the adopted Peterborough Planning Policies DPD, and the provisions of the National Planning Policy Framework

7 Recommendation

The case officer recommends that planning permission is **Granted** subject to conditions and a S106 Agreement:-

- C 1 Approval of the details of the siting, design and external appearance of the building(s) the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

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.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected the means of access thereto and the landscaping of the site, shall be submitted in writing to the local planning authority and 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.

- C 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 The development hereby approved shall be carried out in accordance with the following approved details:-
Location Plan Drg 925-SK18
925-SK17
9X4810-SK001RevA
9X4810-SK002
Arboricultural Implication Report dated April 2012
Flood Risk Assessment dated July 2012
Ecology Appraisal dated May 2012
Transport Statement
Noise Assessment dated 18th June 2012
Heritage Desk-Based Assessment dated June 2012
Framework Residential Travel Plan dated July 2012
Planning Design and Access Statement dated July 2012
Phase 1 Land quality assessment dated MARCH 2008

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting planning permission as set out above

- C 6 The details submitted under Condition 1 above shall include the following:
- a scheme for the provision of 30% affordable housing which 70% is of social rented tenure and 30% intermediate tenure
- lifetime homes at a provision of 20%
- wheelchair homes at a provision of 2% if 50 dwellings are proposed.

Reason: In order to meet varied housing needs in accordance with Policy CS8 of the adopted Peterborough Core Strategy DPD.

- C 7 The details submitted under Condition 1 above shall demonstrate how the development will contribute towards the City Council's Environment Capital aspirations. If no such information is submitted, or if the information is not acceptable, then the development shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

- C 8 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall thereafter be implemented as agreed.

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

- C 9 Prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:
- a noise management plan including a scheme for the monitoring of construction noise;
 - a scheme for the control of dust arising from building and site works;

- a scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- a scheme of working hours for construction and other site works;
- a scheme for construction access from the Parkway system, including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load and unload clear of the public highway and details of any haul routes across the site;
- a scheme for parking of contractors vehicles;
- a scheme for access and deliveries including hours.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 10 No development shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details:
- walling and roofing materials
 - doors, windows and rainwater goods including garage doors
 - boundary treatments and road/path surfaces
 - details of any renewable energy or similar features to be included.

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

- C 11 Prior to commencement of construction of the dwellings, detailed contoured plans with existing and proposed spot heights and cross sections shall be submitted to and approved in writing by the Local Planning Authority. These shall show finished levels of streets and dwellings and shall demonstrate level access to dwellings. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

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

- C 12 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: In order to protect and safeguard the amenity of the area in accordance with the provisions of the National Planning Policy Framework, in particular paragraphs 121 and 123.

- C 13 No development approved by this planning permission, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the planning authority:
- 1) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources,

pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The Phase I Report identifies potential sources of contamination including the potential presence of landfilled material on the northern site. We consider that limited site investigation and assessment of the potential risk posed to controlled waters is required. Based on the results, further work may be needed.

- C 14 No development shall take place until a detailed surface water drainage scheme for the site, based on the principles and parameters outlined within the Flood Risk Assessment ref: R63040Y001C, dated September 2012 has been submitted to and approved in writing by the planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year including climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Confirmation, as per the email from Helen Montgomery at Pell Frischmann dated 25 September 2012, that the developer will maintain the drainage system and that the culvert, (to which the site drains), will be maintained by the current owner, Perkins Engines.
2. Full details of the proposed option of surface water drainage based on the information provided in the FRA.
3. The results of the infiltration testing if soakaways are to be used.
4. A detailed drainage layout.

Reason: To prevent the increased risk of flooding, both on and off site.

- C 15 The scheme shall provide bird nest and bat roosting features; the details of which shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details no later than the first planting season following the occupation of the development, whichever is the earlier.

Reason: In the interest of promoting biodiversity within the site and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD.

- C 16 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that soakaways are not located in potentially contaminated ground or ground that may have been formerly a landfill. Soakaways that are located in contaminated ground have the potential to increase the likelihood of contaminant migration.

- C 17 Development shall not commence before a travel plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and will not generate adverse traffic to the area, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Chapter 4 "promoting sustainable transport" of the National Planning Policy Framework.

- C 18 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless immediately prior to works a survey is undertaken that concludes the area is free of nesting birds.

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

- C 19 Prior to the commencement of development, the following shall be submitted to and approved in writing by the Authority:
- a) a programme for the implementation of a scheme of hard and soft landscaping within the site
 - b) a (five year) maintenance schedules for all landscape areas;
 - c) details of the planting plans (noting species, plant sizes, proposed numbers/densities and an implementation programme);
 - d) a written specification(including cultivation and other operations associated with tree, shrub, hedge of grass establishment);
 - e) all hard surfacing material and signage;
 - f) details of fencing, gates and other means of enclosure and boundary treatment;

The development shall be carried out in accordance with the approved proposals and implementation plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of new and replacement landscaping in the interests of the amenities of the area, in accordance with Policy CS20 of the Core Strategy.

- C 20 If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of new and replacement landscaping in the interests of the amenities of the area, in accordance with Policy CS20 of the Core Strategy.

- C 21 None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers

- C 22 Construction work should not begin until a scheme for protecting the proposed noise sensitive residential development from noise from the Perkins factory and other significant noise sources has been submitted to and approved by the local planning authority; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

The World Health Organisation has provided guidance that "general outdoor noise levels of less than 55dB L_{Aeq} are desirable to prevent any significant community annoyance" and that "a level of less than 35dB(A) is recommended to preserve the restorative process of sleep".

For a reasonable standard in bedrooms at night, individual noise events (measured with a Fast time weighting) should not normally exceed 45dB LAmax. These recommendations should be regarded as the maximum noise levels to be permitted within or around the noise sensitive development.

Reason: In the interests of the amenity of the future occupiers of the development and in accordance with policy PP4 of the Adopted Peterborough Planning Policies DPD.

- C 23 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works) until a detailed close visual inspection has been undertaken (from a cherry picker or by tree climbing) of all mature trees including the Lombardy Polars to identify any features of potential value to roosting bats or by a bat activity survey (dusk and pre-dawn) to confirm bat absence. If during inspection any features of potential value to roosting bats is identified, then the LPA shall be notified immediately and no further work be carried out until a method statement detailing a scheme for relocating the bats has been submitted to and agreed in writing with the LPA. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: In the interest of promoting biodiversity within the site and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD.

- C 24 Notwithstanding the details shown on drawing 9X4810 - SK002, a 3m wide footpath/cycleway link from the development to the existing segregated footway/cycleway at the 'Sainsburys' roundabout is required. Full details of the proposed link (including the route, lighting, levels, construction details, bollards/barriers and associated signage) shall be submitted to and approved in writing by the Local Planning Authority and the link shall be constructed in accordance with the approved details prior to the occupation of any of the dwellings.

Reason: In order to promote the use of sustainable modes of transport, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 25 Prior to first occupation of any of the dwellings hereby approved, a bus gate (based on the principles shown on drawings 8426/01/01 and 8426/01/02) shall be constructed on Newark Road, between its junctions with Palmers Road and The Broadlands. This bus gate shall be ANPR controlled and also supported by a CCTV camera, appropriate signage, road markings, physical measures and TROs, and shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 26 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the design of the lighting columns, their locations and LUX levels. The lighting scheme shall thereafter be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, in accordance with Policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD and Policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C 27 Notwithstanding the details shown on drawing 9X4810 - SK001 A, the junctions of the

proposed access roads with the existing highway (Newark Road) shall be laid out with 6m radii.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 28 The vehicle-to-vehicle visibility splays of 2.4m x 62m as shown on the approved plans, at the junction of the access road with the public highway shall be provided before the commencement of the development.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 29 Within three months of the commencement of development, a scheme detailing which bus stops are to be improved and what improvements are to be carried out shall be submitted to and approved in writing by the Local Planning Authority. Improvements to include the provision of real time information boards to provide increased public transport facilities for visitors to and from the development. The approved scheme shall be implemented in accordance with the approved details, prior to first occupation of any of the dwellings.

Reason: In order to promote the use of sustainable modes of transport, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 30 The existing access to Newark Road shall be permanently closed to vehicular traffic before first occupation of any of the dwellings. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

If the S106 has not been completed within one month of the date of this resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason stated below:

- R1 A request has been made by the Local Planning Authority to secure a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

Copy to Councillors Shabbir N, Todd M Y, Johnson J



LOCATION PLAN 12/01119/FJL

The Westwood, 85 Mayors Walk, West Town Peterborough

Scale NTS Date 7/2/2013 Name AA Department Planning Services



PETERBOROUGH
CITY COUNCIL

PCC GIS

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Application Ref: 12/01119/FUL

Proposal: Erection of single storey front extension to public house and external alterations to create shop fronts. Change of use of ground floor to form A1 retail and A5 takeaway units, including the installation of extraction equipment. Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings. Erection of first and second floor extension to side to form two residential dwellings. Change of use of garden area to parking, and reinstatement of parking provision at front – part-retrospective.

Site: The Westwood , 85 Mayors Walk, West Town, Peterborough
Applicant: Sugar Properties Ltd

Referred by: Head of Planning, Transport and Engineering Services
Reason: Part-retrospective nature of the proposal and application of wider interest

Site visit: 08.02.2013

Case officer: Mr N J R Harding
Telephone No. 01733 454441
E-Mail: nicholas.harding@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 a two storey semi detached former public house located within an identified Local Centre. The site occupies a prominent position within the streetscene at the junction of Mayors Walk with Alderman's Drive and Nicholl's Avenue and benefits from a double frontage. The existing building is unique within the locality, with architectural detailing including double storey brick and timber bay windows, projecting gable roofs and stone cills and lintels. Parking is provided within a single storey garage to the rear of the site, adjacent to No. 165 Alderman's Drive.

Proposal

The application seeks planning permission for the following:

- Erection of single storey front extension and external alterations to create new shop fronts;
- Change of use of ground floor to form A1 retail and A5 takeaway unit, including the installation of extraction equipment;
- Change of use of existing hotel rooms, raising the existing public house roof and installation of dormer windows to form three residential dwellings;
- Erection of first and second floor extension to side to form two residential dwellings; and
- Change of use of garden area to parking, and reinstatement of parking provision at front.

It should be noted that works have already commenced on site and accordingly, the application is part-retrospective.

2 Planning History

No relevant planning history.

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 7 - Good Design

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

Peterborough Core Strategy DPD (2011)

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.

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.

CS15 - Retail

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions 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.

Peterborough Planning Policies DPD (2012)

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.

PP09 - Development for Retail and Leisure Uses

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

PP11A - (a) Shop Frontages (including signage)

Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

PP11B - (b) External Shutters

Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

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.

4 Consultations/Representations

Transport and Engineering Services (31.01.13)

Objection – The proposal fails to provide sufficient parking/cycle parking for the residential units and the proposed vehicular access to the rear of the site is of insufficient width, with no provision of vehicle-to-pedestrian or vehicle-to-vehicle visibility splays. The proposal would result in conflict between users of the site and the nearby signalised junction and accordingly would result in a danger to highway safety.

Landscape Officer (01.02.13)

No objection – The proposal does not appear to impact upon any landscape features worthy of retention.

Environmental Health (Food) (16.01.13)

No objections - The proposed kitchen must comply with Chapters I and II of Annex II to Regulation 852/2004. In addition, all food businesses are required to be registered with the Local Authority.

Environment and Pollution Control

Comments awaited.

Archaeological Officer (29.01.13)

No objections – The proposed alterations would have a negligible impact on buried remains.

Section 106 Planning Obligations Officer (18.01.13)

A contribution of £19,950 plus a 2% monitoring fee of £399 is required in line with the Peterborough Planning Obligations Implementation Strategy SPD (2010).

Councillor E Murphy (30.01.13)

I have been contacted by some local residents, shoppers and traders in relation to the works already begun at The Westwood Public House. There is concern regarding the lack of parking in the area and the impact that the proposed development would have. The creation of retail units and additional multi-occupancy dwellings at the former pub will only exacerbate existing parking and congestion problems in the area.

Local Residents/Interested Parties

Initial consultations: 26

Total number of responses: 6

Total number of objections: 6

Total number in support: 0

Six objections have been received from local residents on the following grounds:

- Inappropriate location for the entrance/exit point to the rear parking spaces which would result in cars exiting the site and crossing a heavily used footway in close proximity to the traffic lights, where there is often queuing traffic. The proposed access is too narrow with poor visibility.
- The proposed four parking spaces along the front of the Alderman's Drive elevation would result in cars crossing the pavement resulting in increased danger for school pupils, pedestrians and other drivers at the junction.
- The installation of external roller shutters on the building would spoil the aesthetics and is not in keeping with the character of the building. The presence of shutters will create a deadening effect on the area at night and a perception of crime. No supporting evidence has been provided to justify the need for such shutters.
- The proposed provides insufficient parking.
- There are already many businesses providing similar services in the area and as such, there is no need for the proposal.
- Disruption caused to local residents during the construction process - the site is already dangerous.
- Concern that the proposals represent overdevelopment of the site.
- The design of the north and east elevations is brutally unsympathetic to the existing building and squared off projections from the limited extension will form ugly ground floor pediments to the angled bays above.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Impact upon neighbour amenity
- Amenity provision for future occupants
- Developer contributions

a) Principle of development

The original building has a lawful use as a public house, falling within Class A4 of the Town and Country Planning (Use Classes) Order (as amended). In accordance with the Town and Country Planning (General Permitted Development) Order (as amended), the change of use proposed on the ground floor to either retail shop (Class A1), professional/financial services (Class A2), restaurant/café (Class A3) or retention as a drinking establishment would not require the benefit of planning permission and accordingly, the principle of these uses is already acceptable. With regards to the proposed hot food takeaway use (Class A5), it is considered that given the location of the application property within an identified Local Centre, such a use would be appropriate and would serve to enhance the vitality of the centre.

With regards to the proposed extension and conversion at first and second floors to provide five no. self contained 2-bedroom flats, it is considered that the provision of well-designed residential units is appropriate. The provision of additional residential units within identified centres is supported by adopted policy, which highlights the benefits of residential intensification as a way of improving the vitality and viability of Local Centres. On this basis, the principle of the proposed development is acceptable, in accordance with Policies CS2 and CS15 of the Peterborough Core Strategy DPD (2011).

b) Design and impact upon the character and appearance of the surrounding area

First floor extension and raised roof height

At present, the frontage of the application property along Alderman's Drive decreases from two storey to one and a half and single storey form. It is proposed to construct a first floor extension above these single storey elements and raise the height of the roof accordingly. The window arrangement of the proposed extension follows a traditional form and the size and style of windows is sympathetic to the original building. In addition, the proposal is set back from the principal elevation of the existing two storey building and accordingly, the ridge height of the roof is lower. It is considered that this assists in reducing the overall mass of the development and ensures it appears a subservient element. Overall, the design of the proposal reflects and respects the overall character and appearance of the original building through the use of appropriate architectural detailing. As such, it is considered the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

Shop front design

It is considered that the design of the proposed shop fronts is sympathetic in size, architectural proportion and detailing to the host property. Whilst much of the original building at ground floor would be lost, it is considered that the re-use of the building for alternative uses such as retail, café, financial/professional services and hot food takeaway would contribute towards the vitality and viability of the Local Centre and accordingly, any harm resulting from the loss of the historic features of the property is outweighed by this benefit. The proposed shop fronts would not appear incongruous within the streetscene and advertising has been incorporated into the overall design to ensure it appears integral to the frontages. As such, it is considered the proposal would not result in any significant harm to the character, appearance or visual amenity of the locality and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP11 of the Peterborough Planning Policies DPD (2012).

External roller shutters

The application proposes to install external roller shutters to the ground floor unit along Alderman's Drive. The Applicant has not submitted any information with the application submission to demonstrate that there is a persistent problem of crime or vandalism affecting the application property or evidence that any crime risk could be satisfactorily addressed by an alternative measure such as internal shutters. Whilst the design of the proposed shutters generally accords with the perforated style preferred by Officers and adopted elsewhere in the City, given that the need for such shutters has not been identified (as required by Policy PP11 of the Peterborough Planning Policies DPD), it is considered that the introduction of external shutters is inappropriate in this location and contrary to adopted policy. Accordingly, it is proposed to secure the omission of external shutters from the application scheme by way of a condition.

c) Parking and highway implications

Parking provision

The application proposal seeks to retain four parking spaces immediately to the front of the building along Alderman's Drive. In addition, it is proposed to demolish the existing single

garage adjacent to the boundary with No.165 Alderman's Drive and introduce a drive through element providing vehicular access to the rear yard area where it is proposed for five parking spaces to be provided. In accordance with the adopted parking standards set out in Policy PP13 of the Peterborough Planning Policies DPD (2012), the proposal should provide a minimum of 12 parking spaces for the proposed six no. 2-bed flats. The proposed nine parking spaces falls below this level and this issue is further exacerbated by the inadequacy of some of the proposed spaces.

The four spaces adjacent to the footway along Alderman's Drive are unacceptable owing to the conflict that would result to both pedestrians and drivers at the junction with Mayor's Walk. Whilst these spaces are currently used, they result in vehicles reversing over the footway and on to the carriageway at a busy signalised junction, resulting in a danger to highway safety. Furthermore, owing to the proposed changes to the building, the spaces would prevent safe access to the proposed ground floor unit. As such, it is considered appropriate for these spaces to not be provided. In addition, one of the proposed spaces to the rear of the car park is not of usable dimensions and as such, cannot be considered to contribute towards the overall parking provision on site. Taking this in to consideration, the proposal only provides four usable parking spaces.

Whilst it is acknowledged that this is not sufficient to meet the needs of the development, it is considered that the scheme is acceptable. The site is located within an identified Local Centre and the surrounding locality is well served by services, facilities and public transport. It also needs to be remembered that the current use of the site is as a public house with hotel rooms which have the potential to attract a significant number of car-born customers.

As such, in this instance, the provision of parking below the adopted standard is accepted. In order to promote alternative modes of transport for occupants of the flats, cycle parking provision is required and this may be secured by condition. On this basis, and notwithstanding the comments of the Local Highway Authority, the proposal is considered in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

Vehicular access

Whilst the vehicle-to-pedestrian visibility from the rear access is substandard in one direction, the situation is eased through the deletion of the existing forecourt spaces.

d) Impact upon neighbour amenity

Overlooking impact

It is considered that the window arrangement of the proposed flats at first and second floors has been designed to prevent any issues of overlooking to neighbouring properties. Whilst the proposal would result in facing primary habitable windows to No.165 Alderman's Drive, sufficient separation distance is maintained to ensure no loss of privacy for neighbouring occupants results.

Noise and fumes from extraction equipment

It is noted that the proposal would result in the erection of two extraction flues – serving both the proposed hot food takeaway and another unit. No details have been provided regarding these extraction flues and as such, it is considered necessary to impose a condition requiring full details of extraction equipment to be submitted to and approved in writing by the Local Planning Authority prior to installation. This will ensure that any installed equipment will not result in an unacceptable impact to the amenity of neighbouring residents or occupants of the proposed flats. On this basis, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Crime and anti-social behaviour

It is acknowledged that hot food takeaways can result in increased incidents of crime and anti-social behaviour, leading to noise disturbance to neighbouring residential properties. Given the site's location within an identified Local Centre, it is considered that the provision of some element of hot food takeaway in the locality would be appropriate. However, in order to mitigate against significant issues of anti-social behaviour, it is considered appropriate to restrict the level of floorspace for such a use. The application proposal seeks permission for a mixed use of the entire ground floor to include A1, A2, A3, A4 and A5 uses which is not considered appropriate. As such, it is proposed to secure by condition that only 20% of the total ground floor area of the application site be allowed for hot food takeaway use. On this basis, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Amenity provision for future occupants

It is considered that the proposed 2-bed flats provide an adequate level of internal space for the living and storage needs of prospective occupiers. The flats are of a sufficient floorspace to accommodate an acceptable level of accommodation in terms of living and bathroom areas. In addition, all rooms are considered to provide an adequate level of daylight and natural sunlight, along with privacy to primary habitable rooms such as bedrooms and living areas. It is noted that the proposal does not provide any private outdoor amenity area as the existing garden is proposed to be provided for car parking. Whilst such an area of outdoor space is generally required, given the nature of the proposed residential units and their location within an identified centre, in this instance it is considered that the lack of outdoor space would not result in harm to the amenities of future occupiers. Accordingly, the proposal is considered to be in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

f) Developer contributions

In accordance 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 it generates. The City Council has adopted a tariff approach to such contributions and in accordance with the Peterborough Planning Obligations Implementation Scheme SPD (2010), the application scheme requires a contribution of £19,950 plus a 2% monitoring fee of £399. The Applicant has agreed to enter in to such an obligation and the legal process is currently ongoing.

g) Other matters

- *There are already many businesses providing similar services in the area and as such, there is no need for the current proposal.*
The issue of competition is not a material planning consideration and therefore this cannot be considered through the application process.

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 provision of residential units is appropriate and supports the vitality and viability of the identified Local Centre, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011);
- the introduction of a hot food takeaway within the application site would support the vitality and viability of the identified Local Centre and is an appropriate use within the locality, in accordance with Policy CS15 of the Peterborough Core Strategy DPD (2011);
- the proposed extensions, alterations and new shop fronts will not result in any unacceptable harm to the character, appearance or visual amenity of the streetscene, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the

- Peterborough Planning Policies DPD (2012);
- the proposal will not result in any unacceptable harm to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- the proposal will not result in any unacceptable impact upon the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal provides an adequate level of amenity for future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012); and
- the development has made a financial contribution towards the infrastructure demands generated, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 Within one month of the date of this decision, details of the following materials shall be submitted to and approved in writing by the Local Planning Authority:
- External walls
 - Roofing
 - Rainwater goods
 - Windows and external doors
 - Cills and lintels
 - Shop fronts

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the Peterborough Planning Policies DPD (2012).

- C 2 Notwithstanding the submitted drawings, prior to first occupation of any unit hereby approved, measures to prevent the parking of vehicles on the forecourt area off Alderman's Drive shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and prior to occupation of any unit.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 3 Prior to first occupation of any residential unit, an enclosed and secure cycle shelter to accommodate 12 cycles shall be installed on site in accordance with details submitted to and approved in writing by the Local Planning Authority. That area shall thereafter be retained for the purpose of cycle parking in connection with the use of the approved residential units in perpetuity.

Reason: In the interest of Highway safety, and to encourage travel by sustainable modes in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C 4 Prior to first occupation of any residential unit, details of bin storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided prior to the first occupation of any residential unit and shall be retained thereafter for the storage of refuse and recycling bins only.

Reason: In order to ensure that adequate bin storage space is available and to protect the visual appearance of the street scene in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 5 No extraction flue shall be installed until full details of the filtration and/or extraction equipment to be installed have been submitted to and approved in writing by the Local Planning Authority. Details shall include the nature and location of filtration equipment to be used (including Sound Power Level data) and the efflux velocity of air discharged from the ducting. Development shall be carried out in strict accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C 6 Notwithstanding the submitted drawings, the A5 (hot food takeaway) use hereby approved shall not exceed 20% of the total ground floor area of the building.

Reason: To protect the amenities of neighbouring occupants and the vitality and viability of the Local Centre, in accordance with Policies CS15 and CS16 of the Peterborough Core Strategy DPD (2011).

- C 7 Notwithstanding the submitted drawings, no external roller shutters shall be installed on the exterior of the building.

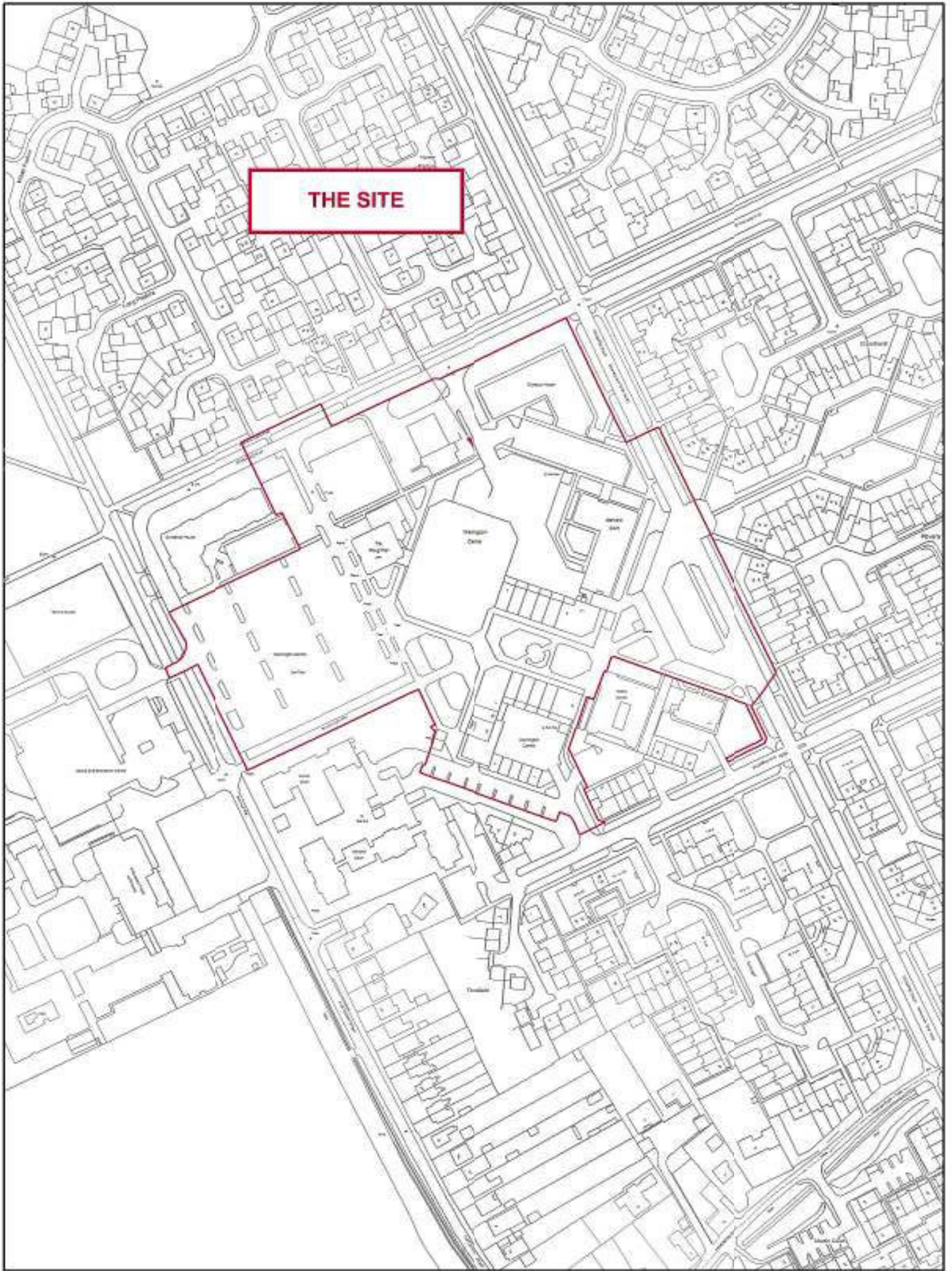
Reason: To preserve and protect the visual amenity of the locality, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP11 of the Peterborough Planning Policies DPD (2012).

If the S106 has not been completed within one month of the date of this resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason stated below:

- R1 A request has been made by the Local Planning Authority to secure a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

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

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THE SITE

LOCATION PLAN 12/01543/WCPP

Werrington Centre, Staniland Way, Werrington, Peterborough

Scale NTS **Date** 7/2/2013 **Name** AA **Department** Planning Services



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Application Ref: 12/01543/WCPP

Proposal: Revision to planning conditions resolved by Committee in December 2012 re the Regeneration of the Werrington Centre

Site: Werrington Centre, Staniland Way, Werrington, Peterborough

Applicant: Tesco Stores Limited
Agent: Savills L&P Ltd

Referred by: Head of Planning, Transport and Engineering Services
Reason: Application was previously considered by committee
Site visit: 25th October 2012

Case officer: Andrew P Cundy
Telephone no: 01733 453470
E-Mail: andrew.cundy@peterborough.gov.uk

Recommendation: GRANT subject to S106 and relevant conditions

1 Introduction

At its meeting on the 4th December 2012 PEP Committee resolved to approve planning permission for this application subject to:

- the completion of a Section 106 Planning Obligation in respect of a financial contributions towards - payment for the existing community car park - public art - bus stop upgrades - a travel plan - travel plan monitoring contribution - CCTV provision – monitoring fee
- 29 conditions:

Since this decision the applicant and the council's Pollution Team have requested a series of changes to a small number of the conditions approved by members and the addition of a new condition.

The conditions that are in need of revision are set out below together with explanation of why the change is needed:

Condition 15

In its approved form the condition set different noise limits for fixed plant and machinery during the day time and night time periods. In error the Pollution Team referred to the wrong noise level, 38 dB LAeq, whereas it should have been 35 dB LAeq which is a lower noise level.

Condition 19

In its approved form, the condition required the details of the alterations to the access to Olympus House to be submitted for approval. However, as this access was not shown in the plans consider by committee as being altered, the condition is not required.

Condition 25

In its approved form, the condition required a management plan for the operation of the new pub and shop unit service yard as a way of mitigating and potential noise problems. As the application as submitted and considered by the Committee made no changes to the pub element of the scheme approved back in 2009, in hindsight, it was unreasonable for officers to have recommended the condition to members. It is therefore now recommended by both Planning and Pollution Control Officers that the condition is removed.

In addition to the above changes, it is considered that a new condition is added which seeks details of the emissions from the proposed Combined Heat & Power Plant located in the service yard. This is a

'belt and braces' condition as the emissions will have to comply with other existing legislation relating to 'clean air'.

All other elements of this application and recommendation remain unchanged.

2 RECOMMENDATION

The Head of Planning Services recommends that the conditions approved by Committee on 4th December 2012 in relation to 12/01543/WCPP be revised as follows:

a) Condition 15 now to read:

C 15 The rating level of noise emitted from all fixed plant including stationary vehicle refrigeration noise sources, shall not exceed 35 dB LAeq, 1 hour between 0700 and 2300 and 35 dB 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.

Reason: To safeguard the amenities of the surrounding locality by ensuring a satisfactory noise environment is maintained in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD

b) Condition 19 – To be deleted

c) Condition 25 – To be deleted

d) New condition to be added as follows:

Notwithstanding the submitted information, prior to the construction of the supermarket, details (to enable an assessment of emissions associated with the plant) in relation to the CHP shall be 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 protect and safeguard the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD

Copy to Councillors Lane, J R Fox, J A Fox, C Burton, Fower, Thacker

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No.6
19 FEBRUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller – Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Nick Harding - Group Manager, Development Management	Tel. 454441

FORMAL ADOPTION OF PETERBOROUGH CITY COUNCIL'S HISTORIC ENVIRONMENT RECORD - FOR INFORMATION

RECOMMENDATIONS	
FROM : Head of Planning Transport and Engineering Services	TIMESCALE: N/A
That the Committee notes the proposed adoption of Peterborough City Council's Historic Environment Record within the terms of the Town and Country Planning (General Permitted Development) Order 1995.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Committee following the requirement for the Cabinet Member for Housing, Neighbourhoods and Planning to formally adopt the City Council's Historic Environment Record as the register of "sites of archaeological interest" within the terms of the Town and Country Planning (General Permitted Development) Order 1995. This decision is proposed to be made exercising delegated authority within a Cabinet Member Decision Notice in accordance with the delegated authority under paragraph 3.3.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph 3.8(a).

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for information purposes prior to the formal adoption of the Historic Environment Record.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.6 "to assess and review the performance of the services which fall within the terms of reference of the Committee".

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. MAIN BODY OF REPORT (*insert an appropriate main heading eg. Background*)

4.1 Peterborough City Council's Historic Environment Record (HER) is a cumulative record of all known archaeological sites and features within the Unitary Area. Established at the beginning of the 1970s it now contains over 4500 entries of all periods. It is a well established resource that underpins the work of the whole Archaeology Service, particularly in regards to providing planning advice. Previously known as Sites and Monuments Records (SMRs), the HER is also used extensively for education, research and general public queries.

- 4.2 The information is contained in a relational database which is digitally geo-referenced in [Hawkeye](#), PCC corporate GIS interactive mapping system. In addition, PCCHER maintains its own 'HER' and 'Image and Document' online versions at <http://her.peterborough.gov.uk/forms/Homepage.aspx> where spatial links to the corresponding records in [Hawkeye](#) are automatically generated for each search. As well as database records, PCCHER maintains physical documents that can be consulted in person (historic maps, annotated maps, photographs and grey literature reports)
- 4.3 Historic Environment Records (HERs) are specifically mentioned within the National Planning Policy Framework. It states that when determining applications, *"As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary"*.
- 4.4 Formal adoption would reaffirm Peterborough City Council's commitment to the Historic Environment Record and ensure Peterborough City Council is prepared to maintain or have access to the data contained within it.
- 4.5 Many of the HERs in England have been adopted by their managing authorities. Access to external funding for the maintenance and improvement of the Record is made much easier as a result.
- 4.6 Formally adopting the HER would bring us in line with National Standards and in particular English Heritage's standards. Peterborough City Council would be unable to meet minimum 'bench mark' standards specified by English Heritage, unless the HER is formally adopted.

5. CONSULTATION

- 5.1 No consultation is required or necessary. However, the adoption of Peterborough City Council's HER will be published on the City Council's website and English Heritage will be informed as part of the ongoing action plan required to meet formal benchmarking for the HER.

6. ANTICIPATED OUTCOMES

- 6.1 The Cabinet Member formally adopts the City Council's Historic Environment Record as the register of "sites of archaeological interest" within the terms of the Town and Country Planning (General Permitted Development) Order 1995

7. REASONS FOR RECOMMENDATIONS

- 7.1 Formal adoption would be in accordance with the terms of the Town and Country Planning (General Permitted Development) Order 1995.
- SMRs were first mentioned in the Town & Country Planning General Development Order 1988 which defined 'site of archaeological interest' as (in addition to sites covered by the Ancient Monuments and Archaeological Areas Act 1979) "land ... which is within a site registered in any record kept by a county council and known as the County Sites and Monuments Record".
 - This has been redefined in The Town and Country Planning (General Permitted Development) Order 1995 as "land ... which is within a site registered in any record *adopted by resolution* by a county council and known as a County Sites and Monuments Record " (italics added).

In order to comply with this definition it is necessary to pass a formal resolution to adopt Peterborough City Council's HER. Historically this requirement had been overlooked and was only identified within a recent audit undertaken.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Do not adopt the City Council's Historic Environment Record

Do nothing – this option was rejected because it is considered that it would:

Lose credibility as a planning, research and educational resource.

Prevent the City Council from meeting English Heritages minimum 'Bench Mark' standards.

Restrict access opportunities for external funding for the maintenance and improvement of the HER.

9. IMPLICATIONS

9.1 Legal Implications

The proposed adoption is considered to have no legal implications.

9.2 Financial Implications

There are no financial implications. The changes can be delivered within existing budgets.

10. BACKGROUND DOCUMENTS

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

10.1 Town & Country Planning General Development Order 1988

10.2 The Town and Country Planning (General Permitted Development) Order 1995

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No.7
19 FEBRUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller – Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Simon Machen - Head of Planning Transport and Engineering Services	Tel. 453475

EXTENSION OF SPEAKING ARRANGEMENTS FOR CONSIDERATION OF THE GREAT HADDON PLANNING APPLICATION FOR AN URBAN EXTENSION (App Ref: 09/01368/OUT)

R E C O M M E N D A T I O N S	
FROM : Head of Planning Transport and Engineering Services	TIMESCALE: N/A
That the Committee considers alternative time allowances for speaking at the Committee meeting at the which the Great Haddon planning application.	

1. ORIGIN OF REPORT

- 1.1 The City Council’s constitution sets out at paragraphs 9.2. and 9.3 (under Part 4, Section 3) how much time is allocated for ‘speaking’ on planning applications that are considered by the Planning & Environmental Protection (PEP) Committee. At Committee’s discretion, the time allowed may be extended.
- 1.2 The Committee is due to consider the Great Haddon proposal (App Ref: 09/01368) on 19th March 2013 . As with other high profile applications considered by PEP Committee in the past (e.g. wind farm applications) officers have sought PEP Committee’s thoughts on extending the timings for addressing the Committee to ensure that applications are considered in full. Officers are (in the interests of planning the meeting effectively), seeking Committee’s thoughts regarding how much extra speaking time should be allowed, if any, in respect of the above applications. This would be without prejudice to the decision of the Committee on the day the applications are considered. However, this would allow officers to arrange, manage and liaise with interested parties prior to the meeting more effectively and efficiently.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to obtain the view of the Committee on allowing an extension to the speaking scheme timings when the Committee considers the three solar farm applications and agree in principle any revised timings.
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.1 “To exercise the functions of the Council as listed in Schedule 2.5.3”.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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3. EXISTING SPEAKING ARRANGEMENTS

- 3.1 5 minutes (total) is allowed for each of the following
(a) objectors;
(b) applicant or agent and their supporters

10 minutes (total) is allowed for speeches from Ward Councillors and Parish Council

MPs are allowed to speak for 5 minutes

4. SUGGESTED ALTERNATIVE SPEAKING ARRANGEMENTS AND MEETING START TIME

- 4.1 No suggestions are being put to Committee and members are free to suggest and debate alternatives.

5. CONSULTATION

- 5.1 No consultation has been undertaken regarding the content of this report, neither is it required.

6. ANTICIPATED OUTCOMES

- 6.1 That, without prejudice to the decision that the Committee may make on the day that the applications are considered, Committee give an indication of the speaking time allowances that it may consider appropriate.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Committee cannot make a binding decision on an alternative amount of time to be allocated to speaking at meeting as the constitution (*paragraphs 9.2. and 9.3 (under Part 4, Section 3)*) states that such a decision can only be made on the day of the meeting when the alternative will be applied. However, in the interest of planning for the meeting it would be helpful for officers to be aware of Member's views.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Do not debate this report as the Committee cannot make a binding decision.

9. IMPLICATIONS

9.1 Legal Implications

As no binding decision is being sought, this report is in compliance with the constitution.

9.2 Financial Implications

There are no financial implications.

10. BACKGROUND DOCUMENTS

- 10.1 Peterborough City Council's Constitution.