

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 8 APRIL 2014

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 Meetings Held on:

3.1	18 February 2014	3 - 24
3.2	4 March 2014	25 - 30
3.3	25 March 2014	31 - 34

4. Exclusion of the Press and Public

In accordance with Standing Orders, Members are asked to determine whether agenda item 5.1, D1 – Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights, which contains exempt information which reveals that the authority proposes (a) to give under any enactment a notice under of by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment as defined by Paragraph 6 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting when this report is discussed or whether the public interest in disclosing this information outweighs the public interest in maintaining the exemption.



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

5.	Development Control and Enforcement Matters	
5.1	D1 - Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights - Walton Ward	35 – 42
5.2	14/00362/CTR - Section 211 Notice of Intent to Carry out Works to Trees in Longthorpe Conservation Area, 333 Thorpe Road, Peterborough	43 – 46
6.	The Longthorpe Conservation Area Appraisal	47 – 54
7.	The Marholm Conservation Area Appraisal	55 – 58
8.	The Bainton Conservation Area Appraisal	59 – 66
9.	Peterborough Community Infrastructure Levy (CIL) - Draft Charging Schedule (DCS) and Draft Planning Contributions Supplementary Planning Document (SPD) Update	67 - 80

Committee Members:

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

Substitutes: Councillors: Kreling, Martin and Ash

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

CASE OFFICERS:

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

Minerals and Waste: Theresa Nicholl, Alan Jones

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

NOTES:

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



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 18 FEBRUARY 2014**

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, North, Todd, Kreling, Sylvester, Lane and Ash.

Officers Present: Lee Collins, Area Manager Development Management
Amanda McSherry, Principal Development Management Officer
Andy Cundy, Area Manager Development Management
Jez Tuttle, Senior Engineer (Development), Highways
Ruth Lea, Planning & Highways Lawyer
Karen Dunleavy, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Casey and Councillor Harrington.

Councillor Kreling and Councillor Ash were in attendance as substitutes

2. Declarations of Interest

Councillor Hiller stated that, with regards to item 4.4, he sat on the Internal Drainage Board and was a board member of the Environment Agency's Regional Flood and Coastal Committee who were consultees for the item.

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

Councillor Ash declared an intention to speak on item 4.2.

Councillor Serluca declared an intention to speak on item 4.1.

4. Development Control and Enforcement Matters

At this point, the Chairman left the meeting to speak on item 4.1, the Boro Bar and Councillor Harper took the Chair.

4.1 The Boro Bar, Oundle Road, Woodston, Peterborough

- i) 13/01828/FUL - Installation of new sliding doors, replacement windows and infill of 4no. rear openings;
- ii) 13/01829/FUL - Installation of ATM Unit;
- iii) 13/01830/FUL - Installation of 2No fan condenser units and 3No air conditioning units in enclosed rear service yard;
- iv) 13/01831/FUL - Link extension to rear of the property; and
- v) 13/01832/ADV - Installation of 3No externally illuminated fascia signs, 1No externally illuminated projecting sign and 3No non-illuminated branded panels.

The site was on the corner of Oundle Road and Brewster Avenue. Oundle Road was a main route into and out of the city centre and was of a mixed character, dominated by housing but with a significant amount of small commercial and community uses. Immediately to the east of the application was St Augustine's Church, and at the end of Brewster Avenue (a cul de sac) was the driveway to Primary School. On the opposite corner of Brewster Avenue was a dry-cleaners and a letting agency. Within about 200 metres of the site was a Local Centre, including two convenience stores.

The Boro Bar was previously known as the Boys Head. It was constructed as a public house some decades ago, and had operated over the last several years as a variety of short-lived bars. There were several other pubs in the vicinity.

The building was on the List of Buildings of Local Interest, but it was not statutorily listed. The style of the building was a typically mid-20th century mix of arts and crafts inspired vernacular architecture, with some art deco influence.

The building addressed the street on three frontages. One elevation facing Oundle Road, another facing Brewster Avenue, and a third at 45 degrees facing the corner. Each of these elevations had been designed to be a public face of the building, and the entrance door was on the corner elevation. The main part of the building formed an L, and there was a single storey flat-roofed part to the rear filling in the angle of the L. There was also a small single storey part at the end of the building on Brewster Avenue. To the rear of the site, which read as the side from Brewster Avenue, was a service yard. Part of this had been set in, with a little corner not visible from the street, and it was in this corner that it had been proposed to install the plant.

To the front of the building was an area of hard standing which was used for parking. It had previously been used for parking at school drop-off and pick-up as well as for parking associated with the business on the site. There was no boundary treatment to the street around this parking area and drivers were likely to take a fairly casual approach to getting on and off Oundle Road.

At the back of the service yard was a terrace of three garages. The link extension was proposed to link the main building to these garages, and so once it was built, part of the service yard, including the place where the plant was to be installed, would not be visible from the street.

The proposed changes to the building included new front doors, new windows to the ground floor, and the bricking up of four openings to the rear of the building. Various signs were proposed, including new fascia signs, and an ATM in the small single storey part on the Brewster Avenue end of the building.

The Area Manager Development Management addressed the Committee and provided an overview of the applications, highlighting the following points.

- Between 21 and 24 objections had been raised by residents for each individual application;
- Objections related to: impact on character of the building, loss of privacy on Brewster Avenue, impact on pedestrian and highway safety, parking problems, noise issues, light pollution and impact on local businesses;
- Change of use did not require an application for a planning decision and therefore the purpose of this application was not to consider the merits of the change of use of the Boro Bar, but to consider the individual items applied for;
- The character of the building would not be adversely affected by the sliding doors;

- No new windows were being installed and therefore the privacy concerns relating to the windows were unfounded;
- Officers considered that having a cash machine so close to houses would present a detrimental effect on local amenity and so it was recommended to refuse this part of the application;
- Noise levels with regards to the fan condenser units would be mitigated;
- The design of the extension would not negatively impact the character of the building and the recommendation was to grant;
- With regards to the illuminated signs; as the sign pointing to the cash machine would be irrelevant since the ATM was recommended for refusal, the sign for the ATM was recommended for refusal. The lettering on the garage doors were also recommended for refusal as they were close to residential areas. The three fascia signs were recommended subject to concerns regarding illumination being mitigated; and
- The ATM and the sign pointing to its location could not be considered by the Committee as one item due to separate pieces of legislation that applied.

Councillor Thulbourn and Councillor Serluca, Ward Councillors, addressed the Committee and responded to questions. In summary the points raised and responses to questions included:

- The building was iconic – whilst it wasn't listed, it was a culturally significant building which had driven the character of the area and should remain the same;
- Hundreds of people had signed petitions on the issue. Only one person around the area who Councillor Thulbourn had met, was in favour of the application;
- The character of the building should be maintained and replacement doors and windows should therefore be refused;
- The ATM would cause widespread disruption to the area and should be refused;
- The air conditioning located at the back of the building was too close to a church and had potential to cause a significant amount of noise, which may distract worshippers;
- The extension would present an impact on how the building was serviced, such as the non-collection of refuse, which may present a detrimental impact on the area;
- Signs should not be lit due to the levels of traffic in the area;
- Councillor Thulbourn had undertaken some independent predicted sound testing of the proposed air conditioning units, which had shown results of potential to cause significant noise impact for the area. It had been felt that installing quieter systems would be more expensive to the applicant, which may be an option they would not elect to take; and
- There were already ATMs in the local area and so a further one would merely cause disruption.

Mrs Audrey Chalmers and Miss Thulbourn addressed the Committee and responded to questions. In summary the points raised and responses to questions included:

- Consideration should be given by Committee regarding road safety;
- The vicar and parishioners of the local church were not properly consulted;
- The timing of the application was during the Christmas period and it was felt that the applicant should have considered applying at another time, in order to attract a greater response to the consultation;
- Whilst competition was not a consideration for Committee, it was felt that the application may cause a detrimental impact on the local business economy;
- Restrictions should be placed on the timings of deliveries to avoid times when children were coming and going to and from school;

- The present entrance door was wood and in keeping with the wooden entrance gate to the church and therefore the sliding doors proposed were inappropriate;
- Illuminated signs would be unsightly and may cause a detrimental impact to the character of the local area. They could also distract cyclists and drivers;
- All-day access to the ATM may cause potential disruption at all hours of the day and potentially increase crime in the area;
- The proposed plant equipment would be placed next to a memorial ground and the noise from the equipment would impact quiet reflection time;
- The proposed extension to the back of the building would take up space for servicing vehicles. Fire engines would be unable to turn in the street; and
- The highways department should be consulted again regarding the traffic in the area and the impact on servicing vehicles.

The agents Mr James Dempster, Mr Bryn Woodward and John Munby, addressed the Committee and responded to questions. In summary the points raised and responses to questions included:

- The building was currently unused and it was felt by the applicant that this proposal would reinvigorate the building;
- More people would be able to shop locally, which would also help other local businesses grow;
- A delivery risk assessment had been carried out and lorries were able to arrive outside times such as hours in which children would arrive and leave school;
- Externally illuminated signage was more discreet than other forms;
- The designs proposed had been formulated so as to maintain the historical character of the building with an eye towards functionality;
- No impact on privacy was anticipated as nothing new had been applied for;
- The ATM could potentially be closed outside public hours, there were no objections to this from the architectural liaison officer;
- The development was in keeping with national planning policy;
- The doors were being changed due to accessibility reasons and therefore automatic doors were necessary;
- The proposed air condition units were of a standard design and was often used close to residential properties. The units would be in a closed area and it had not been anticipated that there would be a noise impact to visitors of the nearby church;
- The application had to be considered in conjunction with officers;
- It was intended that the placement of the ATM was to offer best access to users;
- Placement of the air conditioning units had been proposed after a long consultation regarding disruption to worshippers and residents;
- Local residents had been consulted via a letter regarding the proposals;
- There would be CCTV positioned to capture activity around the ATM at all times. There could also be security guards at the ATMs if it was deemed necessary following an assessment;
- The plant was comprised of three air conditioning units, which would be turned off overnight. The condenser unit would run overnight and would run at a lower rate. The noise consultants had not considered that the noise levels were excessive; and
- There would be no illumination of the signage in Brewster Avenue.

The Legal Officer advised the Committee that issues raised regarding the building's change of use was not a consideration for this application. The Committee was also advised that Highways Officers had considered road safety and had commented accordingly regarding the application.

Members debated the planning applications and raised the following points regarding the proposals:

- The air conditioning units had potential to cause disruption to residents in the immediately surrounding area and the church;
- The ground floor windows were of a poor design, but there was nonetheless a need for the applicant to maximize window space; and
- The proposed ATM was poorly placed, unwanted in the area and should be refused.

The Area Manager Development Management responded to a number of points raised. In summary responses included:

- The important features of the building were being maintained;
- The proposed windows, whilst different to the original design, were not significantly so such as to warrant recommended refusal of the application;
- The signage proposed was a subtle proposal which was acceptable and would not create light pollution; and
- The church, according to records, had been consulted, however the officer expressed an intention to explore this in further detail at a later date.

Following debate, a motion was put forward and seconded relating to each individual application:

i) 13/01828/FUL - Installation of new sliding doors, replacement windows and infill of 4no. rear openings:

To refuse the application, contrary to officer recommendation. Following a vote, the motion was carried unanimously.

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

Reasons for the decision:

Members were of the opinion that the recommendations were not in congruence with the fabric of the building and its heritage.

ii) 13/01829/FUL - Installation of ATM Unit

To refuse the application, as per officer recommendation. Following a vote, the motion was carried unanimously.

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

Reasons for the decision:

The installation of an ATM in this location would be likely to have a significant impact on neighbour amenity, especially at night. The site proposed for the ATM was on the part of the building closest to housing, where Brewster Avenue had the character of a residential street rather than a junction with a main road. An ATM would be likely to attract people at all times of the day and night, and while during the day this would be absorbed into normal activity, at night the increase in people and traffic movements would be noticeable and significant.

The increase in movements would be likely to have a detrimental impact on the amenity of nearby residents, contrary to Policy CS16 of the Peterborough Core Strategy DPD and Policy PP3 of the Peterborough Planning Policies DPD.

iii) 13/01830/FUL - Installation of 2No fan condenser units and 3No air conditioning units in enclosed rear service yard

To grant the application, as per officer recommendation, subject to the imposition of conditions C1 to C4. Following a vote the motion was carried (6 for, 3 against).

RESOLVED:

(6 for, 3 against) to grant the application, as per officer recommendation subject to the imposition of the relevant conditions C1 to C4.

Reasons for the decision:

- The plant would not be visible from the public realm;
- Noise likely to affect neighbours can be adequately controlled; and
- The proposal was in keeping with Policy CS16 of the Peterborough Core Strategy DPD and Policy PP2 of the Peterborough Planning Policies DPD.

iv) 13/01831/FUL - Link extension to rear of the property

To grant the application, as per officer recommendation, subject to the imposition of conditions C1 and C2. Following a vote the motion was carried (8 for, 1 against).

RESOLVED:

(8 for, 1 against) to grant the application, as per officer recommendation, subject to the imposition of the relevant conditions.

Reasons for the decision:

- The design of the alterations would not harm the character of the building;
- There would be no detrimental impact on neighbour amenity; and
- The proposal is in keeping with Policies CS16 and CS17 of the Peterborough Core Strategy DPD, and Policies PP2, PP11 and PP17 of the Peterborough Planning Policies DPD.

v) 13/01832/ADV - Installation of 3No externally illuminated fascia signs, 1No externally illuminated projecting sign and 3No non-illuminated branded panels

To support the officer's split recommendations:

- i) To grant the advertisement consent for the three fascia signs, two of which were to be illuminated, and for the two small signs to each side of the entrance door, subject to the imposition of the relevant conditions including C6; and
- ii) To refuse advertisement consent for the projecting sign drawing attention to the ATM and the sign on the garage door.

Following a vote the motion was carried (7 for and 2 against).

RESOLVED: (7 for, 2 against) to grant officer's split recommendation subject to the imposition of relevant conditions:

1. No advertisement was to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission;
2. No advertisement shall be sited or displayed so as to:
 - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air, or;
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements; shall be maintained in a condition that does not impair the visual amenity of the site;
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public;
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity; and
6. C6

Reasons for the decision:

In accordance with Schedule 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, or as subsequently amended.

In the interests of Highway safety in accordance with Policy CS14 of the Peterborough Core Strategy DPD and Policy PP12 of the Peterborough Planning Policies DPD.

The projecting ATM sign would draw the attention of customers to a part of the site that was better related to the residential part of the street, and which customers should not need to visit. The sign on the garage door was even closer to housing. The garage block was in terms of the streetscene more closely related to the adjacent housing than to the shop entrance, of the public face of the shop. It had been considered that these two advertisements would have a detrimental impact on the character of the residential part of Brewster Avenue, contrary to the provisions of paragraph 67 of the National Planning Policy Framework, and Policy PP11(a) of the Peterborough Planning Policies DPD.

The Committee agreed that item 4.3, Heron Public House would be discussed next.

4.2 13/01604/FUL – Demolition of public house and erection of 12 two bedroom and 5 one bedroom apartments, Heron Public House, Southfields Drive, Stanground, Peterborough

Planning permission was sought for erection of 12 two bedroom and five one bedroom apartments with ancillary parking area (22 car parking spaces), two underground bins and communal landscaped amenity areas. The applicant proposed five additional parking spaces within a new on street parking bay on Southfields Drive.

The building was a mix of two, two and half and three storeys with ridge heights varying from 8.95 metres, 9.85 metres and 10.2 metres.

The existing close boarded fencing to the north and east was to be retained with landscape/planting to be added to. To the east and south of the site, the boundary (which currently fronted onto the public roads) would be finished with vertical steel railings. The development was to be constructed using traditional materials, including buff facing bricks, white render, orange pantile roofs at high level and plain tile roofs at low level.

The applicant had confirmed that the development would be in accordance with code three for sustainable homes.

The Area Manager Development Management provided an overview of the application and the update report and raise points, which in summary included:

- The main issues were the layout of the area, access and parking;
- The proposal would negatively impact the streetscene of the area;
- There were also issues with a lack of car parking and potential to cause traffic problems; and
- The officer's recommendation was therefore to refuse the application.

Councillor Rush, Ward Councillor, addressed the Committee and responded to questions raised by Members. In summary, points raised and responses to questions included:

- The proposal would have a detrimental effect on the character of the area;
- There would also be a loss of light for many elderly residents in the vicinity of the proposed development;
- The application included no community facilities, including inadequate parking which would lead to people parking on the grass verges and damaging the grassy area; and
- Many elderly residents in particular had approached Councillor Rush with comments regarding the development, relaying that they were all against the application.

Mr and Mrs Cole, Mrs Preston, Mrs Butler and Mrs Panton addressed the Committee and responded to questions raised by Members. In summary, points raised and responses to questions included:

- A smaller dwelling would not be objected to, but the design of the current proposal was overdeveloped and cramped;
- The proposed building was not in keeping with local amenities;
- The building would therefore have a detrimental effect on the character of surrounding properties;
- The development would cause loss of light to surrounding home;
- There had not been enough parking proposed for the development, which would therefore create a high amount of congestion;
- The development was in a busy area where a high number of road traffic incidents had occurred and as there was a potential for more roadside parking it was felt that the proposal presented a higher highways risk;
- The area had been affected by crime, drugs and anti-social behavior and the proposal would affect the local residents who were elderly and vulnerable;
- There were no electric vehicle charging points and therefore the development was environmentally unfriendly; and
- There were no objections to the development of the site per se, but only to such a large development.

Mr Sharman, the agent for the proposal, addressed the Committee and responded to questions raised by Members. In summary, points raised and responses to questions included:

- There had been extra parallel parking bays which had been added and more could be added which would be adequate for the number of flats, but short of three visitor parking spaces;
- There were many amenities around the area which would benefit residents of the proposed development;
- The development provided the adequate amount of amenity space;
- The building would become a prominent, landmark building; and
- Despite the parking concerns raised the area had not been considered an accident black spot.

Members debated the application and raised a number of points:

- the proposal was overdevelopment and would cause too much congestion to the area;
- Relying on off-road parking would be disastrous;
- The building would be an eyesore and would ruin the atmosphere of the area;
- Whilst design was a subjective thing, the development was too large; and
- Such a large building would need to fit in with the neighborhood.

A motion was put forward and seconded to refuse the application, as per officer's recommendations. Following a vote, the motion was carried unanimously.

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

Reasons for the decision:

Taking all matters into consideration it was concluded that the proposal would harm the character and appearance of the area contrary to Core Strategy Policy CS16 and would increase the likelihood of vehicle to vehicle and vehicle to pedestrian conflict contrary to Core Strategy Policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD (2012)

At this point Councillor Ash left the table to speak on item 13/01505/FUL – Change of Use from Dwelling to Day Nursery D1 and Rear Extension, 144 Elmfield Road, Dogsthorpe, Peterborough, PE1 4HB

4.3 13/01505/FUL – Change of Use from Dwelling to Day Nursery D1 and Rear Extension, 144 Elmfield Road, Dogsthorpe, Peterborough, PE1 4HB

The application sought permission for the change of use of the dwelling to a day nursery. The hours of use would be 0800 to 1800, Monday to Friday. It was proposed that there would be 32 nursery spaces and three full time and one part time staff. Access would be via the existing access off Dogsthorpe Road. The garage was to be demolished to allow entrance into the rear garden. Two alternative parking proposals had been put forward for consideration. Drg no. P1_a proposes parking for up to 10 vehicles to the rear of the site with one disabled parking space to the site frontage; Drg no. P1A proposed parking for up to 10 vehicles to the rear, including one disabled parking bay.

As part of the application permission was sought for a single storey rear extension. The extension would be 'L' shaped formed by the footprint of the existing building and would

project approximately 5 metres from the rear building line and would extend the full width of the property (8.3 metres). The extension would have a flat roof for half its width to a height of 2.8 metres and then a dual pitched roof to a height of 4.2 metres. The extension would be used for a play area.

This was a resubmission of a previous scheme which sought permission for the change of use of the dwelling to a day nursery providing up to 24 spaces (10/00840/FUL) which was refused due to highway safety issues and noise and disturbance to neighbouring occupiers.

The scheme now included visibility splays within the site, additional on-site parking to the rear of the site and a parking survey had been undertaken to assess the availability of on street parking near to the site. The number of places has increased to 32.

The Area Development Manager provided an overview of the application and raised the following points:

- The main issues were the impact on highway safety and the impact on residential amenity;
- The site would not be able to provide an adequate number of drop-off and pick-up spaces; and
- The officer's recommendation was to refuse the application.

Councillor Ash and Councillor Saltmarsh, Ward Councillors, addressed the Committee and responded to questions raised by Members. In summary the points raised and responses to questions included:

- The site was in the midst of residential properties and was not an appropriate site for a nursery;
- The area had a high level of traffic already and the nursery would cause congestion;
- There would be issues with noise both relating to the amount of children in the nursery but also relating to traffic; and
- There had been no guarantee that the nursery would be in future run by people as competent as the applicants.

Mr Akhtar, the applicant, addressed the Committee and responded to questions raised by Members. In summary the points raised and responses to questions included:

- The application had support from the local Early years Development and Childcare Partnership;
- Most people using the site would be local people within walking distance. The majority of those using cars would only be for drop-off and pick-up, rather than parking. The requirement for extra parking spaces was unnecessary; and
- The nursery would be of great benefit to the local area and without it parents would have to travel a significant distance to access a similar service.
- The fencing on the site was soundproofed which would eliminate noise problems; and
- The application had increased from 24 to 32, following advice received from officers, however was flexible regarding the consideration.

A submission from Councillor Swift was read which raised the following points:

- Eight new classrooms had been made for Fulbridge School, and people in houses around it could hear the children, as well as other developments. Councillor Swift therefore felt that in this instance the applicant was being treated unfairly.

Members debated the application and the following points were raised:

- Dropping off and picking up children had potential to create traffic congestion;
- Drop-off and pick-up times would increase as parents try and access the nursery at earlier times;
- The pollution control team had stated that the soundproofed fencing was unlikely to make much difference; and
- There had only been one objection on noise grounds after consultation.

Following clarification sought by Members, the Highways officer advised that the drop-off and pick-up point would create congestion through cars trying to turn and leave, and would be forced to back up onto the highway, which would cause parents to drop off elsewhere, creating further congestion in other areas.

A motion was put forward and seconded to refuse the application, as per officer's recommendations. The motion was carried by 5 votes in favour, 2 against and 1 abstention. The application was refused.

RESOLVED: (5 for, 2 against) to refuse the application, as per officer recommendation.

Reasons for the decision:

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan including the following reasons:

- i) The application site would not be able to provide an appropriate number of drop off/pick up facilities for 32 children and notwithstanding the on street car parking survey which has demonstrated some capacity for on street parking provision, there would be insufficient on street parking capacity near to the site. As a result vehicles would park on yellow lines or on the wide grassed/paved area to the site frontage which would be detrimental to highway safety given the proximity of the site to the junctions. Hence the proposal was contrary to policy PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.
- ii) The proposed play area, by virtue of its proximity to the shared boundary with the neighbouring property at number 142 Elmfield Road, would result in an unacceptable level of noise and disturbance which would be harmful to the amenity of the occupiers of that property. Hence the proposal was contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.
- iii) The proposal would result in vehicles parking and turning in the rear garden of the property. The use of the site as a day nursery for up to 32 children had the potential for significant numbers of vehicular movements in and out of the site. The noise and disturbance likely to be generated by the vehicles of both clients and staff would alter, significantly, the domestic character of the property to the detriment of the occupiers of the neighbouring dwellings. Hence the proposal was contrary to policy CS16 of the Adopted Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

Whilst some restrictions could be placed on the use through planning conditions, in this instance the site was not in an appropriate location for use as a day nursery due to lack of

parking and subsequent highway implications and the detrimental impact on the amenity of occupiers of neighbouring dwellings. The proposal was recommended for refusal.

4.4 13/01627/OUT – Erection of 14 dwellings, Unit 2, 61 Station Road, Thorney, Peterborough

The proposal was an outline planning application for the erection of 14 ‘live-work’ dwellings which meant each dwelling having a room that could be used for employment purposes. Such employment uses could be expected to include uses within class B1 (offices and light industrial uses) of the Town and Country Planning (Use Classes) Order 2010.

The details of the layout, scale, access, landscaping and appearance of the development, i.e. the reserved matters, were not for consideration at this stage. An indicative housing layout had been submitted.

The residential development would be partly upon land that was allocated for employment use as well as land currently in commercial use with the remaining housing located on a grassed area within the southernmost part of the site.

The existing vehicular access to the site, from Station Road, would serve the proposed development, although access to the site was a reserved matter.

The site was located towards the north of the village of Thorney within a site that had been principally in commercial use for a number of years. There was one two storey building located in the north-western area of the site which had been used wholly for employment purposes that included a business that specialised in providing stages for public events. This business involved the use of long heavy goods vehicles that were parked within the site when not in use. A large part of the site comprised a turning area for the HGV’s. The vehicle access to the site was off Station Road to the north-west. This access road ran parallel with the access road to a development, which comprised a terrace of six one and a half/two storey industrial units located to north of the site, four of which were occupied. At least four of these buildings are in general industrial use. The larger of the buildings, located at the western end of the row, was occupied by a metal engineering company that had undertaken shot blasting work. Noise from that occupier was audible over the entire application site. All of the buildings had tall and wide openings in their south facing elevations which faced towards the application site.

To the south of the application site was a substantially sized detached dwelling set back from the site boundary. There had been a two storey high light industrial unit just beyond the south east of the site, which was used as a vehicle access route through the application site to Station Road. This light industrial business was owned by one of the two applicants.

To the west, the boundary of the site was shared with the rear garden fences of the residential properties on the east side of Station Road. To the east of the site lay open countryside and allotments.

The Area Manager Development Management provided an overview of the application and advised Members that the officer’s recommendation was to refuse due to the issues highlighted within report that the whole site area fell within a Flood Zone 3 of the Environment Agency Maps and had failed the relevant sequential tests and was contrary to the site allocations document DPD.

In addition, the Area Manager Development Management outlined comments received from Councillor Sanders, which had not been included within the update report. In summary the comments submitted included:

- Councillor Sanders’ recommendation was one of approval;

- One letter of objection had been received from a neighbour expressing concern that they would be overlooked and that the application site was regularly flooded;
- There had been no complaints from constituents or Thorney Parish Council; and
- The application was also supported by the Local Member of Parliament and the Ward Councillor.

The Area Development Manager also outlined issues relating to areas of concern, including:

- The proposal was contrary to the land use allocation in the development plan. There were no material considerations that would allow the LPA to hold a different view;
- With regards to flooding, there was a medium risk (1-3%) chance of flooding every year and therefore development should not be permitted as there were other suitable sites around Thorney at a lower risk of flooding;
- In terms of the live-work units, whilst live-work was ostensibly more sustainable than living areas, there had been no guarantee that the site would not become a purely living-in area in the future and therefore the live-work element did not make the proposed development acceptable; and
- Regarding neighbouring land uses, the application should be refused on noise grounds and there were further concerns regarding highway safety.

Councillor Sanders, Ward Councillor, addressed the Committee and responded to questions raised by Members. In summary the points raised and responses to questions included:

- The Director of Growth and Development had stated that he would not let policy get in the way of a good idea and this development was a particularly good idea;
- Housing developments within Thorney had typically been met with controversy, however, the residents in this case were in favour of the development;
- There had been only one objection from a resident of Thorney village;
- The application of planning policies conflicted with the intent of the national planning policy framework and the City's growth agenda;
- It was felt that the development allocation site was not a material consideration;
- The site had been allocated for employment use in the LDF. There had been no employment development prospects since 1991;
- The site was not commercially viable and the rent did not cover the cost of rates;
- It was felt that PCC had no planning policy that sought to protect employment land;
- The Environment Agency were the experts in flood risk and had agreed that the site could be used for housing subject to raising the floor levels;
- The reduction in the impermeable areas would present a lower flood risk;
- It was felt that installation of large earth mounds may provide a noise barrier and would be something that the Committee may wish to consider;
- The sequential test approach would demonstrate whether the areas were suitable due to its characteristics;
- Regarding flood risks – the area was not a flood zone and the Environment Agency supported the development;
- The report stated that there had been no need for housing land because sufficient land had already been allocated;
- The Council's recent report regarding housing allocation shows a shortage especially in Band H;
- The report stated that some land would be released from employment allocation to accommodate houses; and
- The development was right for Thorney at the right time without much objection and supported PCC's growth objectives;
- The North level drainage board had contributed to the area not being flooded;

- It had been felt that flood warnings were a scare factor as the area was already a commercial site, which had experienced no flooding and that further research needed to be carried out; and
- One reason for officer refusal was that the current factories would impact on new builds, however complaint issues from new residents regarding noise levels could not be envisaged.

The agent, Mr Dickie, addressed the Committee and responded to questions raised by Members. In summary the points raised and responses to questions included:

- Appropriate flood mitigation measures could be implemented on the site;
- The site had no realistic future for employment, so housing should be considered for a future land use; and
- The proposal did not conflict with any policies local or national and if it did, then it was felt that those policies were seriously flawed.

Members debated the proposal and raised the following points:

- Members had not seen anything at the site to suggest there was a particularly serious flood risk;
- Current proposals going through Parliament would keep the insurance levels manageable;
- It was unusual to have a situation where residents were supportive of a development but Officers were not;
- Careful consideration needed to be given to the flooding risk and mitigation needed to be engaged with;
- Having employment local to Thorney was a positive thing;
- Legislation mentioned by Councillor Sanders applied to buildings prior to 2009, however the legal officer stated that it was not material consideration to the current application;
- Fengate was a floodplain area but flooding had not been a major issue in the area; and
- A development would revitalise the area as it was currently desolate.

The Area Manager Development Management responded to a number of points raised. In summary the responses included:

- Support for the development was acknowledged;
- Guidance on flooding was very clear and must be adhered to when allocating sites. The lowest risk sites should be prioritised and therefore lower risk sites should be used for housing development;
- A precedent may be created for other sites in the zone, which might enable developers to come forward with housing development; and
- Noise mitigation was recommended, but would need to be substantial and would therefore impact on the amenity of the residence.

A motion was put forward and seconded to grant the application, contrary to officer recommendation subject to the resolution of reserve matters. Following a vote the motion was carried (6 in favour, 4 against).

RESOLVED: (6 in favour, 4 against) to grant the application, contrary to officer recommendation subject to the resolution of reserve matters.

Reasons for the decision:

Members were of the opinion that the development was acceptable for the following reasons:

- There were examples of combined industrial with residential estates currently established within the City;
- There were other examples of floodplain areas within the City that had not incurred a detrimental impact from flooding; and
- The site was currently desolate and such a development was welcomed and supported by neighbouring residents.

4.5 13/01722/WCPP – Peterborough Garden Park, Peterborough Road, Eye, Peterborough Variation of conditions C5 (Drawings) and C34 (Floorspace) of planning permission 12/00290/OUT - Construction of a retail foodstore (Class A1), training and skills centre (Use Classes B1/D1), a cycle facility (Use Class D1/ancillary A1), children's play barn (Class D2) with associated open air play area, access, associated car and cycle parking, servicing and hard and soft landscaping.

The site was located on the edge of Peterborough, positioned between Dogsthorpe and Parnwell to the south, and Eye village to the north east.

The site was bounded to the north by the landfill site, and to the south the Paston Parkway dual carriageway and Junction 8 roundabout. The existing Garden Park retail development was located to the west and the petrol filling station, KFC restaurant to the east. The site was accessed via the Garden Park vehicle access from Eye Road.

The site covered an area of 4.32 hectare, and currently forms part of the adjacent Garden Park retail development. The site was made up of car parking, wooded area and some unused land.

On the 21st February 2013 outline planning application ref: 12/00290/OUT for construction of a retail foodstore (Class A1), training and skills centre (Use Classes B1/D1), a cycle facility (Use Class D1/ancillary A1), children's play barn (Class D2) with associated open air play area, access, associated car and cycle parking, servicing and hard and soft landscaping was granted permission by members of the Planning and Environmental Protection Committee. As part of the planning permission there were conditions limiting the amount of gross floor space and a limit on the amount of convenience/comparison.

The revised scheme before Committee had been devised to facilitate the specific requirements of a foodstore operator with whom the developer was in advanced negotiation. The Section 73 application sought to vary Conditions 5 and 34. Specifically the current application sought to make the following changes to the outline planning permission:

- Relocation of the proposed store to a position away from the end of the existing retail terrace, so that it was closer to the existing Petrol Station on Eye Road – the relocation would take place within the original application site boundary;
- An increase in the gross floor area of the food store from the consented upper limit of 6,040sq metres to 7,060 sq metres (the increase in gross floor area relates solely to an increase in the 'back of house' storage area); and
- Net sales area to remain at 4,227 square metres, albeit the total floor space given over to the sale of comparison retail goods would increase from 25% (as capped by the extant planning permission) to 41% of the total retail floor area.

The remainder of the scheme was unchanged from the existing scheme.

The Area Development Manager Addressed the Committee with an overview of the application and made the following points:

- The proposal as revised could not be accommodated in the City Centre or District Centres in the short to medium term; and
- The application for the proposed scheme should be granted.

Mr Gordon Eddington, Chairman of Peterborough Garden Park, addressed the Committee and responded questions raised by Members. In summary points raised and responses to questions included:

- Peterborough Garden Park had had ongoing issues with not enough people visiting;
- All supermarket operators previously had said they would not be interested in investing in the business unless planning permission was granted;
- Only one supermarket operator has expressed interest subject to planning consent; and
- The proposal would increase jobs and invigorate the area.

Members raised the following questions and comments:

- Members asked if the car boot sale currently on the site would continue after the building of the food store. The Chairman of Peterborough Garden Park responded that the car boot sale was a measure aimed to bring trade to the area and he could not see it continuing after a food store was built;
- Concern was expressed that the location was unsustainable;
- There had been poor access to the area from public transport and by foot;
- Policy CS14 stated that the Council should support proposals which developed and enhanced the City Centre and District Centres and reduce the need to travel by car;
- The development encouraged travel by car;
- The people of Parnwell were happy with the proposal and it was within local walking distance;
- Only the warehouse was being enlarged so concerns regarding the size of the development are disproportionate; and
- The site was currently unused and offered no benefit for the City or the local area.

The Senior Engineer (Development) Highways advised Members that the traffic was likely to stay the same as in the previously approved scheme, as the sales area was not increasing.

A motion was put forward and seconded to grant the application, as per officer recommendation, subject to the imposition of conditions C1 to C36. Following a vote the motion was carried unanimously.

RESOLVED: (unanimous) to grant the application, as per officer recommendation subject to the imposition of conditions C1 to C36.

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 proposal:

- a) Could not be reasonably accommodated within the City Centre (more specifically within the central retail area) or District Centres within the short to medium term;
- b) Would not result in a significant material impact on the City Centre or Districts Centres as a consequence of trade draw either individually or in conjunction with other recent developments, planning approvals or schemes under construction;
- c) Any impact caused to the City Centre would be offset via a S106 obligation, with monies towards Strategic Infrastructure and Public Realm Improvements in the City Centre;
- d) Is located on the edge of an existing retail park so there was likely to be link trips to the other units within the retail park;
- e) Would not result in an unacceptable impact on the local road network or compromise highway safety;
- f) Could be controlled by condition in respect of design and layout, crime and disorder, environment capital/renewable energy, infrastructure / infrastructure provision, transport, biodiversity, flood risk and archaeology;
- g) Would not result in a detrimental impact on protected species or related habitat; and
- h) Represents significant investment and employment creation.

And it was therefore considered to be in accordance with Core Strategy Policies CS4, CS10, CS11, CS12, CS13, CS14, CS15, CS16, CS21, CS22, with Peterborough Planning Policies PP01, PP03, PP09, PP12, PP13, PP16, PP19, PP20, Minerals & Waste Core Strategy Policies CS28 and CS30 and the Peterborough Planning Obligations Implementation Strategy SPD,

Following a request for a change of speakers, Mr John Ashley Web, would be replaced by Mr James Armstrong.

4.6 13/01849/FUL - Construction of a new retail supermarket (Class A1), with car and cycle parking facilities, public realm improvements to Station Road and associated landscaping works. Former Royal Mail Sorting Office, Bourges Boulevard, Peterborough, PE1 1AE

The application site was located within the City Centre boundary and Railway Station Opportunity Area as defined by saved policies of the Local Plan, and the emerging City Centre DPD. The site was adjacent to, but not within the central retail core retail as defined by the Local Plan and the emerging City Centre DPD. The Bourges Boulevard public transport corridor ran along the eastern boundary of the site, together with part of the cycle route network.

The existing Great Northern Hotel site was positioned to the south of the site, to the north was railway station land that was used for car parking and the fire station site, and to the west of the site were the railway platforms and tracks. Beyond Bourges Boulevard to the east of the site was the North Westgate Opportunity Area and the City Centre multi storey car parks associated with the Queensgate shopping centre.

The application site covered an area of approximately 1.3 hectares, and was currently in use as a temporary Railway Station car park, with space for 496 cars. The site was formerly used as the Royal Mail sorting office site, however this use was relocated and the building subsequently demolished.

Planning permission was sought for a new supermarket, with a gross internal area of 3,762 square metre and 2,537 square metre net sales area plus café. The proposed retail floor space would be split into 75% for convenience goods, and 25% for comparison. It was

proposed that this would be a Waitrose supermarket and it would replace the existing Waitrose store within the Queensgate shopping centre.

There had been 246 car parking spaces proposed, including disabled and mother and toddler spaces, and 28 cycle spaces. Vehicle access to the site would be taken from Mayor's Walk.

The Principal Development Management Officer provided an overview of the application and raised the following points:

- Comments had been received expressing concern that the relocation of the Waitrose store would make it less accessible from the bus station. Whilst this was true, there would be a new pedestrian crossing and the site would therefore be within walking distance. It was therefore not necessary to approve new bus routes or redirect existing ones;
- Councillor Sandford had expressed concern that there should be diversion of buses to the site; and
- The officer recommended approval subject to conditions C1 to C25 and legal agreement.

The Branch Manager of Waitrose addressed the Committee and responded to raised by Members. In summary the points raised and responses to questions included:

- Food retail attitudes had changed over the years and the size of the current store made it uncompetitive;
- The proposal kept the Waitrose store close to the City Centre;
- The design complimented the existing proposals to reinvigorate Bourges Boulevard;
- An additional 40 jobs were anticipated.
- There would be a minimum spend for the car park and two hours free parking, which was anticipated to mitigate the potential for people to use the car park in lieu of the railway station car park; and
- There was a dialogue between officers relating to layout and the appearance of the building to enable the store to fit into the environmental aims of the Council. All electricity on the site would be derived from renewable sources. There had also been consideration of employing a dedicated environmental "Green Champion" whose responsibility would be to ensure Waitrose was meeting its environmental obligations.

Councillor Sandford addressed the Committee and made the following points:

- A large percentage of people using the store were likely use public transport and relocation would make access less convenient;
- Elderly people and those with mobility issues were likely to be put in an awkward situation; and
- The Committee should recognise the impact on public transport and provide some financial contribution to ensure that the area had public transport access.

Members debated the issues and sought clarification from officers regarding potential for vehicles which had not cancelled indicating to cause traffic disruption. The Senior Engineer (Development), Highways Officer advised that speeding around the corner was unlikely to be an issue in peak hours because traffic was likely to be heavy. Members were also advised that an additional option would be to place road signs to remind people to turn off their indicators.

A motion was put forward and seconded to support officer's recommendations and grant the application, subject to the imposition of conditions C1 to C25. Following a vote the motion was carried unanimously.

RESOLVED: (Unanimous) to grant the application, as per officer's recommendations subject to the imposition of conditions C1 to C25.

Reasons for the decision:

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

- The siting, scale and design of the supermarket proposal was considered to be acceptable with no unacceptable adverse visual impact on the surrounding area;
- The site's 'edge of centre' location meets the criteria of the retail sequential test, in that there were no other available sites for the supermarket higher in the retail hierarchy;
- The retail proposal would not result any significant detrimental impact on the City Centre or District Centres as a consequence of trade draw either individually or in conjunction with other recent developments, planning approvals or schemes under construction;
- Whilst a Mixed use development would have been preferable, the single retail supermarket use would provide enhanced redevelopment benefits for the site and the wider area with the provision of a new pedestrian crossing and enhanced pedestrian routes to the City Centre;
- The development did not compromise the development of any other parts of the Railway Station Opportunity Area coming forward;
- The proposal would not be detrimental to any protected Cathedral views;
- The proposal would not result in an unacceptable impact on the local road network or compromise highway safety or the implementation of the Primary Public Transport Corridor;
- There would be no adverse impact on any neighbouring sites; and
- The proposal was therefore considered to be in accordance with Policies CS4, CS13, CS14, CS15, CS16 of the Core Strategy, Policies PP01, PP02, PP03, PP9, PP12, and PP16 of the Planning Policies DPD, Policy CC12 of the Local Plan and Policies CC2, CC4 and CC11 of the emerging City Centre Plan.

4.7 13/01874/R4FUL - Repositioning of boundary fence to extend garden and change of use of landscaping strip. Land Rear of 77 Russell Street, Millfield, Peterborough, PE1 2BJ

The application site comprised an area of designated Public Open Space, located to the northern side of Bright Street. There was a significant area of hardstanding with shrub borders adjacent to the public footway and to the rear of residential properties along Russell Street and Cromwell Road. The site was bound to the south by public footway and to the north and west by 1.8 and 2 metre high fencing and brick walls. There were a number of mature shrubs within the site and a semi-mature Cherry tree.

The application sought planning permission to extend the garden land associated with No.77 Russell Street by approximately 4.5 metres to the rear and to the rear of the neighbouring dwelling No.79. It was proposed for the fence to stand at 1.8 metres in height with an access gate along the rear boundary.

The application currently under consideration was identical to the scheme which had already been refused planning permission under delegated powers (reference 13/01085/R4FUL).

The Principal Development Management Officer provided an overview of the application and made the following points:

- The area had suffered from littering and anti-social behaviour and there had also been problems in previous years with rough sleepers, drugs, public urination, though there had been no recent problems in the last three years;
- There would be a loss of open space in an area where there was already a deficiency;
- There would be a detrimental impact on visual amenity;
- There were objections from residents to loss of open space in the area; and
- The officer's recommendation was to refuse the application.

Mr Ahmed, the applicant, addressed the Committee and responded to questions raised by Members. In summary points raised and responses to questions included:

- The land had over the past 10 years been requested to be sorted out as there was a great deal of anti-social behavior on the land;
- The Council had made promises which it had not kept;
- Request for sale had not been granted for various reasons. A lease had been offered but refused by the applicant;
- Head of City Services had visited the site and the decision was taken to purchase the land;
- The application was submitted in March 2011, before the Council's adoption of the open space policy;
- The policy had been introduced after a series of delays, which had made the applicant unable to submit his application before the policy had been implemented;
- The reduction in crime was not in the specific area – there may be an overall reduction in crime in central ward, but crime had actually gone up in the area to which the applicant was requesting planning permission,
- There were syringes and condoms found in resident's gardens around the area; and
- There had been no preservation order on the tree and it was located outside the conservation area.
- Since the removal of the benches Police crime data had been submitted prior to the application, which had indicated a great deal of crime, however since the application was submitted, residents had stopped reporting the crime;
- If the purchase was permitted the area would be fenced off and cleaned. This would allow residents to take ownership of the issues highlighted;
- The proposed fencing to be installed in the area was featheredge. The proposed internal fenced area would be made into a garden rather than the hub for drug use, which it was currently being used for;
- It was proposed to remove the trees within the application; and
- The issues highlighted would not just be moved along as the area only needed a slight change to act as a deterrent to people frequenting there.

Members debated the application and the following points were raised:

- There was no difficulty in the applicant acquiring the land;
- The loss of the trees would be regrettable as it was an urbanized area;
- The applicant had however not been treated well, but there was no obligation to sell the land;

- Boxing the area in would not necessarily alter any of the issues cited. There had been no complaints over the last two years;
- The application would only move the issues somewhere else.
- Consideration should be given to placing a tree preservation order should it become private land;
- The applicant should work through Local Councillors and the police;
- If approved this application would set a precedent in which open spaces were sold off and would create a significant lack of open space in the City;
- The area was open space in an urban area and there was potential to make it a better place to stop by;
- The area of open space was not in itself visually appealing, whilst the trees themselves were; and
- The area was not just a slab of concrete, there were shrubs and mature trees around it.

A motion was put forward and seconded to refuse the application, as per officer recommendation. Following a vote the motion was carried 7 votes in favour, 2 against.

RESOLVED: (7 for, 2 against) to refuse the application, as per officer recommendation.

Reasons for the decision:

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

- The proposed garden extension would result in the loss of existing Public Open Space within Central Ward which already had a significant deficit in provision. The proposed use of the land was not ancillary to the use of the site as open space and nor has the scheme proposed alternative provision within the surrounding area. Accordingly, the proposal would result in the unacceptable loss of important existing open space, contrary to Policy CS19 of the Peterborough Core Strategy DPD (2011); and
- The application scheme would result in the loss of valuable soft landscape features within the streetscene along Bright Street and the replacement with a hard boundary fence which would appear stark in contrast. Overall, the proposal would result in an unacceptably negative impact upon the character, appearance and visual amenity of the surrounding area, contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

5. Planning Compliance Report

The Area Manager Development Manager introduced a report to Committee which had set out the performance of the compliance team. The report was intended to detail all planning activity and identify if there were any lessons to be learnt from the actions taken in order to inform future decisions and potentially reduce costs.

- Members requested an email be sent out after the meeting detailing the costs to the Council.

RESOLVED:

The Committee noted the past performance and outcomes.

6. Planning Three Month Appeal Performance Report

The Committee received a three month report, which outlined the Planning Services' performance at appeals and identify if there were any lessons to be learnt in terms of appeal outcomes. It was also intended for the report to inform future decisions and potentially reduce costs.

RESOLVED:

The Committee noted the past performance and outcomes.

Chairman
1:30pm – 6:30pm



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL
PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 4 MARCH 2014**

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

Officers Present: Nick Harding, Group Manager Development Management
Julie Smith, Highway Control Manager
Jez Tuttle, Senior Engineer (Development, Highway Control)
Ruth Lea, Lawyer
Hannah Vincent, Planning and Highways Lawyer
Karen S Dunleavy, Governance Officer

1. Apologies for Absence

Apologies for absence were received from Councillor Todd.

Councillor Kreling was in attendance as substitute.

2. Declarations of Interest

Councillor Harrington declared an interest in item 5.1 as he was the ward councillor for the application but stated that this would not affect his decision.

Councillor Hiller stated that he was a member of the Environment Agency's Regional Flood and Coastal Committee and the Internal Drainage Board who were consultees, but that he had not discussed the case with either of them. He also stated that with regards to Item 6, the conservation area in question was in his ward.

Councillor Kreling stated that she was the ward councillor for the area where the regional college was situated in item 5.2 but stated that this would not affect her decision.

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

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

4. Minutes of the Meetings held on 4 February 2014.

The minutes of the meeting held on 4th February 2014 were approved as an accurate record.

5. Development Control and Enforcement Matters

5.1 13/01471/OUT - Land to the South of Northam Close, Eye Green, Peterborough

Outline planning permission was sought for a residential development comprising 25 dwellings with 30% for affordable housing. It was proposed to provide 450 square

metres of the site area to be designated for public open space. The average density of the proposed development was approximately 22no. dwellings per hectare. The indicative master plan indicated that the majority of the buildings were 1.5, 2 and 2.5 stories. Vehicular, cycle and pedestrian access was proposed from Crowland Road between properties 102A and 104 Crowland Road.

As the application was for outline permission, matters relating to the design of the buildings, scale, layout, access to the site and landscaping were not for consideration as part of the application and these would be dealt with by way of a reserved matters application if outline planning permission was granted.

The Group Manager Development Manager addressed the Committee and made the following points:

- Representations from the Council's recreation team had expressed concern about the lack of open space, but condition 15 in the report required a certain level of open space to be part of the proposal;
- The Wildlife Officer had requested a contribution towards the improvement of the nearby Eye Green gravel pit wildlife site, however since this was premised on open space concerns, an additional financial contribution to the wildlife site was not considered necessary;
- The site could be drained without any flooding risk caused nearby;
- Regarding pressure on school places nearby, the Council's education service had not objected and instead sought a contribution;
- The officer recommended adding an additional condition to secure the 20% lifetime homes required by council policy; and
- The officer's recommendation was therefore to approve the application subject to conditions outlined in the consultations.

Mr Andrew Middleditch, a Chartered Surveyor acting on behalf of the landowners, addressed the Committee and responded to questions from Members. In summary points raised included:

- All statutory consultees had been satisfied;
- Residential concerns would be addressed at a later stage in the application;
- Commitment had been made to secure financial contributions to be spent on enhancing education in the area;
- Members suggested including bungalows as part of the application to offset the problems with school places as these would attract older residents. Mr Middleditch stated that this would be looked at in a later stage of the application.

Debate was conducted around the matter in which the following points were raised:

- Senior Engineer (Development, Highway Control) stated that a nearby bus stop would need to be relocated as well as traffic calming measures and stated that he was confident this was possible.

A motion was proposed and seconded to approve the application, as per officer recommendation. A vote was taken and the motion was carried unanimously.

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

1. The conditions C1 to C21 as detailed in the committee report; and

2. If the S106 had not been completed within 3 months of the date of the resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason R1 as detailed in the committee report.

Reasons for the decision:

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

- The site was allocated for housing and would provide housing to support the City Council's growth agenda;
- The development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway could be provided;
- The development could be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties;
- The development could be accommodated without any significant adverse impact upon existing landscaping;
- The impact of the proposed development upon wildlife and ecology of the site was considered to be acceptable;
- The development would allow for the provision of 450 square metres Public Open Space;
- The proposal was conditioned to mitigate against impact on archaeology;
- The site could be adequately drained;
- The proposal made satisfactory provision for affordable housing within the site; and
- The proposal makes a contribution towards the social and physical infrastructure demands that it will place on the area.

The proposal was therefore in accordance with Policy CS1, CS2, CS8, CS10, CS11, CS13, CS14, CS16, CS17, CS19, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies SA4 and SA5 of Peterborough Site Allocations DPD (2012), policies PP01, PP02, PP03, PP12, PP13, PP14, PP16, PP17 and PP19 of the Peterborough Planning Policies DPD (2012) and Sections 4, 6, 10 and 11 of the National Planning Policy Framework (2012)

5.2 14/00062/FUL - Peterborough Regional College, Park Crescent, Peterborough, PE1 4DZ

The application sought planning permission for the erection of a 6.4 metre high black fabric mesh fencing along the southern boundary of the playing fields of Peterborough Regional College, immediately adjacent to the Sports Hall building. The netting would be capable of being raised and lowered when the pitches were in use and it was proposed to ensure that the footballs and rugby balls were contained within the site whilst matches were being played, thereby preventing damage to the building adjacent. The total length of fencing proposed stood at 60 metres. The Group Manager Development Manager addressed the Committee and made the following points:

- There would be no views of the fencing in nearby areas;
- There would be no harm to residential amenity or the conservation area; and
- The officer's recommendation was to approve the application.

Councillor Peach, Ward Councillor, addressed the Committee and made the following points:

- Representations had been received from residents in nearby areas expressing concern about the impact on amenity and the park conservation zone; and
- Not enough sports were carried out on the grounds to justify the proposal.

Members debated the application and the following points were raised:

- There was scepticism expressed regarding the impact, if any, that the fence would have on the conservation area and it was confirmed by officers that the proposal was not in the conservation area;
- The proposal was too similar as the last one to be necessary and was not in keeping with the nearby conservation area; and
- The proposal would not impact lighting.

A motion was proposed and seconded to approve the application, as per officer recommendation. A vote was taken, 9 in favour, 1 against and the motion was carried.

RESOLVED: (9 for, 1 against) to approve the application, as per officer recommendation, subject to:

1. The conditions C1 to C2 as detailed in the committee report.

Reasons for the decision:

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

- The proposed fencing and netting would not appear incongruous or overbearing within the public realm and would not 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); and
- The proposal would not result in any unacceptable harm to the amenities of neighbouring residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

6. The Deeping Gate Conservation Area Appraisal

The Committee received a report which provided an update on the outcome of the public consultation on the Draft Deeping Gate Conservation Area Appraisal and Management Plan and proposed amendments to the Conservation Area boundary. Members raised questions and comments, including:

- The Parish Councils were keen to have the document available to them.

All Members expressed their support for Mr Daley to take the report to the next stage.

RESOLVED:

The Committee:

1. Noted the outcome of the public consultation on the Deeping Gate Conservation Area

Appraisal;

2. Recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed boundary change; and
3. Supports the adoption of the Deeping Gate Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Deeping Gate Conservation Area

Reasons for the decision:

Adoption of the Deeping Gate Conservation Area Appraisal as the Council's planning guidance and strategy for the Area would:

- Fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas;
- Provide specific Conservation Area advice which would be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service; and
- Have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment was both appropriate to its context and of demonstrable quality.

Chairman
1.30pm-2.10pm

This page is intentionally left blank



**MINUTES OF AN EXTRAORDINARY MEETING OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 25 MARCH 2014**

Members Present: Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, Kreling, Shabbir, Sylvester, Harrington and Ash

Officers Present: Nick Harding, Group Manager Development Management
Louise Lovegrove, Development Management Officer
Julie Smith, Highway Control Manager
Mike Rowan, Interim Head of Legal Services
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor North, Councillor Todd, Councillor Casey and Councillor Lane.

Councillor Kreling and Councillor Ash were in attendance as substitutes.

2. Declarations of Interest

There were no declarations of interest.

3. Development Control and Enforcement Matters

3.1 14/00088/PRIOR – The Old Bakery, 31 Huntly Grove, Peterborough

The application was for a change of use of a two-storey detached office building into a residential home. The area surrounding was predominantly residential and there was an area of hardstanding to the front of the property and a rear car park accessed via a dropped kerb from Huntly Grove and driveway which ran along the side of the building.

The application was submitted in accordance with Part 3 Class J Paragraph N(9)(a) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which sought confirmation as to whether the prior approval of the Local Planning Authority was required for a change of use from B1 offices to C3 residential.

The Development Management Officer provided an overview of the application and advised that the officer's recommendation was to consider that prior approval was not required.

Councillor John Peach and Councillor John Shearman, Ward Councillors, addressed the Committee and responded to questions from Members. Key points highlighted included:

- The proposed site was alongside a historic dry stone wall that dated back 700 years;
- There would not be enough parking spaces in the area;

- The ground floor flats would suffer from poor natural lighting;
- The situation was unusual as ordinary planning regulations were not to be considered;
- There were concerns over the general decline in the area which had also been expressed by local MP;
- Resident's parking was restricted, which would affect nearby roads;
- There could be a flooding impact as the land was below sea level;
- The development could bring twelve or more new vehicles into the area;
- The development should be opposed, particularly as there was strong feeling from local residents;
- The stone wall was confirmed as being situated within the conservation area;
- The application would not have adequate off-street parking;
- An external alteration, such as a fire escape, would require additional planning permission. This would not necessarily come back to the Committee for determination; and
- In terms of the numbers of objections received, totaling seven, it was an issue of quality over quantity. Many of the residents in the area lived in houses of multiple occupation and did not speak English as a first language.

The Group Manager Development Management addressed the Committee and made the following points:

- The application could only be considered on three matters: the development was at no risk of flooding, there was no evidence suggesting the land was contaminated and there would be negligible impact on the classified road. The recommendation was therefore to approve. None of the additional factors mentioned could be taken into consideration; and
- If the application was refused, there could be an appeal for which the Council would be liable for costs.

Members debated the application and the following points were raised:

- Officer's points were clear and there were no grounds on which the application could be refused. The Council could not afford to award damages;
- Prior approval should be acquired – six bedsits were inappropriate for the area and there would not be enough parking spaces. There would be too many cars on the road; and
- Criteria such as amenity and parking could not be considered by the Committee.

A motion was proposed and seconded to agree that prior approval be not required, as per officer recommendation. The motion was carried by 4 votes, with 3 voting against and 1 abstaining.

RESOLVED: (4 for, 3 against, 1 abstaining) that prior approval be not required, as per officer recommendation, subject to:

1. The conditions numbered C1 to C2 as detailed within the committee report.

Reasons for the decision:

Upon assessment of the proposed development and following consultation with relevant bodies, it was considered that the proposed development would not result in any unacceptable impact upon the safety of the public highway, contaminated land, increased flood risk elsewhere or be at risk of flooding itself.

As such, in accordance with Part 3 Class J Paragraph N(9)(a) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the prior approval of the Local Planning Authority was not required.

Chairman
5.00pm - 5.47pm

This page is intentionally left blank

Item No. 5.1 (D1)

D1 - Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 Restricting Permitted Development Rights – Walton Ward

REFERRED: HEAD OF PLANNING SERVICES
CONTACT OFFICER: JIM DALEY
TELEPHONE: 01733 453522
E-MAIL: JIM.DALEY@PETERBOROUGH.GOV.UK

1 SUMMARY

The committee is asked to consider appropriate action in relation to a planning matter in accordance with section 2.6.1.3 of the City Council constitution.

2 NATURE OF EXEMPT INFORMATION

This report contains an exempt annex NOT FOR PUBLICATION in accordance with paragraph 6 of Schedule 12A of Part 1 of the Local Government Act 1972. The public interest test has been applied to the information contained within the exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it. Disclosing the information is likely to lead to work that would harm the character and appearance of the built environment.

REASON

Disclosing the information is likely to result in inappropriate work that would harm the character and appearance of the built environment.

This page is intentionally left blank

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



LOCATION PLAN 14/00362/CTR
 333 Thorpe Road, Peterborough PE3 6LU

Scale 1:1250 Date 27/3/2014 Name LG Department Planning Services

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

PCC GIS



This page is intentionally left blank

PROPOSED: Section 211 Notice of intent to carry out works to trees in Longthorpe Conservation area, at 333 Thorpe Rd, Peterborough
REFERRED BY: Director of Growth & Regeneration.
REASON: The applicant is Cllr Cereste.
CASE OFFICER: John Wilcockson
TELEPHONE: 01733 453465
E-MAIL: john.wilcockson@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

A Section 211 Notice has been submitted by Cllr Cereste, a notification to carry out tree work at 333 Thorpe Rd, Peterborough. The notification was registered within the Local Planning Authority (LPA) on 7th March 2014.

The proposed works are :-

1. Reduce 1 No. Lilac so it is of a similar height to the fence
2. Remove the two lowest limbs on 1 No. Acacia
3. Lateral reduction by 2m of lowest branches of 1 No. Acer.

The main considerations are:

- Are the proposals in line with sound Arboricultural practice, reasonable and justified having regard to any representations received?
- Are the trees worthy of inclusion into a TPO in terms of public visual amenity value, condition and health?

Director of Growth & Regeneration recommends that the works are **PERMITTED and no objection is made against the notice** .

2 DESCRIPTION OF SITE AND SURROUNDINGS

The property is located within Longthorpe Conservation Area. The Lilac and Acer are in the front garden, the Acacia is to the rear/west against boundary with neighbouring property. All 3 trees are largely screened by surrounding trees and properties.

3 CONSULTATIONS/REPRESENTATIONS

EXTERNAL

None received

NEIGHBOURS

None received

COUNCILLORS

None received.

4 REASONING

Under a section 211 anyone proposing to cut down or carry out work on a tree in a Conservation Area is required to give the LPA six weeks' prior notice. The purpose of this requirement is to give the LPA an

opportunity to consider whether the works are appropriate and if not consider is a Tree Preservation Order (TPO) should be made in respect to the tree.

The Lilac is in poor condition and is starting to damage the boundary fence line, it is not considered worthy of a TPO due to its structural condition and low visual amenity value.

The Acer is also in poor structural condition, the main trunk curves by 90 degrees at just above ground level and then ascends thereafter, the proposed works are to improve the condition of the lawn which is largely moss. As the tree is in poor structural condition and as it offers very low visual amenity value, the works are acceptable and the tree is not worthy of a TPO.

The works to the Acacia are considered minor and will not compromise the tree's health nor visual amenity value.

5 CONCLUSIONS

The proposed works are acceptable.

6 RECOMMENDATION

The Head of Planning, Transport & Engineering recommends that the worked are permitted and no objection is made against the notice.

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
8 APRIL 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	Jim Daley Principal Built Environment Officer Simon Machen Director of Growth and Regeneration	Tel: 01733 453522 Tel. 01733 453475

THE LONGTHORPE CONSERVATION AREA APPRAISAL

RECOMMENDATIONS	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
That Committee:	
<ol style="list-style-type: none"> 1. notes the outcome of the public consultation on the Longthorpe Conservation Area Appraisal (Appendix 1) 2. recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change (Appendix 2) 3. supports the adoption of the Longthorpe Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Longthorpe Conservation Area. 	

1. ORIGIN OF REPORT

- 1.1 A review of the Longthorpe Area was carried out in 2013 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Longthorpe Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report is submitted to the Committee for approval of the Longthorpe Conservation Area Appraisal and Management Plan, as appended. The report provides an update on the outcome of the public consultation on the Draft Longthorpe Conservation Area Appraisal and Management Plan.
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by, and comment on, the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. **TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. **BACKGROUND**

- 4.1 The draft Appraisal was subject to public consultation from 24 January to 10 March 2014. A copy of the document was published on the Council's website, and copies were provided to Longthorpe Society, Ward members and English Heritage. A letter and summary leaflet were sent to all properties in the village and other interested parties, including planning agents, Peterborough Civic Society and Milton Estates.
- 4.2 16 representations were received and these are summarised together with the Conservation Officer's response in Appendix 1. The Appraisal has been revised to take account of some of the representations received and the approved version will be available on the Council's web site.
- 4.3 It is proposed to amend the north-west boundary of the conservation area to include the landscaped frontages of nos. 216 – 224 Thorpe Road to protect trees as these make a positive contribution to the character of this part of Thorpe Road and the conservation area.

5. **ANTICIPATED OUTCOMES**

- 5.1 The Longthorpe Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Longthorpe Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. **REASONS FOR RECOMMENDATIONS**

Adoption of the Longthorpe Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. **ALTERNATIVE OPTIONS CONSIDERED**

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

- 8.1 There are no specific financial implications for the City Council identified in this report.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council
- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

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

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005

APPENDIX 1

Summary of comments received at the consultation stage of the Longthorpe Conservation Area Appraisal, together with the Council's response to the issues raised.

	Comments
English Heritage	English Heritage supports the preparation of up-to date appraisal and management plans for all conservation area. The Longthorpe appraisal has been well researched and welcome the careful analysis on building periods, building materials and boundary treatments. The use of historic maps also assists in understanding how these areas have developed over time. There is logic in the proposed extensions though tree preservation orders might be used to protect the trees on Thorpe Road and Thurlaston Close where these buildings themselves do not merit inclusion within the Conservation Area.
Comments	Comments noted. It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road.
Resident	The expansion of the conservation area is beneficial, although the proposed boundaries need reviewing to only incorporate the frontages of (216 – 224 Thorpe Road) and not the entire areas proposed.
Comments	Comments noted. It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road.
Resident	The proposed extended conservation area boundary is mostly to front gardens, except those to 216 – 224 Thorpe Road – why? Object to new boundary as difficult to carry out everyday jobs to house and gardens.
Comments	Comments noted. The case for extending the conservation area boundary is made at para. 12.2 (page 30). It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road
Resident	<p>1. Objection to inclusion of whole of property into the conservation area. Property not listed and offers no amenities to the public or the area. Intrusion on property/private rights. Would agree to include the mature planting to front garden only to maintain the mature landscape character along Thorpe Road.</p> <p>2. Support any proposed measures to deter through traffic. No mention of excessive vehicle speed. Should be more speed signs to remind drivers of 30mph speed limit. Need 'no through traffic sign' at Audley Gate and Thorpe Road Police station. Also, also use of the road as a short cut through the village when a duel carriageway nearby.</p> <p>3. Vermin control necessary – too many foxes and magpies are taking over the area at expense of native song birds.</p>
Comments	<p>1. It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road</p> <p>2. Transportation issues are not tackled through the Conservation Area Appraisal, however the comments made have been passed on and will be discussed further with the Highways Authority. Although it is agreed that the volume of traffic does affect the visual appearance of a conservation area and vibration from heavy vehicles can affect buildings, there are few powers that the Council can enforce to reduce traffic volume and impact with the exception of traffic prohibition orders and their effective enforcement. The purposes of a Management Plan is to identify those works that would enhance the character and appearance of the Conservation Area. Effort and actions can then be taken to help achieve these improvements. Remodelling of the highway in various locations and more appropriate highway street furniture would enhance the character and appearance of Thorpe Road between Audley Gate and The Green. The Management Plan needs to be realistic (for works in the 'public realm') in view of the resources likely to be available. Specific enhancements identified will be dependent on resources.</p> <p>3. Comments noted and passed to the Wildlife Officer for reply.</p>
Resident	Objection to inclusion of all the property in an extended conservation area. No

	reasons for inclusion in the plan. A number of (existing) tree preservation orders apply to the property.
Comments	Comment noted. The case for extending the conservation area boundary to include nos. 216 – 224 Thorpe Road is made at para. 12.2 (page 30). It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road.
Resident	Support the proposed conservation area boundary extensions and management plan. Conservation area should also be extended to include the area west to Holy Well Way, including Fox & Hounds P.H. and other buildings of note.
Comments	This comment is noted, although the appraisal has not been altered to accommodate the above comment. A conservation areas should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process adjacent areas, including the area suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. While the suggested area illustrates the history and growth of the village it does not have architectural and historic consistency (special character) to justify inclusion and to do so would likely weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain.
Resident	Support the proposed conservation area boundary extensions and management plan. The conservation area should also be extended to include properties west on Thorpe Road beyond Longthorpe Tower and Bluebell Woodland. Also, to include the Fox & House P.H. would be a proactive move to protect it for possible change to supermarket and improvement in presentation of the forecourt.
Comments	See same comment above. The use of conservation area powers to prevent or deter development is not envisaged within national guidance, The conversion of public houses to retail use is a permitted development. Conservation Area designation should not be seen as means in itself to restrict or control change. Enhancement of the forecourt to the public house can be achieved without conservation area designation, and no additional opportunities would arise for such work if included in a conservation area.
Resident	Support the proposed conservation area boundary extensions and management plan.
Comment	Comment noted
Longthorpe Society	An excellent document. The proposals would keep Longthorpe with a village 'feel'.
Comment	Comment noted
Landowner	1 Recommendation in para. 13.4 regarding further extension of extended listed buildings should be resisted is an unreasonable imposition. 2 Requirement to use long straw thatch is unhelpful and could not be imposed where water reed is used. 3 Questions proposed inclusion of Longthorpe Green cottages (nos. 7 to 26) in extended Conservation Area.
Comment	1. It is accepted that the recommendation in para 13.4 that in principle, further extensions to listed building should be resisted is too prescriptive, and this statement is omitted. Proposed alterations to a listed building are assessed taking account of the significance of the heritage asset and how the proposal would affect that significance. When making a decision on all listed building consent applications the local planning authority must have special regard to the desirability of preserving the character and appearance of the building or its setting or any features of special architectural or historic interest which it possesses. (Planning (Listed Building and Conservation Areas) Act 1990. Therefore, the judgement made in accordance with the provisions of the Act will determine the

	<p>appropriateness of further extensions to listed buildings.</p> <p>2. This recommendation does not prescribe the sole use of long straw thatch to new or older and remodelled extensions. The para. states that ...”the presumption will be that the new roof(s) will be in thatch of the same type”. Where water reed has been used then this will be the appropriate thatch to use in a new extension or to a re-modelled extension. The para. advises that ...”the traditional thatching material is long straw”. The advice would be improved by the insertion of the word ‘local’ so as to read...’traditional local thatching material’...</p> <p>3. It is not proposed to include Longthorpe Green cottages (nos. 7 to 26) in a Conservation Area.</p>
Resident	<p>1. Support the proposed extension to the conservation area. Removal of Larklands development and Holywell Close from the conservation area may be appropriate as these are ordinary housing away from the village.</p> <p>2. More publicity should be given to the sort of alterations which are not appropriate to (properties) in the area.</p>
Comment	<p>1. The Larklands and Holywell Close developments are located to the original Thorpe Parkland and Holywell Close is adjacent to the important scheduled Longthorpe Tower and grade I listed buildings as well as having an interesting townscape. It is considered appropriate to retain these areas in the conservation area for their historical and character contribution.</p> <p>2 Noted. Para. 13.1 (Draft Management Plan) advises on the additional planning control in force in a conservation area. Planning Services has prepared an information leaflet, ‘A householder’s guide to living in a conservation area’, and periodically sends this with a covering letter to residents in conservation areas. It is proposed to write to all householders in the Longthorpe Conservation Area following adoption of the appraisal with a copy of the information leaflet.</p>
Resident	Comments made on the condition and management of the Holy Well and ponds and problems of anti-social activities affecting the area,
Comments	Comments noted and this matter has been passed to the Wildlife Officer to liaise.
Resident	Support and in agreement with the aims of the appraisal.
Comments	Noted
Resident	Comments on proposed inclusion of landscaped frontage to an extended conservation area.
Comments	It is proposed to amend the proposed conservation area boundary extension to include only the landscape frontages of nos. 216 – 224 Thorpe Road
Peterborough Civic Society	<p>Support report and recommendations.</p> <p>1. Page 10 - views of Longthorpe, in particular Thorpe Hall are prominent from the Parkway and some mention of their importance should be made.</p> <p>2 Re-modelling of Audley Gate junction should be made a ‘proposal’ and together with The Green would benefit from including a sketch plan / illustration in the appraisal.</p> <p>3 Could a case be made for including the frontages of properties to the north east side of Thorpe Road between the Parkway roundabout and Audley Gate in an extended conservation area?</p> <p>4 The playing field south of the Green could also be included in an extension.</p> <p>5 Para. 13.3 (page 30) suggested amendment for avoidance of doubt and clarity (List of Locally Important Buildings)</p> <p>6 Para 13.5 (New Buildings - page 31-32) comment on design principles and use of clay pantiles for new single storey buildings</p> <p>7 Comment on proposed rejection of dormer windows to front roof slopes to buildings as these are a feature of a number of listed buildings</p> <p>8. General text omissions and consistencies.</p>
Comments	<p>1 This comment is accepted and the appraisal has been amended.</p> <p>2 A purpose of a Management Plan is to identify those works that would enhance the character and appearance of the Conservation Area. Effort and actions can then be taken to help achieve these improvements. Remodelling of the highway in various locations and more appropriate highway street furniture would enhance the character and appearance of Thorpe Road between Audley Gate and The Green.</p>

	<p>The Management Plan needs to be realistic (for works in the 'public realm') in view of the resources likely to be available. Specific enhancements identified will be dependent on resources. Illustrations of possible enhancement schemes to Thorpe Road and at Audley Gate and The Green junctions would not be appropriate in view of the need to investigate the cost and feasibility of works and secure resources. This can be progressed as an enhancement objective following adoption of the appraisal.</p> <p>3 This comment is noted, although the appraisal has not been altered to accommodate the above comment. This section of Thorpe Road has less enclosure (formed by trees to frontages) than the section between Audley Gate and The Green.</p> <p>4 This comment is noted, although the appraisal has not been altered to accommodate the above comment. Conservation areas should have definable 'special character'. It is considered that the field does not have a 'special character' to justify inclusion.</p> <p>5 & 6 These comments are accepted and the appraisal has been amended.</p> <p>7 This is a drafting error. The comment is accepted and the appraisal has been amended.</p> <p>8 Minor corrections made to text and plans.</p>
Resident	<p>1. Support for the plan and objectives. Support consideration given to traffic in Thorpe Road and difficulties of parking on road because of high traffic levels. Also, high traffic and pollution levels have impacts – the deterioration of stone boundary walls to frontages.</p> <p>2 Concern at scale of changes –including loss of large gardens for building plots and removal of trees and front gardens paved for additional parking. This has not been for the better.</p>
Comments	<p>1. Comments noted</p> <p>2. The Longthorpe Appraisal has identified the special character of the present conservation area. Development Control guidelines allied to this appraisal will strengthen the control of development throughout the conservation area. Any development should be sympathetic to the character of the area, being compatible in terms of design, density height, scale and building materials.</p>

This page is intentionally left blank

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 7
8 APRIL 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	Jim Daley Principal Built Environment Officer Simon Machen Director of Growth and Regeneration	Tel: 01733 453522 Tel. 01733 453475

THE MARHOLM CONSERVATION AREA APPRAISAL

R E C O M M E N D A T I O N S	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
That Committee:	
<ol style="list-style-type: none"> notes the outcome of the public consultation on the Marholm Conservation Area Appraisal (Appendix 1) supports the adoption of the Marholm Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Marholm Conservation Area 	

1. ORIGIN OF REPORT

- A review of the Marholm Conservation Area was carried out in 2013 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Marholm Conservation Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

- This report is submitted to the Committee for approval of the Marholm Conservation Area Appraisal and Management Plan, as appended. The report provides an update on the outcome of the public consultation on the Draft Marholm Conservation Area Appraisal and Management Plan.
- This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by and comment on the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. BACKGROUND

- The draft Appraisal was subject to public consultation from 24 January to 7 March 2014. A copy of the document was published on the Council's website, and copies were provided to

Marholm Parish Council, Ward members and English Heritage. A letter and summary leaflet were sent to all properties in the village and other interested parties, including planning agents, Peterborough Civic Society and Milton Estates. The author attended Marholm Parish Council to inform of the report and public consultation.

4.2 3 representations were received and these are summarised together with the Conservation Officer's response in Appendix 1. The Appraisal has been revised to take account of some of the representations received and the approved version will be available on the Council's web site.

4.3 It is proposed to retain the existing conservation area boundary.

5. ANTICIPATED OUTCOMES

5.1 The Marholm Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Marholm Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. REASONS FOR RECOMMENDATIONS

Adoption of the Marholm Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

8.1 There are no specific financial implications for the City Council identified in this report.

8.2 The Appraisal and Management Plan identify works to conserve and enhance the Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council

8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.

8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

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

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005

APPENDIX 1

Summary of comments received at the consultation stage of the Marholm Conservation Area Appraisal, together with the Council's response to the key issues raised.

Landowner	
Summary of Comments Received	<ol style="list-style-type: none">1. Recommendation in para. 12.3 regarding further extension of extended listed buildings should be resisted is an unreasonable imposition.2. Requirement to use long straw thatch is unhelpful and could not be imposed where water reed is used.
Response	<ol style="list-style-type: none">1. It is accepted that the recommendation in para 12.3 that in principle, further extensions to listed building should be resisted is too prescriptive, and this statement is omitted. Proposed alterations to a listed building are assessed taking account of the significance of the heritage asset and how the proposal would affect that significance. When making a decision on all listed building consent applications the local planning authority must have special regard to the desirability of preserving the character and appearance of the building or its setting or any features of special architectural or historic interest which it possesses. (Planning (Listed Building and Conservation Areas) Act 1990. Therefore, the judgement made in accordance with the provisions of the Act will determine the appropriateness of further extensions to listed buildings.2. This recommendation does not prescribe the sole use of long straw thatch to new or older and remodelled extensions. The para. states that ..."the presumption will be that the new roof(s) will be in thatch of the same type". Where water reed has been used then this will be the appropriate thatch to use in a new extension or to a re-modelled extension. The para. advises that ..."the traditional thatching material is long straw". The advice would be improved by the insertion of the word 'local' so as to read...'traditional local thatching material'...

Peterborough Civic Society	
Summary of Comments Received	A thorough and comprehensive report. Support the report and management plan. Encourage a prominent separate section in the final report or a separate leaflet outlining the key features of living in a conservation area and the relevant planning legislation.
Response	Noted. Para. 12.1 (Draft Management Plan) advises on the additional planning control in force in a conservation area. Planning Services has prepared an information leaflet, 'A householder's guide to living in a conservation area', and periodically sends this with a covering letter to residents in conservation areas. It is proposed to write to all householders in the Marholm Conservation Area following adoption of the appraisal and management plan with a copy of the information leaflet.

English Heritage	
Summary of Comments Received	English Heritage supports the preparation of up-to date appraisal and management plans for all conservation area. The Marholm appraisal has been well researched and welcome the careful analysis on building periods, building materials and boundary treatments. The use of historic maps also assists in understanding how these areas have developed over time. There is an opportunity to rationalise to ambiguous boundaries – the field to the west of Waterend Cottages excludes a long triangle of land adjacent to the west boundary while the boundary north of the Manor House s ambiguous.
Response	Noted. The boundary west of Waterend Cottage appears on original designation maps as continuous with the field boundary and this cartology error will be re-corrected. The boundary north of Manor House follows the water course and aerial photographs show cultivated land immediate to the north. Since 2005 an area of set aside land to the north of the water courses gives the impression of a more logical boundary of the conservation area should be further north up to the cultivated field, However, it is correct that the boundary continues to follow the water course.

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 8
8 APRIL 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	Jim Daley Principal Built Environment Officer Simon Machen Director of Growth and Regeneration	Tel: 01733 453522 Tel. 01733 453475

THE BANTON CONSERVATION AREA APPRAISAL

RECOMMENDATIONS	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
That Committee:	
<ol style="list-style-type: none"> 1. notes the outcome of the public consultation on the Banton Conservation Area Appraisal (Appendix 1) 2. recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change (Appendix 2) 3. supports the adoption of the Banton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Banton Conservation Area 	

1. ORIGIN OF REPORT

- 1.1 A review of the Banton Area was carried out in 2013 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Banton Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report is submitted to the Committee for approval of the Banton Conservation Area Appraisal and Management Plan. A PDF file of the appraisal has been sent to members. This report provides an update on the outcome of the public consultation on the Draft Banton Conservation Area Appraisal and Management Plan.
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by, and comment on, the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. BACKGROUND

- 4.1 The draft Appraisal was subject to public consultation from 17 January to 28 February 2014. A copy of the document was published on the Council's website, and copies were provided to Bainton Parish Council, Ward member and English Heritage. A letter and summary leaflet were sent to all properties in the village, Ashton and other interested parties, including planning agents, Peterborough Civic Society and Burghley Estates.
- 4.2 13 representations were received and these are summarised together with the Conservation Officer's response in Appendix 1. The Appraisal has been revised to take account of some of the representations received and the approved version will be available on the Council's web site.
- 4.3 It is proposed to amend the north-west boundary of the conservation area to include all the historic former parkland to Bainton House and the southern boundary to include areas of ridge and furrow to the south of Barnack Road and the site of the medieval manor house.

5. ANTICIPATED OUTCOMES

- 5.1 The Bainton Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Bainton Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. REASONS FOR RECOMMENDATIONS

Adoption of the Bainton Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

- 8.1 There are no specific financial implications for the City Council identified in this report.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council

- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

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

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005

APPENDIX 1

Summary of comments received at the consultation stage of the Bainton Conservation Area Appraisal, together with the Council's response to the issues raised.

	Comments
English Heritage	English Heritage supports the preparation of up-to date appraisal and management plans for all conservation area. The Bainton appraisal has been well researched and welcome the careful analysis on building periods, building materials and boundary treatments. The use of historic maps also assists in understanding how these areas have developed over time. There is logic in the proposed extensions though the inclusion of Ufford Road is less clear-cut. The buildings clearly do not meet the criteria of 'special architectural or historic interest (as required by para. 127 of the NPPF) but the arcadian character derived from the trees adds to the quality of the area. As an alternative, consideration could be given to the use of tree preservation areas in Ufford Road rather than inclusion in the Conservation Area
Comments	Comments noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Resident	The proposed management plan would be beneficial to maintain the character of the village and further enhanced with sympathetic subtle additions. Site specific enquiry.
Comments	Comments noted.
Resident	Suggest that the boundary extension includes properties on the B1443 (Barnack Road) which are the same as those included in Ufford Road, and also include the public footpath to the main road.
Comments	Comments noted. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process the whole of the village, including these properties suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. While the suggested area illustrates the history and growth of the village it does not have architectural and historic consistency (special character) to justify inclusion and to do so would likely weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain.
Resident	In favour of the proposed extensions. The creep of block paving instead of chippings and shingle that complements the local stonework does not comply with the conservation look. A number of power (PV) panels have been installed on roofs within the conservation area. If continued to the whole village this would change the character of the buildings completely.
Comments	Comments noted. The use of permeable hard surfaces is permitted development under the General Permitted development Order. There are surfacing materials that would be appropriate to the character of village and residents can be encouraged to consider the visual appearance when considering such work. Solar panels that do not project more than 200mm off the place of the roof are permitted development. The use of Article 4 Directions to withdraw permitted development rights is an option open to the LPA if the visual impacts would harm the character and appearance of the village.
Resident	Objection to inclusion of property at Ufford Road in an extended conservation area. The use of tree preservation orders would seem more appropriate to protect the arcadian character. No reasons for inclusion in the plan. A number of (existing) tree preservation orders apply to the property.
Comments	Comment noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Resident	Suggest including the two ponds (west) of the site of the former manor house as they are beautiful wetlands and would make a positive contribution to the character of the village.
Comments	This comment is noted, although the appraisal has not been altered to accommodate the above comment. A conservation area should have definable 'special character'. The area is undoubtedly visually attractive. However, this area is a relatively recent creation and does not provide a 'special character' in other respects to justify inclusion. While the suggested area has visual and wildlife value it does not have architectural and historic consistency (special character) to justify inclusion. The positive contribution the area makes

	to the village would continue with or without conservation area designation.
Resident	Support the proposed conservation area boundary extensions and management plan.
Comment	Comment noted
Resident	Appraisal welcomed and supported. Comment made regarding lack of walking route on open land and seeking restitution of a former permissive path over the former parkland of Bainton House.
Comment	Comments noted. Access opportunities are outside the scope of the appraisal, and this request for improved access will be forwarded to the rights of way officer
Resident	Support many of the proposals and extensions except the extension to include properties at Ufford Road when it is the landscaping which has been highlighted as contribution to the character of the village. Existing tree preservation orders are in place and protect the landscape. Revisit the TPO's to ascertain if further trees need to be included.
Comment	Comments noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Landowner	<ol style="list-style-type: none"> 1. Support inclusion of the additional former parkland and ridge and furrow features 2. Not convinced that including some houses and not others is a good move. 3. Not against the inclusion of the medieval moat areas included in the extended conservation area provided the management of it under the current H.L. scheme or any future Defra scheme is not constrained in any way.
Comments	<ol style="list-style-type: none"> 1. Comments noted. 2. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined. 3. Inclusion of the former medieval manor site will not affect any current or future management agreements with Defra or others.
Resident	Support and in agreement with the aims of the appraisal and proposed extensions. Request that the conservation area is also extended to include the establishment of a protected verge beyond the stream on the south side of the property. There may be intermittent toxic and water pollution and to monitor this. Also, wish to have light pollution addressed in the appraisal. All residents should be specifically consulted prior to any changes made to roads and footpaths.
Comments	Comments noted. The verge suggested for inclusion in an extended conservation area does not have a particular definable 'special character'. The verge adds to the visual attractiveness of the area, but does not possess a 'special character' in other respects to justify inclusion. The areas positive contribution to the village would remain with or without conservation area designation. This matter will be brought to the attention of the wildlife officer for consideration as a designated 'protected highway verge' Any local pollution concerns would be investigated by Environmental Management. External lighting at domestic properties is a matter of personal choice, although excessive building and curtilage lighting can be a disturbance to others. The appraisal will be amended to include a reference to extraneous curtilage and building lighting and the impact this can have on the enjoyment of the neighbourhood by all. Any highway works would be the subject of consultation with Bainton Parish Council and resident's in the first instance.
Resident	<p>Support and in agreement with the aims of the appraisal and proposed extensions.</p> <ol style="list-style-type: none"> 1. Support the inclusion of the frontage to properties at Ufford Road in an extended conservation area, and not sure of the merit of including the buildings and rear gardens. 2. Suggest including properties to the south side of Barnack Road opposite the parkland in the extended conservation area. 3. Three further areas of ridge and furrow landscape identified for inclusion in an extended conservation area. 4. A proposed lime tree to the small green outside Bainton House is not appropriate. The current crab apple tree is in proportion to the size of the green and adds character. An oak would be preferable if a large tree is considered necessary. 5. Excessive lighting to properties and outbuilding and is out of keeping with the rural setting of the village causing unnecessary light pollution, and should be addressed. 6. Text errors and advised corrections.
Comments	<p>Comments noted.</p> <ol style="list-style-type: none"> 1. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined. 2. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process

	<p>the whole of the village, including these properties suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest).and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. While the suggested area illustrates the history and growth of the village it does not have architectural and historic consistency (special character) to justify inclusion and to do so would likely weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain.</p> <p>3. One of the proposed areas of ridge and furrow landscape (north edge of the village) is included in the existing conservation area. The other two areas will be further assessed for their significance as historic field systems associated with the settlement. Landowners will be contacted to discuss measures that would assist their retention as pasture land.</p> <p>4. External lighting at domestic properties is a matter of personal choice, although excessive building and curtilage lighting can be a disturbance to others. The appraisal will be amended to include a reference to extraneous curtilage and building lighting and the impact this can have on the enjoyment of the neighbourhood by all.</p>
Landowner	<p>1. Objection to the proposed north west extension of the conservation area to include the full extent of the former parkland to Bainton House. The extension would affect three trees. Unsure how designation would protect the trees to the ridge and furrow landscape. The ridge and furrow is already heavily protect by the including a H.L. scheme agreement with Natural England, the (protection) of the tenant farmer, and the EIA regulations if there was (to be) any change to plough (the land) as it is permanent pasture. More protection will only create more cost and bureaucracy for the council and landowner.</p>
Comments	<p>1. Comments noted</p> <p>2. The Bainton Appraisal has identified the special character of the present conservation area. The 1886 Ordinance Survey series map shows this land having a parkland character similar to the adjoining curtilage land to Bainton House. English Heritage support the inclusion of this land. Designation would recognise the full extent of the former historic parkland to Bainton House and the former manorial site. Regulatory control arising from conservation area extension in this location would only relate to future works to trees. No fee is payable for notifying the Council of proposed works to trees in a conservation area. The designation as a conservation area also allows the council's trees and woodlands officer to visit and provide free professional advice on tree management.</p>

This page is intentionally left blank

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 9
8 APRIL 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Lead Members: Cllr Cereste (Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital)
Contact Officer(s):	Richard Kay (Group Manager Strategic Planning, Housing & Environment) Steve Winstanley, Strategic Planning, Housing & Env.
	Tel. 453475 863773

PETERBOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL) – DRAFT CHARGING SCHEDULE (DCS) AND DRAFT PLANNING CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) UPDATE

R E C O M M E N D A T I O N S	
FROM : Director of Growth & Regeneration	Deadline date : 8 th April 2014
1. The Committee is invited to <ul style="list-style-type: none"> comment in relation to the proposals set out in this report, most notably the proposed Draft Charging Schedule and charge rates, prior to consideration by Cabinet and Council in June and July respectively. 	

1. ORIGIN OF REPORT

1.1 Responsibility for this report, and for overseeing CIL generally, falls within the Strategic Planning function of the city council.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to obtain the committee's views on the attached report going to Cabinet on 30th June 2014.

2.2 This report is for the Committee to consider under its terms of reference 2.5.1.5 'to be consulted by, and comment on, the Executive's draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	30 th June 2014
Date for relevant Council meeting	16 July 2014	Date for submission to Government Dept (please specify which Government Dept)	N/A

4. BACKGROUND

4.1 A number of changes to the way local authorities can collect and distribute developer contributions have and are being implemented. These changes are being driven by legislative and statutory changes at the national level. In order to continue to secure 'developer contributions' for investment in infrastructure considered critical to accommodate our growth targets and maintain sustainable communities, we need to make changes to our existing systems and processes. The main thrust of these changes is through the adoption of a Community Infrastructure Levy which, once consulted upon, approved through independent examination and adopted by Council, will replace the current Peterborough Planning Obligations Implementation Scheme (POIS). This report reminds the committee about what CIL is about, how it will work, and timetable for adopting a CIL around April 2015.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.2 Changes to the way local authorities can collect and distribute developer contributions are being driven by legislative and statutory changes at the national level. The main thrust of these changes is through the adoption of a Community Infrastructure Levy.

CIL Charging Schedule

4.3 Before a CIL Charging Schedule is adopted it must go through two formal rounds of consultation, followed by an independent examination. The first round, known as the Preliminary Draft Charging Schedule stage occurred in Nov/Dec 2012. It took note of SG&EC SC's explicit request to '*ensure that an element of the CIL receipts are ring-fenced for spend by Neighbourhood Committees and that they are distributed to each Neighbourhood Committee on an equal basis*'.

4.4 The second round known as the Draft Charging Schedule stage is proposed for August/September 2014 and precedes an independent examination later in 2014. A successful examination would allow adoption of the Peterborough CIL Charging Schedule by April 2015, given Full Council support.

4.5 April 2015 is a key date. From April 2015 it will be unlawful for Local Authorities to pool contributions from more than 5 planning obligations secured via Section 106 agreements for funding any single infrastructure project. In effect, this makes our current S106/POIS¹ tariff-based system unlawful from April 2015 and a CIL will become the only available mechanism to pool funds. At the same time as the CIL is adopted in Peterborough, it will be necessary to revoke the existing POIS SPD.

4.6 The CIL Proposed Draft Charging Schedule (Appendix A) sets out '£ rates per m²' for different development types that are liable to pay the charge (usually all new dwellings and most new floorspace over 100m² for buildings which are normally occupied by persons).

4.7 The setting of a CIL charge for development must be based on viability grounds and backed up by the demonstration of an infrastructure funding gap. A supporting viability study has been commissioned which forms the basis of the proposed CIL Charging Schedule rates. CIL cannot be used as a policy mechanism i.e. you cannot: set artificially low rates in order to attract development, or too high rates if this would make the majority or specific types of development unviable.

4.8 The regulations now allow for differential rates to be set by geographical zone, by land use, by scale of development or a combination of those approaches (this has not always been the case). Zero rates can also be set where viability evidence shows that development across the area would be unviable because of the imposition of a charge. The proposed Draft Charging Schedule utilises these options. (See Appendix A)

¹ POIS – Peterborough Planning Obligations Implementation Scheme SPD (Feb 2010)

- 4.9 Officers recommend that Discretionary Charitable Relief and Discretionary Relief for Discount Market Sale developments is not included in our policy, because of the complexity and infrequent likely use of such relief.
- 4.10 Officers do recommend that the council includes the use of Discretionary Relief for Exceptional Circumstances and a local Instalments Policy to spread the cost of CIL liability payment.
- 4.11 These recommendations on various optional 'Reliefs' are not unusual or controversial, and are in line with other councils.
- 4.12 The 2014 CIL Regulations exempt self-build homes, and residential extensions and / or annexes from the levy.
- 4.13 A number of points raised in the first consultation have been considered, leading to recommended changes to the proposed Draft Charging Schedule (Appendix A). The significant recommended changes are :-
- A likely charge rate of £NIL/m² for all business development (B1 to B8 uses). The PDCS rate (previously) was £10/m².
The £10/m² charge was a cause of concern by a number of representors during the first round of consultation. It also tended to contradict the published viability evidence. This matter has now been addressed and the rate is comparable with neighbouring authorities (see Appendix C).
 - Introduction of three geographical charge zones across Peterborough for residential development. The zones will reflect the broadly different residential values across Peterborough, and the significant S106 obligations that will remain for development of strategic sites. It is recommended in total that there should be three different charge rate zones. These are mapped in Appendix B.
The lack of property value distinction across Peterborough, notably from east to west, was raised and queried by a number of people at the previous round of consultation. The proposed charging zones are more sensitive and reflective of the differences. This is considered to be fair and evidenced based.
 - The CIL charge for a typical single 3 bed house in a small-scale development scheme is likely to range from £12,600 in the higher charge area to £9,000 in the lower charge area. Recognising the increased S106 obligations for developments involving 15 or more dwellings (e.g. affordable homes provision), the rate for a 3 bed house on a site of 15 or more dwellings is likely to range from £6,300 to £1,350 dependent on location.
This compares with the current city-wide POIS charge of £6,000 for a 3 bed house.
 - The proposed retail charge rates are generally lower than those set out at the earlier stage of consultation (PDCS stage), reflecting latest evidence and best practice nationally.
The rates proposed in the earlier version were amongst the highest nationally, provoking many related comments. The new rates and types are considered to be more reasonable and appropriate in all respects.
 - The spending of CIL funds
This topic engaged many persons, even though it is not a matter for the CIL examination process nor adoption. The matter is addressed below.
- 4.14 Over the past year, work to fully understand the cost implications of planning policy developer contributions and the likely interaction between S106 planning obligations and CIL has been undertaken. This work has been passed to consultants Peter Brett Associates who have re-run the CIL Development Viability Study to determine proposed CIL charge rates for the Draft Charging Schedule. The refreshed CIL Development Viability Study will be available for public viewing in late May 2014, prior to the Cabinet meeting in June 2014.

DEVELOPER CONTRIBUTIONS

- 4.15 The council expects new development to contribute to site related and other infrastructure needs through a combination of the following mechanisms :-
- Planning **conditions** (Site/development related)
 - Planning **obligations** to secure developer contributions or works in kind e.g. s106 Agreements or Unilateral Undertakings (site/development related)
 - Peterborough Community Infrastructure Levy (**CIL**) (Strategic, local and city wide requirements)
- 4.16 Although CIL will replace some elements of S106 planning obligations, S106 obligations will still play an important on-going site specific role. They will be used for site-specific infrastructure or mitigation required to make a development acceptable in planning terms. The principle is that all eligible developments must pay a CIL as well as, any site specific requirement to be secured through S106 obligations.
- 4.17 For clarity and transparency, it is important to identify the relationship between S106 obligations and CIL; and to make clear the circumstances when each will or won't be used. This inevitably involves making choices about which infrastructure types or projects will be funded from S106 obligations or CIL.
- 4.18 The relationship between S106 and CIL will be set out clearly in a Planning Contributions Supplementary Planning Document (SPD) which is currently under preparation. The SPD will be made available in draft for consultation alongside the CIL Draft Charging Schedule, though it will not be required to pass through an examination. A summary of this relationship is set out in Appendix D.
- 4.19 The Scrutiny Committee will have an opportunity to review the emerging SPD prior to its adoption.

DRAFT CIL REGULATION 123 LIST

- 4.20 The Reg 123 List lists all known infrastructure projects or types that could be funded in whole or in part by CIL funds. The relationship between S106 and CIL is also influential in shaping the CIL Regulation 123 List (Reg.123 List), a list that needs to be made available alongside the Draft Charging Schedule at the time of examination. (See Appendix E).
- 4.21 In turn, in order for Charging Authorities (Peterborough City Council in this instance) to justify setting a CIL, they need to demonstrate that CIL rates will not make overall development of the area unviable (which is the purpose of the CIL Development Viability Study); but also demonstrate that they have an '*infrastructure funding gap*'.
- 4.22 The '*infrastructure funding gap*' is calculated by taking into account what infrastructure will be funded by S106 obligations, other available internal and external funding sources and forecast CIL revenue. In simple terms, forecast CIL revenue mustn't be greater than the costed items in the CIL Reg. 123 List.

Forecast CIL Revenue 2015-2031

- 4.23 Forecast CIL revenue is approximately **£29 million** over the sixteen year period to 2031 (i.e. £1.8 million per annum on average, but this will vary considerably year to year). This figure assumes that the Great Haddon proposal has permission before the CIL Charging Schedule is adopted.
- 4.24 This forecast income is notably less than the £67 million forecast at the previous stage ie Preliminary Draft Charging Schedule stage. This is due to the combined effect of a) generally lower charge rates, b) reducing the charge rate to NIL for commercial development (each on viability study evidence) and c) significant new planning applications have progressed since the PDCS stage, such as the Great Haddon employment area and the Great Haddon urban extension, for which S106 contributions of £3.3million and £75million have been secured and negotiated respectively (and hence will not pay CIL).

SPENDING CIL RECEIPTS

- 4.25 The CIL Reg's 2013 were helpful in this respect, in that they specified the 'minimum meaningful proportion' to be passed to Parish Councils. This is highlighted below.

CIL Revenue split	Proportion of total where development has taken place
'Meaningful Proportion' for neighbourhoods	15% capped at £100 per existing council tax dwelling
Neighbourhoods with an adopted Neighbourhood Plan	25% uncapped

- 4.26 For communities without a Parish Council the 15% incentive still remains. In such areas (probably wards in urban areas, and parishes in rural areas without a parish council) the charging authority will retain the Levy receipts but should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding. The governance of how this will be achieved has yet to be determined, but is not a matter subject to CIL examination.

Proposed CIL funding split.

- 4.27 For the remaining CIL revenue it is proposed that the funds will be managed by the charging authority, along the same lines as POIS contributions are currently managed, with the broad funding split as indicated below.

Remaining CIL Revenue will be provisionally split across the themes as indicated below Precise governance arrangements yet to be agreed.	
Transport	30%
Education & Skills	40%
Community Infrastructure	10%
Utilities Services	5%
Emergency Services / Health & Well Being	5%
Environmental Sustainability	10%
Total	100%

- 4.28 A user-friendly guide titled: 'How CIL may work in Peterborough: A Simple Guide' will also be published on the city council website.

5. CONSULTATION

- 5.1 The Regulations require a minimum of 6 weeks public consultation on the proposed Draft Charging Schedule. Subject to approval at Full Council (in July 2014), the CIL Draft Charging Schedule will be available for public consultation in August/September 2014. Normally, only developers / agents respond to such consultation, rather than the general public.
- 5.2 The CIL DCS and supporting documentation (particularly the Infrastructure Delivery Schedule) have been prepared by working closely with infrastructure providers across the board. This documentation has been considered by a wide range of consultees.

6. ANTICIPATED OUTCOMES

- 6.1 We anticipate that there will be a significant level of public interest in the proposals being set out in the Peterborough CIL DCS, particularly from landowners, businesses and developers. Comments (or representations as they are known) received during the consultation period (July-August 2014) will be collated and reported in a Consultation Statement. All representations will be considered alongside the other CIL documentation required to be submitted in late September for independent examination.
- 6.2 Whilst we anticipate possible debate, particularly around the technical details relating to our viability calculations / assumptions and hence the level at which we set charges for different types

of development; we are confident that we have robust evidence to underpin our proposals. The important message to get across is that the sum total of the costs being placed on developers and landowners through this mechanism is not dissimilar to the current operational procedures in place in Peterborough with the combination of POIS and S106 obligations being used in tandem. In short, CIL will simply replace POIS.

7. REASONS FOR RECOMMENDATIONS

7.1 Government is introducing changes to the way developer contributions can be collected and spent. Charging Authorities have the option of adopting a CIL. From April 2015, the use of our existing methodology for collecting and pooling developer contributions (POIS) will become unlawful and so unless a CIL is adopted, the collection and use of developer contributions will be severely limited from that date. Adopting a CIL will introduce a recognised system that is used by many other authorities; provide a fairer system for ensuring developer contributions are made by small and large developments alike in a proportionate manner; and a simpler more direct way of directly passing back contributions to the communities within which the development has taken place.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The option to not adopt a CIL has been considered and rejected. This option may have been acceptable if, for example, Peterborough was only expecting very minimal growth over the plan period and the majority of that growth could be dealt with through the limited pooling of contributions for strategic infrastructure. This would have made the adoption of a CIL superfluous. Since Peterborough will continue to deliver a significant number of homes and jobs over the plan period this option was rejected.

9. IMPLICATIONS

9.1 **Legal Implications** – The proposed changes have been prepared and will be consulted on in accordance with the regulations and statutory guidance issued by national government. There are legal implications arising from the changes relating to the implementation, monitoring and enforcement of the CIL once adopted and implemented.

9.2 **Financial Implications** – There are financial implications in terms of the way we collect, administer and spend CIL receipts.

9.3 **Human Resources** – Can be delivered within existing resources but will potentially require additional training and changes to existing work practises.

9.4 **Equality & Diversity** – The changes will have a positive impact on our customers and help to ensure continued investment in infrastructure considered critical to maintaining sustainable communities.

10. NEXT STEPS

- **30 June 2014** - Cabinet asked to approve CIL DCS for the purpose of public consultation and examination.
- **16 July 2014** - Full Council asked to approve CIL DCS for the purpose of public consultation and examination.
- **August / Sept 2014** – 6 weeks public consultation.
- **December 2014** – Independent Examination
- **March/April 2015** - Full Council Meeting for formal Adoption once any amendments proposed by the examiner have been addressed.



11. BACKGROUND DOCUMENTS

- Peterborough City Council Community Infrastructure Levy Study, Roger Tym and Partners (2012)
- Peterborough Planning Obligations Implementation Scheme SPD (2010)

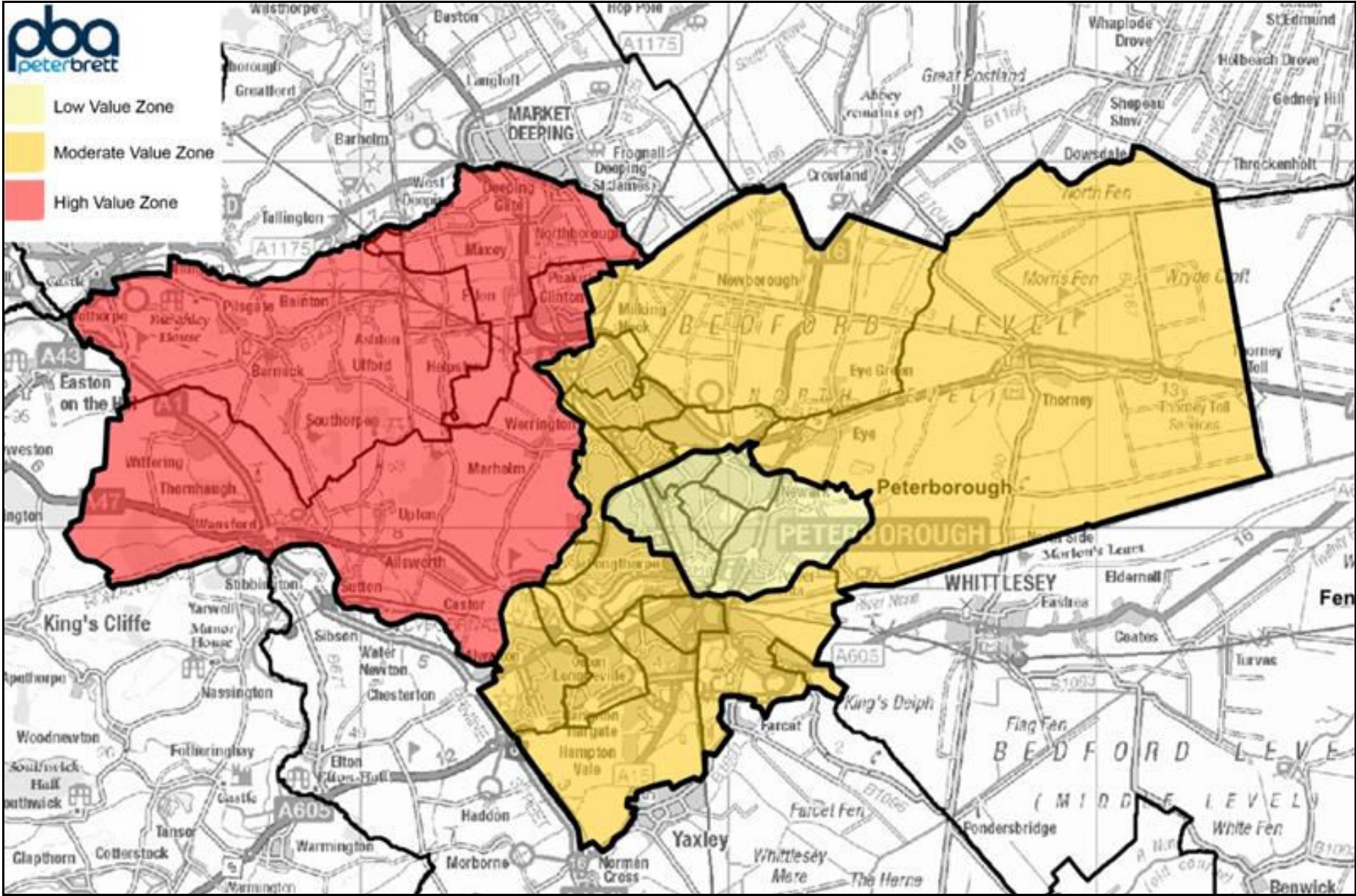
12. APPENDICES

- Appendix A: Proposed Draft Charging Schedule
- Appendix B: Map showing Proposed Residential Development Charging Zones.
- Appendix C: Neighbouring Authorities – CIL Charges.
- Appendix D: The Proposed Relationship between S106 and CIL in Peterborough
- Appendix E: Draft Peterborough CIL Regulation 123 List.

**APPENDIX A
PETERBOROUGH CIL - PROPOSED DRAFT CHARGING SCHEDULE**

 			
<h2 style="color: #0070C0;">CIL Proposed Draft Charging Schedule</h2>			
Development Type	Charging Zone		
	High	Medium	Low
Market Housing on sites of less than 15 units	£140	£120	£100
Market Housing on sites of 15 or more units	£70	£45	£15
Apartments on sites of less than 15 units	£70	£45	£15
Strategic Sites 500+ dwellings	£15	£15	£15
Supermarket	£150		
Retail Warehouse	£70		
Neighbourhood Convenience	£15		
All other development	£0		
All charges are £ per msq.			

**APPENDIX B
 PETERBOROUGH CIL - PROPOSED DRAFT RESIDENTIAL CHARGING ZONES**



APPENDIX C - NEIGHBOURING AUTHORITIES - CIL CHARGES

As at 25.02.14

AUTHORITY	CURRENT STATUS	CHARGES
Cambridge City	DCS – Going through Committee cycle. Adopt early 2015	£125/m2 Residential & Student Accommodation. £75/m2 Retail £0/m2 All other development
East Cambridgeshire	CIL came into force on 1 st Feb 2013	£40/m2 Residential Zone A (Littleport & Soham) £70/m2 Residential Zone B (Ely) £90/m2 Residential Zone C (Rest of District) £120/m2 Retail £0/m2 All other
South Cambridgeshire	PDCS 19 th July 2013 DCS – Due April 2014	£100/m2 Residential £0/m2 Residential Strategic Sites £125/m2 Residential land north Teversham Drift £50/m2 Retail (up to 280m2) £125/m2 Retail (>280m2) £0/m2 All other uses
Huntingdonshire	CIL approved 25 th April 2012	£85/m2 All development types, except:- £40/m2 Retail (up to 500m2) £100/m2 Retail (>500m2) £60/m2 C1 Hotels £45/m2 C2 Nursing Homes £65/m2 D1 Health £0/m2 B1, B2, B8, Community Uses (within D1 except Health & D2) & Agriculture
Fenland District Council	Commencing Viability Study work (Feb 2014)	

Rutland County Council	PDCS May 2013	<p>£100/m2 Residential</p> <p>£10/m2 Distribution B8</p> <p>£150/m2 Food Retail (Supermarkets)</p> <p>£150/m2 Retail Warehouses</p> <p>£150/m2 Hotel C1</p>
East Northamptonshire Council	PDCS Nov 2012	<p>£150/m2 Residential (High Value – Pink on Map)</p> <p>£100/m2 Residential (Med Value – Yellow on Map)</p> <p>£50/m2 Residential (All other areas – Blue on Map)</p> <p>£125/m2 Retail (>280m2)</p> <p>£0/m2 All other</p>
South Kesteven District Council	“The Council has not yet made a decision on the introduction of CIL.” (Feb 2014)	
South Holland District Council	Still considering whether to have CIL – Viability assessment to be done. (Feb 2014)	

Appendix D
Likely relationship between S106 and CIL

	Residential development on non-strategic sites (1- 499 dwellings)		Residential development on strategic sites (500+ dwellings)	
	CIL £15 - £140/m²	S106 Obligation	CIL £15/m²	S106 Obligation
Infrastructure Type	Contribution can be used for	Contribution can be used for	Contribution can be used for	Contribution can be used for
Transport	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Education	✓ (Off-site provision)	✗ (No Site Specific Prov'n if <500 dwellings)	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Affordable Housing	✗	✓ (Site Specific Prov'n if >14 dwellings)	✗	✓ (Site Specific Prov'n)
Lifetime Homes	✗	✓ (Site Specific Prov'n if >14 dwellings)	✗	✓ (Site Specific Prov'n)
Wheelchair Homes	✗	✓ (Site Specific Prov'n if >50 dwellings)	✗	✓ (Site Specific Prov'n)
Emergency Services	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Primary Health Care	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Crematorium/Burial grounds	✓	✗	✓	✗
Non-Strategic Outdoor Open Space	✓ (Off-site provision)	✓ (Site Specific Prov'n if >14 dwellings)	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Strategic Outdoor Open Space	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Strategic Green Infrastructure	✓	✗	✓ (City-wide. Projects Only)	✗
Indoor Sports Facilities	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Community Buildings	✓ (Off-site provision)	✗ (No Site Specific Prov'n if <500 dwellings)	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Libraries, Museum and Life Long Learning	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Public Realm	✓	✗	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Environment Capital	✗	Condition	✗	Condition / ✓ (Site Specific Prov'n)
Site Drainage	✗	Condition	✗	Condition
Flood Risk Management & Protection	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Waste Management	✓ (City-wide. Projects Only)	Condition	✓ (City-wide. Projects Only)	✓ (Site Specific Prov'n)
Other Infrastructure	Refer to CIL R.123 List	Case by Case	Refer to CIL R.123 List	Case by Case
Key				

✓	Only CIL may be used for this infrastructure type/project
✘	CIL or S106 planning obligation will not be sought for this infrastructure type/project (as appropriate column)
Condition	Site specific matters relating to this infrastructure type most likely to be covered by condition i.e. use of planning obligation unlikely.
✓ (City-wide. Projects Only)	CIL will be charged, but may only be used on city-wide projects or strategic projects.
✓ (Off-site provision)	CIL will be charged, but may only be spent for off-site provision where on-site provision is not feasible. This may include off-site local or neighbourhood level projects (as opposed to solely city-wide or strategic projects).
✓ (Site Specific Prov'n)	Infrastructure secured through a S106 planning obligation that is required to be delivered on-site, but can include off-site works within the immediate vicinity, that are required to mitigate unacceptable consequences of the proposal, such a new road junction/improvement.
✓ (Site Specific Prov'n if >X dwellings)	S106 planning obligation will only be sought on developments involving more than the specified numbers dwellings for site specific provision infrastructure of the type listed.

Draft CIL Regulation 123 List

Peterborough City Council Community Infrastructure Levy Draft Regulation 123 List

(To accompany the Community Infrastructure Levy Draft Charging Schedule consultation)
The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy.

The Draft Regulation 123 list, as set out below, defines which projects and/or types/sections of infrastructure that the Council will fund through CIL revenues. It will take effect upon the implementation of the Council’s CIL Charging Schedule. The list is not definitive, and in no order of priorities, as no formal decisions have yet been taken to confirm how CIL funds will be allocated amongst the listed infrastructure projects. It is a list of infrastructure that CIL could be used to fund, subject to council priorities and the levels of available CIL funding.

CIL Draft Regulation 123 List -

Infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL:

Development Specific (Non-CIL funded) infrastructure	Remaining Infrastructure (CIL funded)
Local site-related road / transport requirements	Remaining Roads and other Transport facilities
Site specific education provision contributions on strategic sites.	Remaining Educational facilities
Site specific health provision contributions on strategic sites.	Remaining Health facilities
Site specific indoor sports and recreational facilities contributions for developments on strategic sites.	Remaining Indoor Sports and Recreational facilities
Site specific community buildings contributions on strategic sites.	Remaining Community buildings
Site specific library, museum, and life-long learning provision contributions on strategic sites.	Remaining library, museum, and life-long learning facilities
Site-specific waste management provision contributions	Remaining Waste Management infrastructure
Site specific emergency services contributions on strategic sites.	Remaining Emergency services
Local site-related utility requirements	Remaining Utilities
Local site-related flood risk management solutions/ requirements	Remaining Flood defences
Site specific public realm contributions on strategic sites.	Remaining Public Realm infrastructure
Site specific strategic outdoor open space contributions for developments on strategic sites.	Remaining strategic outdoor open space infrastructure
Site specific non-strategic open space provision contributions for sites over 14 dwellings	Remaining non- strategic outdoor open space infrastructure Crematorium and Burial Grounds infrastructure Strategic Green infrastructure