

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 23 APRIL 2013
1.30 PM**

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. Minutes of the Meeting held on 19 March 2013

11 - 28

4. Development Control and Enforcement Matters

**4.1 13/00417/FUL - Newark Court, 5-7 Newark Avenue, Dogsthorpe,
Peterborough**

29 - 44



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

Committee Members:

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

Substitutes: Councillors: Kreling, Martin and Ash

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

CASE OFFICERS:

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

Minerals and Waste: Theresa Nicholl, Alan Jones

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

NOTES:

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

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 23 APRIL 2013 AT 1.30PM

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3. Briefing Update	3

**UPDATE REPORT &
ADDITIONAL INFORMATION**

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PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives shall not exceed ten minutes or such period as the Chairman may allow with the consent of the Committee.

The total time for speeches in respect of each of the following groups of speakers shall not exceed five minutes or such period as the Chairman may allow with the consent of the Committee.

1. Objectors.
2. Applicant or agent or supporters.

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE – 23 APRIL 2013 AT 1.30PM
LIST OF PERSONS WISHING TO SPEAK

Agenda Item No.	Page No	Application	Name	Objector/Applicant/Agent/Supporters/Parish Council/Town Council/Neighbourhood Representatives
4.1	19	13/00417/FUL – NEWARK COURT, 5-7 NEWARK AVENUE, DOGSTHORPE, PETERBOROUGH	Councillor Pam Kreling Councillor John Peach (Provisional) Councillor John Shearman Mr and Mrs Gardiner (Local Residents) Mr D Singh (Local Resident) Mr Stuart Walker (Consultant for Applicant)	Ward Councillor Ward Councillor Ward Councillor Objectors Objector Supporter

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BRIEFING UPDATE

P & EP Committee 23 April 2013

ITEM NO	APPLICATION NO	SITE/DESCRIPTION
1.	13/00417/FUL	Newark Court, 5-7 Newark Avenue, Dogsthorpe, Peterborough, Demolition of the existing building and erection of health centre (Use Class D1) with associated car parking.

1 Letter of Support Received

Expresses the view that the development will be an improvement to the appearance of the existing development on site.

5 Additional Objections Have Been Received (summary of concerns below)

1. The increased traffic and congestion generated in an already extremely busy area, involving the (especially in peak periods) existing junction at Eastern Avenue, the local schools, the cemetery, a bank and a busy and very congested junction with traffic lights and pelican crossings, particularly around the times of the "School Run" and with many vehicles illegally parked on the footpaths/roadsides along the length of Newark Avenue.
2. The congestion, noise and general inconvenience caused during the proposed demolition of a substantial and desirable residential property (adjacent bungalow) to accommodate access and parking and the demolition of the existing building and construction of the new health facility itself. (It also begs the question of how the property owner of the adjacent bungalow may feel about this as this is not stated in the newsletter).
3. The disruption and congestion caused in the proposed construction of calming cushions, particularly in light of the previously noted illegally parked vehicles on the footpaths/road the length of Newark Avenue.
4. The travel chaos caused by the proposed construction of a further pedestrian crossing and the questionable safety and effectiveness of this with traffic inevitably backing up even further than at present at the traffic lights along the length of Eastfield Road in both directions.
5. The potential impact speed cushions would have on the emergency vehicles using Newark Avenue.
6. The potential impact that all of this work could have on the client group using the adjacent Mencap building.
7. A further point of concern for us is the possibility of Derby Drive becoming a rat-run for users of the Health Centre, or worse still, access being formally made available either from inception or later if the planned traffic arrangements prove unsuitable, via Nottingham Way/Derby Drive, narrow roads already congested with parked vehicles, students and narrow footpaths (where these do exist).
8. Crime and Anti Social behaviour issues, particularly 'out of hours' and how these will be prevented / managed (site security)
9. The potential visual and audible impact of security measures (lighting, alarms etc.) on the adjacent properties
10. Potential safety of traffic and pedestrians crossing to and from Eastern Avenue to Newark Court
11. Loss of privacy / security as it will become a commercial site if approved
12. The staff alone will mean 30 cars at the premises
13. Longer working day will mean more congestion, noise, disturbance etc for longer
14. Fundamental landuse / aesthetic change from quiet residential to commercial impacting of quality of life.
15. The additional traffic will make exiting Delamere Close more difficult especially in peak periods
- 16 The reopening of the secondary school on Reeves Way will make the traffic situation even worse
17. Height of the building will be intrusive and overbearing. A single storey building would be better
18. Noise and disturbance to existing residents from the comings and goings from the site

Comments from Cllr Miners

This new health Centre is essential for the community wellbeing of the residents I help to represent. The location has its good and bad points, but overall, if it satisfies the planners and public transport can be more synchronised with its operation, then it must also secure my consent.

Revision to Condition C15

The condition as worded is not sufficiently clear and would prevent a design solution to openable windows. It is recommended that the Condition read as follows:

C15 The glass identified on the approved drawings as being obscure (marked on the elevation plans as shaded dark grey or as annotated on the floor plans) shall have a minimum of level 3 obscurity and shall be retained in that form. Openable windows on the first floor shall be either top or bottom hung only and have restricted opening so that they cannot be opened more than 30cm (save for when maintenance operations are taking place) and shall be retained in that form.



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 19 MARCH 2013**

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

Officers Present: Simon Machen, Head of Planning, Transport and Engineering Services
Lee Collins, Area Manager, Development Management (Item 5.1)
Vicky Hurrell, Principal Development Management Officer (Item 5.1)
Theresa Nicholl, Development Management Support Manager (Item 5.2)
Jez Tuttle, Senior Engineer (Development)
Sarah Hann, Acting Senior Engineer (Development)
Andrew Moffatt, Huntingdonshire District Council (Item 6)
Carrie Denness, Senior Solicitor
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Lane.

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 Meetings held on:

4.1 19 February 2013

The minutes of the meeting held on 19 February 2013 were approved as a true and accurate record.

4.2 5 March 2013

The minutes of the meeting held on 5 March 2013 were approved as a true and accurate record.

5. Development Control and Enforcement Matters

The Chairman addressed the Committee and stated that, with Committee's approval, it was proposed to extend the speaking scheme for item 5.1, land to the north of Norman Cross, to allow 20 minutes for objectors and 20 minutes for supporters. This time had been agreed in principle at the meeting held on 19 February 2013. The Committee agreed to the speaking time extension.

The Chairman further addressed the Committee and stated that Councillor Sandford had requested to be permitted to speak on item 6, discontinuance of Nos 1-15 Rowledge Court. The Committee agreed that Councillor Sandford be permitted 10 minutes to speak.

5.1 09/01368/OUT – Development of an urban extension comprising up to 5350 residential dwellings; a District Centre (with up to 9200 square metres (99031 sq.ft) retail floor space) and two Neighbourhood Centres (with up to 2300 square metres (24758 sq.ft) retail floor space) comprising district/neighbourhood retail (A1-A5); community and health (C2, D1); leisure (D2); residential (C3) and commercial (B1) uses. Provision for education facilities (sites for three primary and one secondary school); sports and recreational facilities; a range of strategic open spaces including new landscaping, woodland and allotments; and cemetery provision. Associated highway infrastructure (including pedestrian, bridleway and cycle routes), public transport infrastructure and car parking for all uses. Utilities and renewable energy infrastructure; foul and surface water drainage networks (including suds and lakes). Land to the north of Norman Cross, east of the A1 (M) and west of London Road (A15), Peterborough

The application site was some 305.58 hectares in size and located on the western edge of the administrative area of Peterborough.

To the north east the site adjoined Orton Pit Special Site of Scientific Interest (SSSI)/ Special Area of Conservation (SAC), a site of international ecological importance for its populations of Great Crested Newts and Stoneworts (aquatic invertebrates). Adjacent to this was Haddon Lake and further to the north east the existing development of Hampton.

To the north west immediately adjoining the application site was a wooded area known as 'Two Pond Coppice' and 'Chamber's Dole'. This woodland was within private ownership and did not form part of the proposed Great Haddon urban extension. Beyond the woodland was the Great Haddon employment area which had consent for a mix of B1 (office and light industry), B2 (general industrial) and B8 uses (warehousing and storage) (see planning permission 09/01369/OUT). Further to the north west was Alwalton Hill which had a detailed permission for up to 172,000 square metres of B8 development with ancillary offices in five buildings (applications 06/00346/OUT and 09/00725/REM refer).

To the east was the village of Yaxley and the A15 which also adjoined the southern boundary of the site. Further south beyond the A15 was the open landscape of the Fens. The south west corner of the application site adjoined a

Scheduled Ancient Monument (SAM) (reference CB268) containing the remains of a Napoleonic Prisoner of War Camp. Adjacent to the SAM was the settlement of Norman Cross. Two of the houses within Norman Cross were Listed (the former house of the camp Commandant now known as Norman House and the old Governor's House including the Barrack Master's Lodge). Three other listed structures were located to the south and west of the application site; these comprised the Eagle Monument (moved from its original location to the west of the application site) and two mile posts (one on the A15 and one on the Old Great North Road). There were three groups of trees covered by Tree Preservation Orders (TPO) located within the gardens of existing dwellings (Norman House (TPO 9.90), Norman Cottage (TPO 22.90) and the Barrack Master's Lodge (TPO 176). All the Listed buildings and TPO trees were located within Huntingdonshire District.

To the west of the application site was the Old Great North Road which had a number of existing properties along it. Further west was the A1 (M). Beyond the A1 (M) to the south west were the villages of Stilton and Folksworth whilst to the north west was the village of Haddon which was accessed via the Old Great North Road.

The site was largely in agricultural use and contained two farmsteads. A number of footpaths/bridleways (footpath numbers 12 and 14, bridleways 2 and 11 (which was part of the Green Wheel)) cross it.

The Stanground Lode and its northern tributary flowed through the site along with other drainage channels which formed part of the current field drainage system.

Also within the site area were two areas of existing woodland (known as the Yaxley Woodland and Madam White's Covert), a number of individual trees (not covered by TPOs) and hedges mainly associated with the existing field boundaries, and several small ponds.

Two outline planning applications, with all matters reserved for detailed consideration at a later stage, had been submitted in December 2009 for a new urban extension known as Great Haddon. The employment area was approved in May 2011 (see application reference 09/01369/OUT).

This application related to what is termed the 'core area'. The main elements of the proposal could be summarised as follows:-

- Construction of up to 5350 dwellings;
- A new district centre with up to 9200 square metres of retail floor space and provision for community uses (C2/D1) , leisure (D2) and offices (B1);
- Two local centres with up to 1150 square metres of retail floor space and provision for community uses (C2/D1) , leisure (D2) and office uses (B1);
- Three primary schools, one of 3FE and 2 of 2FE;
- Secondary school of 7FE and 245 pupil sixth form;
- A range of open space including sports and recreational facilities;
- Highways infrastructure including a new road through the site connecting to the consented Western Peripheral Road at the north (see 04/01204/FUL and

04/01900/FUL) and the A15 to the south, a new loop road from the A15, and two new junctions onto the Old Great North Road;

- Diversion of existing footpaths and bridleways within the site;
- A mix of building heights to a maximum of 15 metres within the District Centre;
- A range of measures to prevent unauthorised access into Orton Pit SSSI/SAC;
- Areas of ecological mitigation and habitat enhancement;
- The creation of a buffer area some 90-100 metres in depth to the Schedule Ancient Monument;
- The creation of a buffer some 35-40 metres in depth to the A15;
- A buffer some 15-20 metres in depth to the Old Great North Road;
- Buffer planting some 15-20 metres wide to Norman Cross;
- Associated attenuations ponds and surface water drainage;
- Associated foul drainage infrastructure.

The application was supported by the following documentation:

- Design and Access Statement;
- Planning Statement;
- Environmental Statement;
- Access Management Strategy for Orton Pit SSSI/SAC;
- Transport Assessment and Travel Plan;
- Flood Risk Assessment;
- Retail Impact Assessment;
- Viability Appraisal

With the exception of the Transport Assessment, Travel Plan and Retail Assessment the supporting information submitted relates to both the employment area and core area. The applications were progressed in tandem until December 2010 when Roxhill (Peterborough) Limited purchased the employment area.

The application originally included provision for five gypsy and traveller pitches which were subsequently removed from the scheme.

The application site lay wholly within Peterborough. Land immediately to the south and west, including the village of Yaxley, the A15 until the north of Yaxley, the Old Great North Road, the SAM and listed buildings were within Huntingdonshire District. Cambridgeshire County Council was the relevant highway authority for the roads within Huntingdonshire District.

Following an introduction to the application by the Head of Planning, Transport and Engineering Services, during which he outlined the principle of the development, the Area Manager, Development Management and the Principal Development Management Officer gave a detailed presentation to the Committee which provided an overview of the scheme, the extensive consultation which had been undertaken, the key planning issues including the viability and S106 package and review mechanism and the main objections raised to the application. Key points highlighted included:

- The consultation had been extensive, with site notices, letters, adverts in the local paper and leaflets. There had been two major rounds of public

- consultation;
- The key impacts, which were comprehensively detailed within the committee report, including;
 - The Principle of Development;
 - Highways Impacts;
 - District/Local Centres;
 - Impact on Visual Amenity;
 - Residential Amenity;
 - Ecology;
 - Landscape Implications;
 - Archaeological Impacts;
 - Drainage and Flood Risk;
 - Energy Efficiency/Sustainability;
 - Other Technical Matters; and
 - S106/Community Infrastructure Provision.
 - The objections received against the application were detailed within the committee report but the key issues were the loop-road and the associated traffic calming scheme and the S106 provision;
 - Following assessment, an S106 package of £75m and 7.5% affordable housing had been agreed.

The recommendation was one of approval, subject to the implementation of relevant conditions, a further report back to the Committee to agree the review mechanism for the S106 and the satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990.

Members' attention was drawn to additional information contained within the update report. An updated consultation response had been received from Cambridgeshire County Council which confirmed there were no transport objections to the proposed development subject to the implementation of a travel plan, the monitoring of the A15 Great North Road junction, implementation of a soft traffic management scheme on the A15 through Yaxley from the outset and a full traffic management scheme, if traffic numbers were high enough, a signage strategy for the A15 and monitoring of traffic flows along Haddon Road. All of these points had been taken on board, including the implementation of an additional condition relating to traffic monitoring along Haddon Road, however the signing issue was a matter for the Highways Authority and was not a planning requirement.

Cambridgeshire County Council had also requested a trigger point of 800 dwellings for completion of the Yaxley Loop Road, with traffic monitoring to bring the trigger point forward in the development, and the widening works to the A15, next to the junction 16 on the A1 (M) be completed at the occupation of the 3500th house. These points had been taken on board and the relevant conditions implemented accordingly.

Cambridgeshire County Council had also submitted objections in relation to S106 provision in relation to library provision and right of way provision.

There had been a number of further objections received and these were appended to the update report in full. Many of these objections related to traffic issues which

were covered within the main committee report.

The Committee was further advised that there were a number of amendments to conditions detailed within the update report.

Councillor Nick Guyatt, Huntingdonshire District Council and on behalf of Norman Cross Action Group, addressed the Committee. In summary the concerns highlighted included:

- The development was acceptable as long as there was no significant adverse effect on the residents of the surrounding area;
- The loop road was opposed as it was designed to slow traffic and traffic would therefore travel through Yaxley instead. The road would also become very congested during rush hour as it ran past a school;
- A condition was requested that there be further discussion between Cambridgeshire County Council, Huntingdonshire District Council, the Norman Cross Action Group and Parishes etc to find an acceptable way of dealing with the loop road if the present plan did not work;
- A further condition was requested that there be further discussion with the relevant parties (as above) that the design of the edge of the development should be further looked at when detailed plans came forward so that the 35 metres currently in place for the buffer zone be extended to at least 75 metres, including housing and back gardens;
- The design of the Old Great North Road, there was concern as to the traffic travelling north into Haddon Village itself and the increase in rat running. There needed to be further work undertaken on the junctions along the Old Great north, therefore a further additional condition was requested for further discussions to take place regarding the roads.

Dr Chris Grant, Senior Partner at Yaxley Practice addressed the Committee. In summary the concerns highlighted included:

- A new development for primary health care on the development was essential;
- The practices around the development did not have capacity for these patients;
- It was essential that primary healthcare was involved in the S106;
- The developer needed to provide land for such a provision;
- Within a target of around 1000 houses being built, there needed to be a development identified.

Mr Ian Allin, an Orton Malbourne resident addressed the Committee. In summary the concerns highlighted included:

- The design of the development in general was not very good;
- There would be approximately 8000 cars around the site, therefore there would be high volumes of traffic around rush hour which would need to be dealt with;
- More cycle ways were required on the site;
- A further outlet from the site was required, this should go north-west

- through the industrial area;
- The implementation of further traffic lights would not be an ideal solution;
- Would there be adequate car parking available on the site?

Mrs Olive Main, Chairman of Stilton Parish Council, addressed the Committee. In summary the concerns highlighted included:

- There were a number of aspects of the proposal that were unclear, therefore a deferral was sought;
- The Old Great North Road was not capable of taking vast amounts of traffic and there were no pedestrian walkways along it;
- An access should not be placed next to existing residents properties;
- A healthcare surgery was required in order to ensure that the existing facilities in the surrounding villages were not overstretched.

Mr Adrian Watt, a local resident of Yaxley, addressed the Committee. In summary the concerns highlighted included:

- The existing road system and travel arrangements would be severely compromised by the development;
- A consultation ballot had been undertaken and the responses overwhelming. Out of 3000 ballots, nearly 2000 had been returned in objection to the housing development and the road changes;
- It was an unfair process and an unwanted development.

Mr Roger Lucas, a Yaxley Parish Councillor and representative of the Norman Cross Action Group, addressed the Committee. In summary the concerns highlighted included:

- Yaxley required the bypass in order for it to retain its identity and to prevent gridlock, if access to the A15 was hindered or denied to the residents of Yaxley or surrounding villages the result would be longer journey times, increased mileage and additional fuel costs;
- To use the Farcet Road as a rat run would cause gridlock at the Stanground Fire Station roundabout;
- The loop road would have on street parking, would pass through a shopping area and would be in close proximity to a school, which could attract a 20mph speed limit;
- Using the loop road as opposed to the A15 would be approximately a 58% greater distance for the part of the journey that it covered.

Mr Robert Brown, a Ramsey Town Councillor, addressed the Committee. In summary the concerns highlighted included:

- A lot of people travelled from Ramsey along the back roads to Peterborough;
- There was a lot of congestion on the roads already, with lorries serving the industrial site at Yaxley being an issue;
- The buffer needed to be at least 75 metres to ensure Yaxley remained independent from Peterborough;

- The Hampton development had a number of problems, the same mistakes should not be made with this development site.

Ms Heather Peugh, the Agent addressed the Committee and responded to questions from Members. Mr Ron Henry from Peter Brett Associates was present to respond to questions only. In summary the issues highlighted included:

- The consideration of the application represented ten years worth of activity;
- The need to secure housing and economic growth in the city was necessary;
- Delivering new homes such as the Great Haddon development, would ensure that funds were secured to build necessary infrastructure and community facilities to support growth;
- Plans for the new community had been submitted over three years ago to the Council and they had been consulted on and refined;
- The commitment to investing in Peterborough shown by the Applicant would deliver a number of benefits for the city, and would bring a large amount of investment into the city;
- Council Tax receipts were estimated to be around £7m per year upon completion;
- There would be around £700m of construction contracts placed within this scheme;
- Urban extensions were positive for the local economy;
- 40% of the site would be open space;
- The application was in form outline only;
- The proposal would deliver a sound, robust public transport scheme;
- 84% of the traffic would be redirected through the loop road;
- There would be signals directing traffic to the new cemetery;
- The district centre could house a doctors surgery, however this could not be proposed at the current stage;
- The loop road would not be the sole point of access, particularly in relation to the school;
- Traffic generation had been fully assessed in detail;
- There was a requirement for a Yaxley bypass to be created;
- The speed limit for the loop road was proposed to be 30mph;
- The 7.5% social housing allocation was explained in further detail and it was advised that there was a review mechanism in place which could be implemented in the future;
- There would be a number of cycle routes available.

Following questions to the speakers, Members debated the application and raised a number of issues both for and against the development. The key issues highlighted and discussed were as follows:

- The design of the loop road was poor;
- The location of the school in relation to the loop road would encourage on road parking;
- A weight restriction placed upon the road travelling through Yaxley should be considered, if permissible;

- There needed to be further engagement in relation to the finer detail of the proposal;
- There were seven entrances to the site, not just the loop road;
- The development would in effect be a small town, and therefore a district centre was required in order to ensure a range of facilities were available for the residents;
- Although it was acknowledged that specialist viability support had been provided, it was commented that the S106 package proposals were lower than expected.

The Highways Officer responded to points raised by Members and advised that a weight restriction could be placed on the road travelling through Yaxley, however there were a number of haulage depots in the area that would need to be taken into consideration.

Following detailed traffic modelling, it had been identified that the loop road was required in order to prevent Yaxley from becoming gridlocked. The loop road could be identified as a clearway and this would prevent cars parking along it and in terms of the signal control junction, the priority would be for the traffic to travel along the loop road.

In relation to the Great North Road and the increase in traffic, a cycle route would run alongside the road which would be lit and hard surfaced, therefore cyclists would not have to cycle along the Great North Road. A similar route had been requested along the A15 heading into Yaxley and a further cycle route going into the employment area.

The Area Manager Development Management further responded to queries and concerns raised by Members and advised that Officers would liaise with the Primary Care Trust in relation to the requirements for a healthcare centre on the site, this being proposed as 1000 square metres, and it would be secured following S106 negotiations.

The Head of Planning, Transport and Engineering Services addressed the Committee and advised that if Members were happy with the loop road alignment, a further more detailed design of the road would be brought back for the Committee to look at, at a later date alongside the review mechanism for the S106.

Following further debate, it was commented that the site was extremely important, with the principle of development being previously agreed within the Council's Core Strategy document. The affordable housing issues had been comprehensively addressed by Officers and it was noted that the design briefs would be brought back to the Committee for consideration. Furthermore the developer's commitment to investment in the city should be applauded.

A motion was put forward and seconded to approve the application subject to the implementation of relevant conditions, both detailed in the committee report and as updated in the update report, and a further report back to the Committee to agree the review mechanism for the S106 and the satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act and a

further report back to the Committee to agree the finer detail and design of the loop road, the alignment of which was agreed as being acceptable. 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 satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990;
2. A further report to the Committee to agree the review mechanism for the S106;
3. A further report to the Committee to agree the finer detail and design of the loop road;
4. The conditions numbered C1 to C58 as detailed in the committee report;
5. The informatives numbered 1 to 16 as detailed in the committee report;
6. The amendments to conditions 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 weighting against relevant policies of the development plan and specifically:

- The Great Haddon urban extension was allocated in the adopted Core Strategy and the adopted Site Allocations DPD. The principle of development was therefore acceptable in accordance with the policies CS1, CS2, CS3 and CS5 of the adopted Core Strategy and policy SA1 of the Site Allocations DPD;
- Following detailed assessment of the transport modelling the impact of the development on the surrounding highway network was considered to be acceptable in accordance with policy CS14 of the Adopted Core Strategy, policy PP12 of the adopted Planning Policies DPD and the National Planning Policy Framework;
- Through the provisions of the Travel Plan and funding for the bus service, to be secured as part of the S106 Agreement, the development was considered to make adequate provision for sustainable travel in accordance with policy CS14 of the adopted Core Strategy;
- The amount of retail floor space in the new district and local centres was considered to be appropriate for the scale and the size of development and it would not unacceptably impact upon the vitality and viability of any existing centre. The proposal was therefore in accordance with policy CS15 of the adapted Core Strategy;
- It was accepted that as a result of the development the existing rural character of the site would be permanently altered. However, a strategic decision had been made to develop this site in the adopted Core Strategy. In this context, the visual impact of the development was considered to be acceptable in accordance with policies CS5 and CS16 of the adopted Core Strategy;
- Following review of all aspects of the development, the impact of the development on the amenity of neighbouring residents was considered to be acceptable in accordance with policies CS14 and CS16 of the Adopted Core Strategy and policy PP3 of the Planning Policies DPD;

- Subject to detailed design it was considered that the development would be able to afford future residents an acceptable level of amenity in accordance with policy PP4 of the adopted Planning Policies DPD;
- The potential impacts of the development on Orton Pit SSSI/SAC could be acceptably mitigated via the creation of a buffer zone and through the access control measures proposed. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework;
- Other ecological impacts of the development could also be acceptably mitigated so the development was in accordance with policy CS21 of the adopted Core Strategy and the National Planning Policy Framework;
- The impact of the development on existing trees and hedgerows within/adjoining the site was considered to be acceptable subject to the imposition of conditions requiring more detailed assessment as development came forward and protection measures. New landscaping would also be planted, including the provision of new hedgerows. The development was, therefore, considered to be acceptable in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD;
- In light of the archaeological assessment carried out and the proposed buffer zone the relationship of the development with the SAM was considered to be acceptable. Further archaeological assessment would be required by condition as the development progresses. It was therefore considered to be in accordance with the National Planning Policy Framework, policy Cs17 of the adopted Core Strategy and policy PP17 of the Planning Policies DPD;
- Following assessment of the submitted information it was considered that the site could be adequately drained and would not give rise to an increased risk of flooding in accordance with policy CS22 of the adopted Core Strategy and the National Planning Policy Framework;
- Via the imposition of a condition it was considered that the development would make a contribution towards the Council's Environment Capital objectives in accordance with policy CS10 of the adopted Core Strategy; and
- Subject to the completion of a S106 Agreement it was considered that the development would make sufficient contribution towards the infrastructure requirements arising from it. It was therefore in accordance with policies CS12 and CS13 of the adopted Core Strategy.

The meeting was adjourned for ten minutes.

5.2 12/01236/MMFUL – Removal of existing structures and development and operation of a materials recovery and recycling facility, comprising a relocated household waste recycling centre, a materials recycling facility, an anaerobic digestion facility and ancillary development including offices/welfare/education centre, operatives car park, weighbridge, commercial vehicle park and surface water attenuation lagoon. Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough

The proposed facility would be located on land which presently formed part of the overall Dogsthorpe landfill site. The site was comprised of an existing vehicle parking area, equipment storage area, other land which was not used and a proportion of the restored landfill. The site was generally flat and measured

approximately 4.7 hectares. The vegetation on site was grassland and there were several immature self set trees and bushes.

The site was bounded to the north by an existing skip hire business operated by a third party and a disused clay pit. Beyond these to the north was the Welland Road and Eye Road roundabout (A47T). To the north of the A47 was the continuation of the clay pit which was designated as a Site of Special Scientific Interest (SSSI).

Immediately to the east was the active landfill site operated by the Applicant. Eye village lay approximately 1.2 km to the east of the application site.

To the south east of the application site was the Peterborough Garden Park retail development. To the south was the A15 (T) and beyond this the urban area of Peterborough. The nearest residential property was located on Belvoir Way approximately 160 metres to the south.

To the immediate west was a concrete batching plant operated by Cemex and beyond this a grain store/flour mill comprising substantial buildings. To the west of the grain store Welland Road crossed over the A15.

The proposal was for a waste recycling centre (termed an "eco park") and comprised the following;

- Removal of existing structures on site;
- Materials Recycling Facility (MRF) and pre-treatment building (for the Anaerobic Digester (AD) located in one purpose building portal framed building;
- A Household Waste Recycling Centre (HWRC) under a covered open sided building;
- An anaerobic digestion (AD) facility comprising pre-storage tanks, digester tanks (x2), a digestate tank together with associated plant and machinery including a feedstock clamp;
- Combined heat and power units and associated plant (generating up to MWe of power);
- Ancillary parking and turning areas, gatehouse and weighbridge, offices and visitor centre; and
- Surface water lagoon.

The proposed facility would manage up to 206,000 tonnes per annum of municipal, commercial and industrial waste and had the potential to generate up to a maximum of 1.5MWe of power. The electricity could be used to power the wider facility and/or the local distribution network. The nearest sub station to which the facility could potentially connect was on Welland Road.

Access to the site would be as existing, off the Welland Road/A47 roundabout.

The application is accompanied by and Environmental Assessment.

The Development Management Support Manager addressed the Committee and gave an overview of the proposal. The recommendation was to grant the

application subject to the imposition of relevant conditions.

Members attention was drawn to additional information contained within the update report were it was highlighted that there was a proposed re-wording to condition 17 and an amendment to condition 19. A comment had also been received from Councillor Adrian Miners in support of the application.

Mr Michael Bond, a local resident speaking on behalf of the residents of Welland Road and Bluebell Estate, addressed the Committee and responded to questions from Members. In summary the concerns highlighted included:

- Many commercial vehicles used Welland Road as a rat run;
- There was a weight limit restriction on this road but this was ineffectual;
- There were now speed bumps situated along Welland Road and when skip lorries and larger vehicles hit these bumps this created a large amount of noise;
- The speed bumps were put in to alleviate the traffic coming through Welland Road from the Crowland bypass;
- The big roundabout that joined the Spalding bypass with the A47 had a large amount of traffic on that varied throughout the day, it caused severe traffic at times;
- The environmental effect on the area would be substantial, in particular the smells from the site;
- Local residents had not been adequately consulted on the proposals.

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

- There had been public consultation exercises undertaken, a leaflet drop and articles in the local press;
- The proposed development was not an incinerator;
- The site was an allocated site within the Minerals and Waste Development Plan;
- The application was supported by a full Environmental Impact Assessment which had concluded that the facility would not lead to a significant impact on the surrounding environment;
- None of the statutory consultees had raised any objections or concerns to the proposals;
- Operation of the facility would be subject to an environmental permit, which would include conditions for emissions which would be regulated by the Environment Agency;
- The proposal was in keeping with Government Policy and would create up to 20 jobs;
- The location had been a landfill site since the 1980s;
- The vehicles travelling along Welland Road may be those associated with a third party operator which operated near to the landfill site;
- The liquid extracted from the anaerobic digesters would be spread onto agricultural land;
- There had been a public exhibition undertaken in the area and the Dogsthorpe Resident's Association meeting had been attended.

Following questions to the speakers and the Development Management Support Officer in relation to the visual impact that the building would have on the area and the nature of the odour of the digestant that was to be extracted from the anaerobic digesters, Members commented that the proposal was excellent and would represent a vast improvement to the existing facility. A motion was put forward and seconded to approve the application, subject to the imposition of the conditions as detailed in the committee report and amended as per the update report. The motion was carried unanimously.

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

1. The conditions numbered C1 to C22 as detailed in the committee report;
2. The amended conditions C17 and C19 as detailed in the update report.

Reasons for the decision:

The application had been assessed against the relevant development plan policies and all material considerations and had been found to be acceptable for the following reasons;

- Policy SSP W1 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD allocated the site as for waste recycling and recovery facilities. The proposed facilities were in accordance with those set out in policy SSP W1. The NPPF stated that there was a presumption in favour of sustainable development and that for decision making this meant approving development proposals that were in accordance with the development plan without delay. This was repeated in policy PP1 of the Peterborough Planning Policies DPD. The application was therefore acceptable in principle;
- With regard to the detail of the application, the submission which included an Environmental Assessment has been assessed against current planning policy as follows and had been found to be acceptable;
- Access and transport/traffic: Policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (MWCS), CS14 of the Peterborough Core Strategy (PCS) and PP13 of the Peterborough Planning Policies DPD (PPP DPD);
- Visual Appearance (and impact upon nearby property): CS24 and CS34 of the MWCS, CS16 of the PCS, PP2 of the PPP DPD;
- Impact on surrounding uses with regards to noise, odour and lighting: CS34 of the MWCS;
- Contaminated Land: CS34 of the MWCS, PP20 of the PPP DPD and paragraphs 120-121 of the NPPF;
- Surface Water Drainage/Flood Risk: CS39 of the MWCS;
- Ecology/Biodiversity: CS35 of the MWCS, CS21 of the PCS and paragraph 109 of the NPPF;
- Cultural Heritage: CS36 of the MWCS and Chapter 12 of the NPPF.

The application had also been considered with regard to the cumulative and in-combination effects of the development as set out in the Environmental Statement

(ES) which concluded the development was acceptable in this regard. The methodology used to compile the ES was considered appropriate and the conclusions reached could be considered as reasonable.

There were no material considerations which would lead to determining the application other than in accordance with the above policies. The application was therefore acceptable.

6. Discontinuance of Nos 1-15 (odd Nos only) Rowledge Court, Walton (former Royal Oak Site, Lincoln Road, Peterborough)

Prior to the presentation of the report, the Legal Officer addressed the Committee and reminded Members that the report contained an exempt appendix, if this appendix was to be discussed in detail then a view would need to be taken by the Committee as to whether the meeting would need to go into exempt session.

The report was submitted to the Planning and Environment Protection Committee following a request by Councillor Sandford for the Committee to give consideration to pursuing a Discontinuance Order for Nos. 1-15 Rowledge Court (odd Nos only). The seven dwellings (there was no No.13) made up the 'rear block' of the development and backed on to existing dwellings on Arundel Road. All but one of the seven dwellings was occupied. The request had its origins in the fact that two households that abutted the development remained dissatisfied with the decision to give planning permission for the development principally for the following reasons:

- The modern design of the dwellings;
- The three storey nature of the dwellings; and
- Overlooking of their property causing a reduction in privacy

The purpose of the report was to obtain a decision from the Committee on whether the discontinuance of the development should be pursued.

Planning permission was first granted for the development in 2007. The proposal was contentious at the time because of:

- The development would result in the loss of the Royal Oak Public House;
- The modern design of the dwellings;
- The three storey nature of the dwellings; and
- The relationship with the existing residential development adjacent

The development approved was for two rows of seven, three storey dwellings. The application was considered by the Planning and Environmental Protection Committee at the time and was granted planning permission.

The planning permission was not implemented and so in 2011, an application to renew the permission was received. As there were no significant material changes in policy (from when permission was previously approved), planning permission was granted again for the development under officer delegated powers (in accordance with the Council's constitution).

Two households in Arundel Road had subsequently gone through the Council's formal complaint process and had remained dissatisfied with the outcome. Officers are satisfied that both the planning permissions granted were legally sound. During the process of responding to the complaints, the residents were advised that the only option available that (if agreed and implemented) would 'take the development away', would be a Discontinuance Order.

An independent assessment had been undertaken on the development by Mr Andrew Moffat from Huntingdonshire District Council. Mr Moffat provided the Committee with an overview of his report findings and it was his conclusion that "having regard to development plan policies, it was neither appropriate nor expedient in the interest of the proper planning of the area (including the interest of amenity) for the Council to pursue discontinuance.

If discontinuance was taken forward, there would be a compensation cost associated with (Under Section 115 of the 1990 Act). It was important to note that if the Committee was to decide to move forward with discontinuance, then such a decision would be subject to budget approval at Full Council as there was no budget provision for meeting the cost of discontinuance.

A full compensation cost report was attached to the committee report. The information was exempt under Schedule 12A of the Local Government Act 1972 as the information was confidential in nature as it contained detailed information which was commercially sensitive). The report concluded that the net cost to the Council (i.e. allowing for income to the Council from the post demolition sale of the site) of a Discontinuance Order on the development (Nos 1-15, odd numbers only) would be £960,662.00.

Councillor Sandford addressed the Committee on behalf of the local residents and responded to questions from Members. The main points highlighted were as follows:

- The local residents were extremely distressed and stressed by the situation;
- The way the complaint had been handled was of a substandard nature;
- The Chief Executive had commissioned an independent investigator to look into particular aspects of the complaint;
- If Councillor Sandford and the local residents had been made aware of the discontinuance process sooner, this would have been pursued earlier;
- Since the development had been approved over four years ago, there had been significant change in Government and Local Planning Policy, these were outlined in detail;
- The three storey development was adjacent to, and close to, two storey properties;
- There was only one large three storey block in the vicinity, this being opposite Morrisons;
- The development was detrimental to Policy PP2 in that it created unacceptable overshadowing and caused a loss of privacy;
- There was a planning condition requiring boundary treatment, what

treatment would mitigate against this block?

Following questions to Councillor Sandford, Members debated the report and comments were raised both for and against the discontinuance proposal.

It was highlighted that although the Committee was sympathetic to the plight of the local residents, the application adhered to the current National Planning Policy Framework, as per the conclusion reached within Mr Moffat's report.

RESOLVED: (7 For, 1 Against, 1 Abstention) to not pursue discontinuance.

Reasons for decision:

The development in its current format was not unacceptable in policy terms, therefore it was not expedient to discontinue its use.

1.30pm – 5.45pm
Chairman

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LOCATION PLAN 13/00417/FUL

Newark Court, 5-7 Newark Avenue, Dogsthorpe, Peterborough

Scale NTS **Date** 9/4/2013 **Name** AA Department Planning Services



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Application Ref: 13/00417/FUL

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

Site: Newark Court, 5-7 Newark Avenue, Dogsthorpe, Peterborough

Applicant: Allen Primary Care Premises Ltd

Agent: N/A

Referred by: Head of Planning, Transport and Engineering Services

Reason: Previous application determined by Members

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 and the entering into of a S106 legal agreement

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 bungalow (No.5 Newark Avenue) 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 55 car parking spaces (28 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.

The proposal has been amended following refusal at Committee of application reference 12/01429/FUL. This application was refused for the following reason:

R1 *The proposal provides a level of car parking on site which is less than that which is considered necessary to serve the scale of development, even taking into account the anticipated mode of transport of staff and customers visiting the site. Whilst some overspill parking could take place on street, such is the level of the shortfall in on site parking, that highway safety and the free flow of traffic on Newark Avenue is likely to be compromised. The proposal is therefore contrary to the provisions of Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) which seek to ensure that new development does not have an unacceptable impact on the highway network and provides appropriate and deliverable parking provision.*

The current application has sought to address the above reason for refusal by increasing the level of parking proposed on site from 41 spaces to 55 (an increase of 14 spaces). In order to provide this increased parking provision, the demolition of the existing bungalow known as No.5 Newark Avenue is also included as part of the application proposal.

2 Planning History

Reference	Proposal	Decision	Date
12/01429/FUL	Demolition of the existing building and erection of health centre (Use Class D1) with associated car parking	Application Refused	22/02/2013

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

Transport & Engineering Services (11.04.2013)

No objections subject to the imposition of a number of conditions. Whilst the revised proposal still falls below the adopted parking standards, the standards are maximums and the measures proposed (including site traffic management and submitted Travel Plan) are considered to be acceptable and no objection is offered.

Pollution Team (11.04.2013)

No objections subject to securing a condition relating to details of plant/machinery to be installed prior to first use.

Archaeological Officer (10.04.13)

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

Waste Management

No comments received to date.

S106 Planning Obligations Officer (27.03.13)

D1 uses are negotiated on a case-by-case basis using the Planning Obligations Implementation Scheme SPD. As such, the comments received from S106 consultees will need to be reviewed to assess whether any contributions sought are directly and reasonably related in scale and kind to the proposed development.

Building Control Surveyor

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

Landscape Officer

No comments received to date.

Police Architectural Liaison Officer (02.04.13)

No objections however details relating to the closure of the site out of hours and measures to reduce the risk of crime need to be addressed, this can be secured by condition. Concern expressed regarding the use of bollard lighting to the car parking areas.

Travel Choice

No comments received to date.

Neighbourhood & Empowerment Section

No comments received to date.

Councillor A Miners

No comments received to date.

Victoria Park Residents Association

No comments received to date.

Peterborough Primary Care Trust

No comments received to date.

Local Residents/Interested Parties

Given that no Committees are held in May owing to election of Committee Members, this application is being brought before Members prior to the expiry of the deadline for comments (overall expiry of 30th April 2013). As such, Officers are seeking a resolution to grant permission which can be found in Section 7 below. To ensure that local residents are not disadvantaged by this early referral, Planning Services have written to all those originally notified of the application (as well as those who have submitted representations) to notify them of the Committee date and the process for speaking should they wish.

Initial consultations: 92
Total number of responses: 2
Total number of objections: 1
Total number in support: 1

At the time of preparation of this report, one letter of objection has been received on the following ground(s):

- The application appears to include for a retail shop (A1) and no mention of this is included in the title description or application form. You are aware of the requirements for the inclusion of new shops outside commercial areas and that the requirements for ancillary usage has also not been complied with. Suggest that these oversights are attended to.

One letter of support has been received from the owner of No.5 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. It is considered that the use is appropriate given the application proposal and will be of benefit to patients of the medical centre. 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. In addition, it would also result in the demolition of No.5 Newark Avenue and construction of a car park with associated landscaping. 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.

With regards to the demolition of No.5 Newark Avenue, this would result in a large gap in the streetscene. The proposal seeks to landscape the frontage along the edge of the footway to a depth of over 2 metres. It is not considered that this dwelling makes a significant contribution to the overall character of the area and accordingly, its loss will not result in any unacceptable harm to the visual amenity of the area. Security fencing will be required to ensure that the site is secure and crime risk is reduced, however given the level of landscaping proposed, this will not appear incongruous or at odds within the streetscene.

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 55 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 39 parking spaces for patients. In accordance with the maximum parking standards set by Policy PP13 of the Peterborough Planning Policies DPD (2012), the proposed D1 use would require 25 spaces for staff and 34 spaces for patients, whilst the A1 retail pharmacy would require 5 parking spaces. This results in a total parking requirement of 64 spaces, which the proposal does not quite meet. Whilst the level of parking proposed falls below the adopted standards it should be noted that these are set as maximums. The Applicant has submitted an acceptable Travel Plan and subject to a condition relating to site traffic management, it is considered that the revised scheme with increased parking is sufficient to meet the needs of the proposal and will not result in any unacceptable impact upon the surrounding public highway.

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 on 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 a draft Travel Plan for the proposed medical centre has been submitted. 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 Policies PP12 and PP13 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 (to the rear of Nos. 342, 342A 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 also recognised that when the medical facility is closed if the grounds are accessible there is a potential for the car parking area to be used for unintended purposes (e.g. as a play area) which would cause disturbance to neighbouring residents. It is therefore considered that the access to the site must be gated off and kept secure when the centre is not open. This can be secured by the imposition of a condition requiring that gates be provided as part of the overall security and crime prevention measures.

It is noted that some concern had previously 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.

With regards to the proposed plant and machinery on the site, it is noted that the proposed plant room is located only 30 metres from neighbouring residential properties. In order to prevent any unacceptable disturbance to occupants, it is considered necessary to condition that details of all plant and machinery, and where appropriate noise mitigation measures, be submitted to the Local Planning Authority prior to first use.

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 and its grounds. It is noted that the Police Architectural Liaison Officer has expressed some concern regarding the use of bollard lighting to the car parking areas. However, Officers consider this to be the most appropriate form of lighting to prevent any unacceptable light pollution to neighbouring residents and on balance, is the most appropriate method of lighting. 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 formulaic 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 had previously 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. The Applicant has agreed to provide a contribution of £5,000 (plus 2% monitoring fee) to go towards Travel Plan monitoring and bus stop improvements. 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);
- sufficient car parking is proposed to meet the demands generated by the development, in

- accordance with Policy PP13 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 a resolution to **GRANT** planning permission, subject to the following conditions and the entering into a S106 planning obligation and subject to no substantive further objections being received within the consultation period (to 30th April 2013) which are not already discussed within this Committee report:

- 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 F)
 - Proposed Ground Floor Plan (Drawing Number 06/11/P/03 Revision E)
 - Proposed First Floor Plan (Drawing Number 06/11/P/04 Revision G)
 - Proposed Roof Plan (Drawing Number 06/11/P/05 Revision D)
 - Proposed North and West Elevations (Drawing Number 06/11/P/06 Revision D)
 - Proposed South and East Elevations (Drawing Number 06/11/P/07 Revision C)
 - Proposed Sections A-A and B-B (Drawing Number 06/11/P/08 Revision D)
 - Proposed Landscaping Plan (Drawing Number 06/11/P/10 Revision C)

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 the first occupation of the building, the areas shown on drawing number 06/11/P/02 Revision F for the parking and turning of vehicles shall be drained and hard surfaced. Those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles in connection with the use of the building.

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 the first occupation of the building, the vehicular and pedestrian access shall be improved and the existing vehicular access to No.5 Newark Avenue removed, in accordance with drawing number 06/11/P/02 Revision F.

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 Prior to the first occupation of the building, a Site Management Plan, including details of how parking will be restricted within the access road, shall be implemented in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter the approved SMP shall continue to be implemented in perpetuity.

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 8 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 F.

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 9 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).

C10 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 secure the building and grounds (including details of lockable gates to the access which must be set back at least 6 metres from the back edge of the public highway and how these shall be managed), shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained on site in perpetuity and maintained in full working order.

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).

C11 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 and retained as such thereafter.

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).

C12 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.

C13 Prior to the first occupation of the building, details of the plant and machinery to be installed within the plant room shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the hours of operation of the plant and noise levels to be emitted. Where necessary, details relating to noise mitigation measures to prevent disturbance to neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/scheme prior to first use of any plant/machinery.

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).

C14 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).

C15 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

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