

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE**

**TUESDAY 27 OCTOBER 2015**

**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.

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

**4. Development Control and Enforcement Matters**

4.1 **15/00971/FUL - Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough** **5 - 12**

4.2 **15/00976/FUL - Former Sewerage Works, Potters Way, Fengate, Peterborough** **13 - 38**

4.3 **15/01209/FUL - ArcHaus, Peterborough Road, Wansford, Peterborough** **39 - 50**

**5. Planning Compliance Quarterly Report** **51 - 54**



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 Philippa Turvey on 01733 452460 as soon as possible.

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

### **Committee Members:**

Councillors: C Harper (Chairman), L Serluca (Vice Chairman), P Hiller, N North, J Stokes, S Martin, Sylvester, D Harrington, J Okonkowski and S Lane

Substitutes: Councillors: G Casey, N Shabbir, C Ash, R Herdman and J R Fox

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – [philippa.turvey@peterborough.gov.uk](mailto:philippa.turvey@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

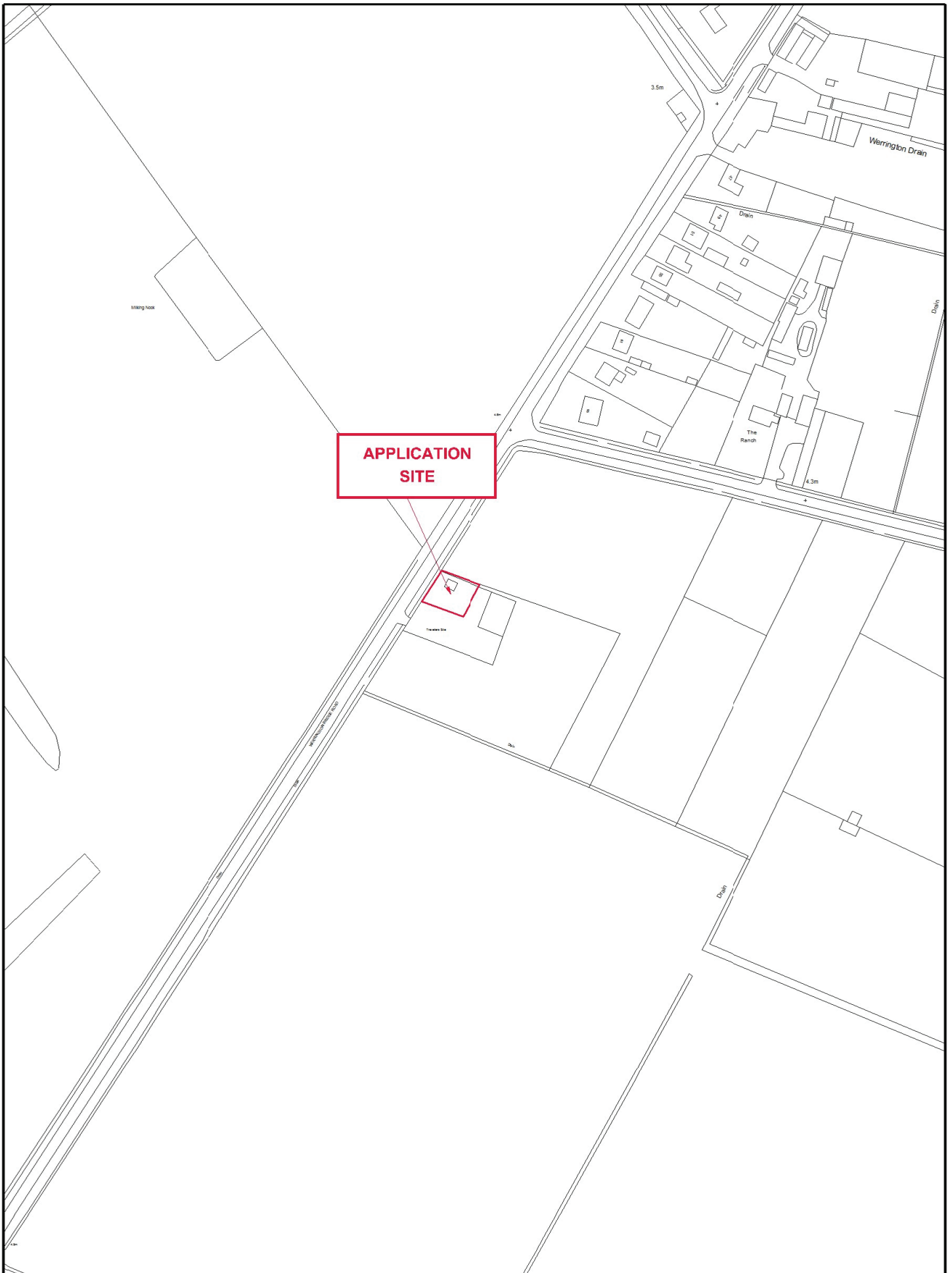
Minerals and Waste: Theresa Nicholl, Alan Jones

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.

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**LOCATION PLAN 15/00971/FUL**

Lazyacre, Werrington Bridge Road Milking Nook Peterborough PE6 7QF

**Scale** NTS      **Date** 12/10/2015      **Name** AA      **Department** Planning Services



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**Application Ref:** 15/00971/FUL

**Proposal:** Erection of a day room

**Site:** Lazyacre, Werrington Bridge Road, Milking Nook, Peterborough

**Applicant:** Mr Richard Smith

**Agent:** Architectural and Surveying Services Ltd

**Referred by:** Councillor Shearman

**Reason:** The Cllr supports the proposal and considers that the proposal should be debated

**Site visit:** 30.07.2015

**Case officer:** Mrs J MacLennan

**Telephone No.** 01733 454438

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

**Recommendation:** **REFUSE**

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

### Site and Surroundings

The application site is approximately 0.1ha and is located on the eastern side of Werrington Bridge Road, approximately 100m south of the junction with Bridgehill Road. The site is approximately 700m from the urban area boundary and is therefore on land designated as open countryside.

At the time of the site visit there were 5 no. caravans on the site including one static caravan/mobile home. There is a brick built toilet block at the north west corner of the site and a wooden shed abutting the western boundary. The site is enclosed by timber fencing and mature shrubs. There is an access off Werrington Bridge Road.

The nearest group of dwellings are located immediately to the north of Bridgehill Road. To the east along Bridgehill Road, there are sporadically located dwellings which are primarily associated with agricultural and commercial enterprises otherwise the area comprises a relatively flat landscape.

The site has a dense hedge to the frontage to the west which precludes views into the site. The remaining boundaries are formed by 2m high fencing with shrubs/trees behind.

### Proposal

The application seeks approval for the construction of a detached day room for use by the residents. The building would have two studies, a bathroom, a utility room and a communal day room. The building would have an 'L'-shaped footprint of 132m<sup>2</sup> (13m x 11m – max) and would have a dual pitched roof to a maximum height of 5m. The building would be of brick and tile construction.

## 2 Planning History

Reference	Proposal	Decision	Date
99/00644/FUL	Access gate	Permitted	06/08/1999
08/00273/FUL	Storage unit for lorry	Refused	24/07/2008
04/01786/FUL	Siting of four residential caravans and utility block	Refused	08/03/2005

01/00595/FUL	Proposed two household residential traveller caravan site (4 caravans) utility block, workshop/store/pony paddock	Refused	06/12/2002
99/01376/FUL	Creation of hardstanding and grazing of horses on adjacent field	Refused	05/05/2000

### **3 Planning Policy**

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

#### **Peterborough Core Strategy DPD (2011)**

##### **CS09 - Gypsies and Travellers**

Sites for permanent pitches will be identified through a separate SPD document. Specific criteria will be used to identify suitable sites.

##### **CS16 - Urban Design and the Public Realm**

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

##### **CS20 - Landscape Character**

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

#### **Peterborough Planning Policies DPD (2012)**

##### **PP02 - Design Quality**

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

##### **PP03 - Impacts of New Development**

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

##### **PP12 - The Transport Implications of Development**

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

#### **Planning policy for traveller sites – 2015 (DCLG)**

### **4 Consultations/Representations**

**PCC Minerals And Waste Officer (Policy)** – No objection - The proposal site sits within a Minerals Safeguarding Area for Brickclay (Minerals and Waste Core Strategy policy CS26). It is my understanding that application 04/01786/FUL for the siting of four residential caravans and a utility block at this site has been approved at appeal and implemented; this being the case I would have no objections to the current proposals for the 'erection of a day room'. If any information comes to light which suggests the site to be undeveloped I may seek to review these comments.

**North Level District Internal Drainage Board** – No objection - No comments to make regarding the application.

**Environment Agency** – No objection - This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. Therefore we have no comment to make on this application.

**Newborough & Borough Fen Parish Council** – Objects - Requests that the application is refused. The plans appear to be for a bungalow. The Parish Council has no record for the mobile home on site being granted planning consent. Recommends refusal as the plans do not state the place where the day room is to be sited and as it is only to serve 4 caravans it is much too large.

Recognise that this has roots in the local area and would hope that if this application was rejected that they work with the parish council to try and find a solution to their family's needs. Primarily rejecting the application on the following grounds:

- It constitutes a permanent development in Open Countryside.
- The site is adjacent to the protected landscape that is Peterborough Fen. As such residential development outside of the village envelope and designated areas should be refused.
- Although planning has already been granted the new proposal is still within a Flood Risk Zone and would still require mitigation to ensure the residents remain safe. We would be concerned that the size of this new development could jeopardise existing flood risk defences on site. Especially when we consider the number of caravans on site and residents with disabilities. We would ask for the safety of the extended family that this is considered by the planning department when making their decision.
- Accept this extended gypsy/traveller family have an established site at Lazy Acre. Further development, however, would extend beyond what was approved as acceptable by the Planning Inspectorate. As a consequence the development of a permanent residential settlement would have a very different impact upon the open countryside. There is scarce case law for such developments. We would therefore ask that this development should be considered on its merits.
- It would set the precedent for a large number of sites within Peterborough and our parish to be developed. Regardless of this observation the main concern is that the plans, as submitted, would be a significant impact upon our local countryside by allowing a new permanent development on this site.
- The proposed day room is of a significant size and with the plan including toilet facilities it should be considered as a domestic dwelling. Kitchen and bathing facilities could be easily added to a building of this size. It is of a similar size to other bungalows in the area and should be, in our opinion, be considered as a domestic dwelling and not a day room.
- We are aware that there is some mention of the need to have disabled facilities in the proposed day room, but these could be met by altering the existing and adjacent toilet block to meet these needs.
- A small single day room and study added to, but not separate from, the existing toilet block in a different light. This would easily meet the needs of this extended family, without establishing a permanent domestic residential property in open countryside. It would also constitute a much smaller impact upon the flood risk for the site.
- As stated above we are receptive to this family's needs, but need to consider the impact their proposal will have upon development in the open countryside. Therefore we recommend refusal as this is a permanent development in open countryside.

**Councillor Shearman** - Support – Should officers be minded to refuse this application I would like it to be referred to the Planning Committee. Although the site of the application does not lay within my ward, I have been made aware that no applications of this type have been approved by PCC. In view of this it is believed that a full and public discussion of the application is required. I should add that I have no declarable interest of any kind relating to the application other than wishing to see the application considered in public.

**Local Residents/Interested Parties**

Initial consultations: 0  
Total number of responses: 9  
Total number of objections: 2  
Total number in support: 6

6 Letters have been received raising the following issues:

- the day room would make a massive difference to the applicant's condition as the living conditions are not helping
- I have known the application for around 20 years and he is a genuine person
- I have no problems with him having a day room on his land
- I have known Mr and Mrs Smith for 25-30 years, they are honest and trustworthy and I support their application
- I have known the applicant for at least 10 years and have always known him to be of good character and a very reliable person
- I have known the applicant as both a family man as well as in business. He is highly regarded within the community and would always help anyone who needs it
- there is no reason to reject the application and it would greatly improve Margaret's quality of life
- We have known the Smith family for about 8 years and support their application
- Margaret suffers in cramped accommodation with no facilities that help her condition
- We think her quality of life would be improved greatly with the day room

## **5 Assessment of the planning issues**

### a) Background

Planning permission was allowed at appeal in 2006 for the siting of 4 residential caravans, the construction of a utility block and the laying of a hardstanding (04/01786/FUL). The principle of the site being occupied by a Gypsy and Traveller family is therefore established. The approval was subsequent to an earlier application for 'a two household residential traveller caravan site (4 caravans) utility block, workshop/store/pony paddock' which was refused and dismissed at appeal. However, the allowed application proposed a smaller utility block and no workshop or stable and was on a smaller parcel of land. The Inspector conceded that the proposed layout positioning the small utility block at the north western corner of the site and the positioning of 3 caravans at the rear of the site in parallel to the road and another close to the northern boundary would minimise their visual impact from outside the site.

The Inspector also considered that this was a good location for a small family gypsy site and while there would be a limited degree of harm, in terms of its impact upon the character and appearance of the area, this was considered to be relatively small and could be rendered satisfactory in time, were it possible to establish additional screen planting along the southern boundary.

### b) Impact on the character and appearance of the open countryside

The day room would be positioned adjacent to the existing 'utility block'. The proposed internal layout shows two studies, a bathroom, a utility room and a communal day room. The day room would be used during the day and could provide sleeping quarters and would have level access and a disabled toilet. The block plan as submitted does not include any other caravans.

The main planning consideration is the impact of the development on the character and appearance of the open countryside and the application is assessed primarily against policy CS9 of the Adopted Peterborough Core Strategy DPD and national planning guidance 'Planning policy for traveller sites 2015 (DCLG)'. Both local and national planning policy advises that due regard should be given to the protection of local amenity and the local environment.

The proposal would result in a permanent structure and is of a size, layout and design that would be tantamount to a permanent residential dwelling. The layout plan indicates that it would be possible to provide all necessary rooms to meet the residential needs of an occupier. In deciding the previous appeal that the proposed amenity block was smaller than a double garage the Inspector considered



this to be acceptable. Policy CS9 of the Adopted Peterborough Core Strategy DPD states that in the countryside, any planning permission granted will restrict the construction of permanent built structures to small amenity blocks associated with each pitch. This is to limit the impact of the development on the open countryside. It is considered that the proposal would be intrusive within the open countryside which policy CS9 of the Adopted Peterborough Core Strategy seeks to avoid. The proposal is therefore contrary to policies CS9 and CS20 of the Adopted Peterborough Core Strategy DPD.

Policy H of national planning guidance 'planning policy for Travellers states that Local Planning Authorities should consider amongst other things, the personal circumstances of the applicant. The application is supported with information regarding the health needs of the applicant's partner, who suffers with osteoarthritis and asthma which cause substantial difficulties with daily living and mobility. The information includes a letter from the Department of Works and Pensions regarding Personal Independence Payment which includes a daily living allowance with a mobility component along with a patient summary by Park Medical Centre on Mrs Smith's health circumstances and medication. In addition the information includes a letter from the sister at Park Medical Centre advising that Mrs Smith's conditions will not improve with time.

The information submitted in support of the application is too general in nature and therefore the applicant was asked to provide further details. At the time of writing the report the applicant has been unable to provide the information.

The Parish Council have referred to the static mobile home which is currently on site and that this does not have permission. Having considered the appeal decision the conditions refer to caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 which define a "caravan" to be 'means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted'. It is considered that the mobile home on site would be in accordance with this definition and no detail of the 'caravans' were required by condition.

c) Flood risk

The site does not lie within an area which is at a medium or high risk of flooding.

d) Highway implication

The existing access would be unchanged and there is ample parking provision within the site. Hence the proposal would not unduly impact upon the adjacent highway and accords with policy PP12 of the Adopted Peterborough Planning Policies DPD.

e) Neighbouring Amenity

The site is isolated in character and therefore the proposal would not impact on neighbouring amenity and would therefore accord with policy PP3 of the Adopted Peterborough Planning Policies DPD.

## **6 Conclusions**

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

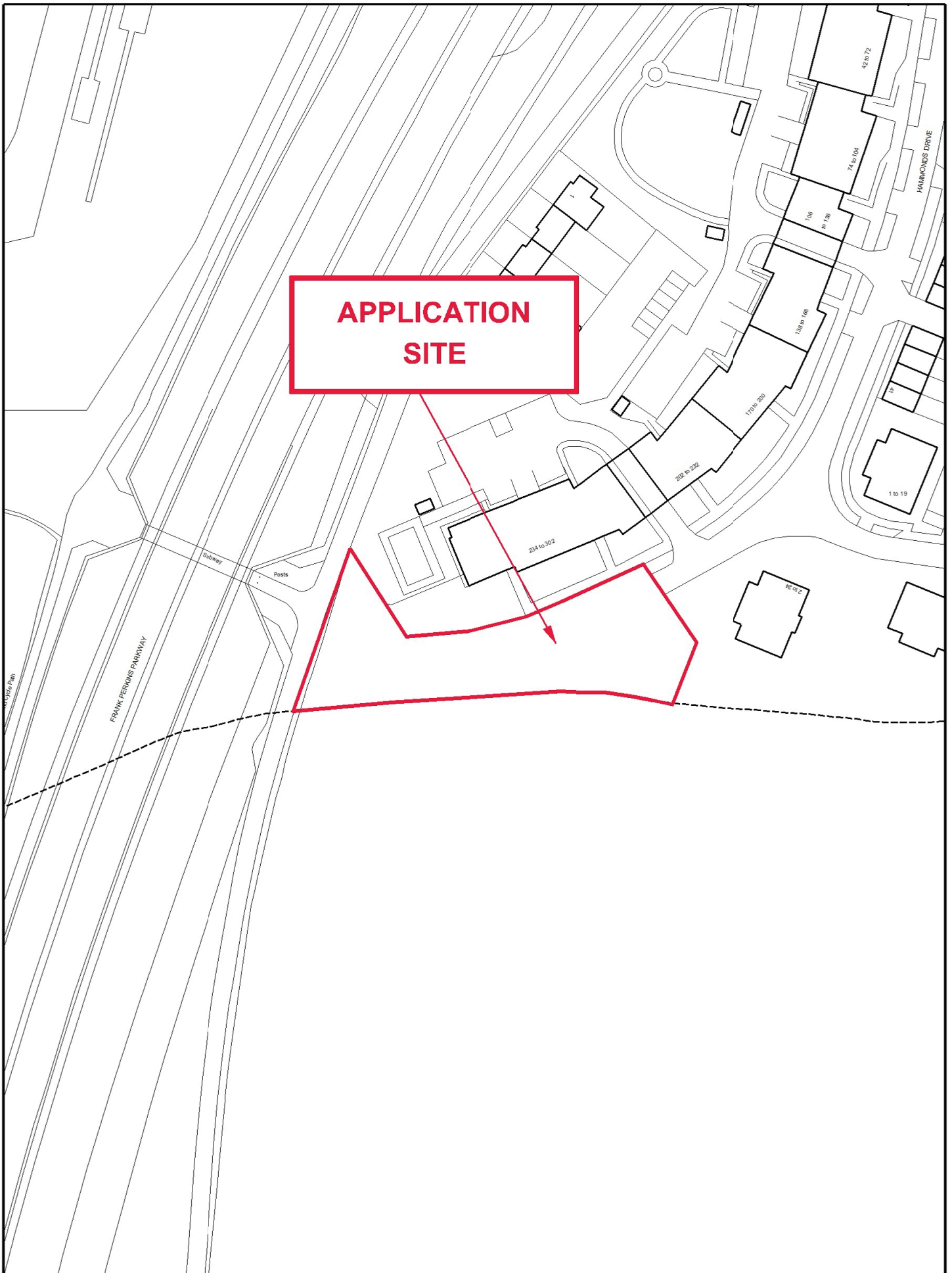
## **7 Recommendation**

The case officer recommends that Planning Permission is **REFUSED**

The size, layout and design of the proposed day room would be tantamount to a permanent dwelling. Policy CS9 of the Adopted Peterborough Core Strategy DPD seeks to restrict permanent structures to small amenity blocks in order to protect the character and appearance of the open countryside from development. The proposed dayroom would be visible from outside the site and would represent an intrusive feature within the open countryside. Hence the proposal would be contrary to

policies CS9 and CS20 of the Adopted Peterborough Core Strategy DPD. No evidence as to any personal circumstances has been submitted by the applicant which is sufficient to outweigh planning policy.

Copy to Councillor D N Harrington



**LOCATION PLAN 15/00976/FUL**

Former Sewerage Works, Potters Way, Fengate Peterborough

**Scale** NTS      **Date** 12/10/2015      **Name** AA      **Department** Planning Services



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<b>Application Ref:</b>	15/00976/FUL
<b>Proposal:</b>	Construction of 31, two-bedroom flats together with associated access, parking areas, bin stores and cycles stores
<b>Site:</b>	Former Sewerage Works, Potters Way, Fengate, Peterborough
<b>Applicant:</b>	Mr James Griffiths, Kier Living Ltd
<b>Referred by:</b>	Director of Growth and Regeneration
<b>Reason:</b>	Wider concern and previous Committee decision
<b>Site visit:</b>	22.07.2015
<b>Case officer:</b>	Miss Louise Lovegrove
<b>Telephone No.</b>	01733 454439
<b>E-Mail:</b>	louise.lovegrove@peterborough.gov.uk
<b>Recommendation:</b>	<b>GRANT</b> subject to relevant conditions

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

### **Site and Surroundings**

The application site comprises two separate parcels of land within the wider site which formerly contained the Potters Way sewage treatment works. Potters Way is a residential development, the bulk of which has been built out. The northern-most parcel of land is currently occupied by the Sales Office for the wider development, whilst the southern-most parcel is presently the construction compound.

There is a long planning history associated with the wider site which is detailed in Section 2 below. However, the pertinent permissions are:

- 03/01619/OUT which granted outline planning permission for the redevelopment of the site
- 06/01874/REM
- 08/00321/REM for 259 apartments (an amendment to the 2006 REM above)
- 10/00329/FUL

The large apartment block, which is situated along the Parkway frontage, was granted consent under the 2006 and 2008 reserved matters applications set out above. These have been in situ for a number of years. The remaining land to the rear, which comprises a mixture of dwellings and apartment blocks was granted permission under the 2010 full planning application, with various amendments to the layout and substitution of house types approved in 2013 and 2014. This part of the site is largely complete.

To the east of the site lies an area known as Embankment End Marsh which directly links to the Nene Washes SPA/SSSI/Ramsar Site and to the south is a capped landfill site. Vehicular access to the Potters Way development is from a roundabout off Fengate which leads west towards the City Centre and east into the identified Eastern General Employment Area. A section of the site has been formed by reclamation of part of the marsh and this has already been completed.

It should be noted that the two application sites, and wider development, are located within the identified Fengate South Policy Area. Both sites, along with the wider development are allocated for residential development under Policy CC8.1 of the Peterborough City Centre DPD (2014).

## Proposal

The application seeks planning permission for the construction of 31no. 2-bedroom apartments within three separate blocks: one to the northern site; and two to the southern site. The proposal also includes associated car parking and landscaping.

## 2 Planning History

Reference	Proposal	Decision	Date
97/00784/OUT	Site restoration and re-development	Permitted	24/01/2000
03/01619/OUT	Reclamation of site for residential and ancillary development (revised plans/Urban framework received 21/12/04)	Permitted	20/10/2006
05/00263/FUL	Demolition of existing structures and remediation of land prior to development	Permitted	16/05/2005
06/01874/REM	Erection of 261 apartments in 3, 4 and 5 storey blocks above semi-basement parking	Permitted	09/03/2007
08/00321/REM	259 apartments in 3, 4 and 5 storey blocks, above semi-basement and (ground level) undercroft car parking. AMENDMENT TO PREVIOUS RESERVED MATTERS APPROVAL 06/01874/REM for 261 apartments	Permitted	07/07/2008
10/00329/FUL	Erection of 288 dwellings comprising 87 apartments and 201 houses	Permitted	29/07/2010
11/00129/NONMAT	Non-material amendment to planning permission 10/00329/FUL dated 29/07/2011 to change the house type at plot 186 from P2A to P3A, and to change the house type at plot 188 from P3A to P2A	Approved	15/02/2011
11/00132/FUL	Various amendments to previously approved planning application 10/00329/FUL (Erection of 288 dwellings comprising 87 apartments and 201 houses) - comprising - Revisions to plots 165, 166 and 167, revisions to car parking layout serving plots 165 to 170, removal of 4 x sulo bins and replacement with bin stores	Permitted	11/05/2011
11/01010/NONMAT	Variation of conditions C2 to remove underground bin store to the north of flats (plot nos. 153-164) and variation of condition C3 - construction of bin store to the south of flats (plot nos. 153-164) - of planning permission 11/00132/FUL	Approved	29/09/2011
11/02018/NONMAT	Non-material amendment to planning permission 11/00132/FUL dated 31/01/2011 - Alteration to sighting of foul water pumping station enclosure, movement of flat block 393-398 southwards from the northern boundary and redesign of the associated private parking court and cycle store	Approved	06/01/2012

13/01288/FUL	Amendment to existing approved scheme under planning reference (10/00329/FUL), to provide an additional 11 units by way of replacing existing 3 storey flat blocks E and G with a four storey block, replacing a terrace of 5 units with 3 storey flat block L (9 units), also changing detached plots 244 and 243 into a semi-detached property and adding an additional terraced unit - plot 451	Permitted	03/12/2013
14/00438/FUL	Substitution of house types to plots 243 and 244, 296 to 313 (including deletion of 3 units); Deletion of plots 314 - 317 and 327 - 328; construction of new 3 storey flat block (Block M) comprising 12no 2 bed units; Repositioning of flat Block E; Replacement of part of link road with new footway/cycleway and associated parking, highway and landscape amendments	Permitted	10/07/2014
14/00854/NONMAT	Non material amendment off planning permission 14/00438/FUL - Substitution of house types to plots 243 and 244, 296 to 313 (including deletion of 3 units); Deletion of plots 314 - 317 and 327 - 328; construction of new 3 storey flat block (Block M) comprising 12no 2 bed units; Repositioning of flat Block E; Replacement of part of link road with new footway/cycleway and associated parking, highway and landscape amendments	Approved	27/08/2014

### **3 Planning Policy**

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

#### **National Planning Policy Framework (2012)**

##### **Section 7 - Good Design**

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

##### **Section 8 - Open Space**

Existing open space, sports and recreational buildings/land (including playing fields) should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements; the open space would be replaced by an equivalent or better provision; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

##### **Section 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without

increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

### **Section 11 - Biodiversity**

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

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

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

### **Section 11 - Contamination**

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

### **Section 11 - Noise**

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

## **Peterborough Core Strategy DPD (2011)**

### **CS02 - Spatial Strategy for the Location of Residential Development**

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

### **CS08 - Meeting Housing Needs**

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

### **CS12 - Infrastructure**

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

### **CS13 - Development Contributions to Infrastructure Provision**

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

### **CS16 - Urban Design and the Public Realm**

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

### **CS21 - Biodiversity and Geological Conservation**

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



### **CS22 - Flood Risk**

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

### **Peterborough Planning Policies DPD (2012)**

#### **PP02 - Design Quality**

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

#### **PP03 - Impacts of New Development**

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

#### **PP04 - Amenity Provision in New Residential Development**

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

#### **PP12 - The Transport Implications of Development**

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

#### **PP13 - Parking Standards**

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

#### **PP14 - Open Space Standards**

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

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

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

#### **PP20 - Development on Land affected by Contamination**

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

## **4 Consultations/Representations**

#### **PCC Archaeological Officer (22.09.15)**

No objections - The application site is considered to have low archaeological potential due to modern disturbance. Therefore, a programme of evaluation is not justified.

#### **PCC Building Control Manager**

No comments received.

#### **PCC Pollution Team (14.09.15)**

No objections - The submitted noise assessment report is accepted. To provide adequate noise insulation, alternative methods of ventilation will be required, including acoustic trickle vents and

rapid (purge) ventilation. Specific details of how this will be achieved have not been submitted and these will be required [by way of condition].

**PCC Transport & Engineering Services (02.10.15)**

No objections - The revised layout would provide adequate parking and access arrangements. Request a number of conditions relating to provision and retention of parking, cycle parking, access and turning facilities.

**PCC Travel Choice (17.09.15)**

No Travel Plan has been submitted and this should be expected for a development of this size. Sustainable Travel Information Packs should be provided in each new dwelling [to be secured by condition].

**PCC Strategic Housing (16.09.15)**

In accordance with Policy CS8 of the Peterborough Core Strategy, 9 of the proposed units should be affordable homes and 20% of the units should meet the lifetime homes standard.

**PCC Senior Recreation Officer**

No comments received.

**Lead Local Drainage Authority (25.05.15)**

No objections - The submitted FRA does not address the current requirements of the National Planning Policy Framework to secure surface water drainage through SuDS. However, given that the wider site has an agreed discharge point for surface water, a condition should be imposed which secures a finalised surface water drainage strategy for the development.

**PCC Waste Management (29.09.15)**

Objection - The current proposals for bin storage are inadequate. Block N will require 2 x 660 litre waste and 2 x 660 litre recycling bins whereas Blocks R and P will require 2 x 1100 litre waste and 2 x 1100 litre recycling bins. Food waste bins for each block should also be provided.

**PCC Wildlife Officer (30.09.15)**

No objections - The proposal involves the removal of vegetation around Block N which may support nesting birds. Therefore the standard bird nesting informative is recommended. Any potential landscaping should use a range of native shrub and plant species.

**Natural England - Consultation Service (22.09.15)**

No objections - The proposal is unlikely to affect any statutory protected sites or landscapes. Standing advice should be used in the consideration of impact upon protected species. The application may also provide opportunities to incorporate biodiversity enhancements.

**Environment Agency (01.10.15)**

No objections - Request that a condition be imposed securing full details of a scheme for the provision of mains foul water drainage on and off-site to prevent flooding, pollution and detriment to public amenity.

**Police Architectural Liaison Officer (23.09.15)**

No objections, recommendations or further observations.

**Cambridgeshire Fire & Rescue Service (28.09.15)**

No objections - Adequate provision should be made for fire hydrants and access by service vehicles.

**North Level District Internal Drainage Board (29.07.15)**

No comments.

**The Wildlife Trusts (Cambridgeshire)**

No comments received.

### **Local Residents/Interested Parties**

Initial consultations: 267

Total number of responses: 19

Total number of objections: 17

Total number in support: 0

Seventeen letters of **objection** have been received from local residents on the following grounds:

#### ***Parking and highway implications***

- Recent changes to the original plans has led to the building of more flats than houses. Kier do not provide enough parking and the roads are already overcrowded. Every day along Hammonds Drive you will find cars double parked or cars and sometimes vans parked on the pavement or in the driveways making it difficult to get by them. By allowing the development of more flats it will put a further strain on what is already an overcrowded road.
- The already insufficient parking and unsafe road will create an accident hotspot which will put all at risk of serious harm.
- As with the rest of the flats on this site, the application put forward has only a small amount of visitor parking. You have not allowed for visitor enough parking so will only increase the already overcrowded streets with more cars with nowhere to park.
- Kier have employed a private company to issue parking tickets to current residents. Some issued at 11pm in the evening. 31 more flats will cause an impossible situation.
- Since the growth of the development on the former Sewerage works the access and egress into Fengate is grossly inadequate. The small roundabout at the junction is inadequate and completely ignored by drivers. There have been many accidents. All minor, but still, although not on record by the police, still occur. Until traffic lights are installed, no further development should be allowed.
- Whilst serving as a City Councillor (Marion Todd), I asked, on several occasions for a 24 hour study to be undertaken. Purely to ascertain on the traffic generated by the current development. With the removal of the traffic calming island in Bishop Rd between Star Rd and Mitchell's close, which has been responsible for many accidents and traffic delays since its installation. Traffic lights at the junction at Potters Way would have the desired effect as traffic calming and make the junction safe.
- I (Hammonds Drive) understand that the rules concerning the provisions of sufficient safe parking spaces has changed since the original blocks were built, but if there is room to build more apartments then surely consideration should be given to using that land to provide additional safe parking for existing residents.
- I (Hammonds Drive) read with disbelief that the construction company cites aesthetics as the main reason for the application, and I am sure I can speak for many residents when I say that we are far less interested in the softening of the view as you drive onto the site than we are with addressing the safety issues arising from the current lack of off-road parking spaces.

#### ***Loss of open space***

- There are limited areas for children to play safely and the proposed development site decrease this further. The whole site is already over developed with no areas of open space.
- Less attention to profit and more attention to the local community's needs is required.
- I have lived here over five years (Hammonds Drive). Original plans for town houses have been changed to multi storey flats. Areas which we were told would be open grass areas, play areas etc. are now going to be filled in by even more flats.
- The initial planning permission for the development – 10/00329/FUL – included as part of the site, a wide strip of land along the south side of the development which encompassed the area now intended to occupy Blocks P and R. This was designated as Public Open Space (POS). The plans for 12/00981/DISCHG show a landscaping scheme for the POS but not for the area subject to this application. Not requiring planting to this area was clearly a mistake by the

Council which has led to this current proposal.

- The proposal would mean the loss of an area of POS which, without doubt, should be maintained.
- I bought my flat only because I was assured that nothing else was going to be built after my block. There is supposed to be a little park with the playground for kids – at the moment there is no place like that in the development.
- The submitted Design and Access Statement states that the southern site is currently the site compound. This is incorrect as it has always been designated as POS. It also states that the purpose is to soften the edge of the large flat block which ends abruptly. The current form of development has appeal in terms of appearance from the riverside, from the river car park and travelling along the Parkway. This reasoning has no substance and represents an excuse for what is proposed.

### ***Neighbour amenity***

- This part of the estate (Miller Way) has been completed and the noise disruptions have basically finished. If this is developed we will be stuck with noise and more trade traffic.

### ***Overdevelopment***

- Bearing in mind the earlier increases in unit numbers approved, this proposal represents overdevelopment.

### ***Crime and safety***

- Properties are rented by owners on short term contracts. There has been an increase in the deterioration of the areas and security is lax. There has even been a fire in the basement of the main block.
- The proposed developments proximity to the poorly lit embankment access and open space encourages the illegal activity that takes place there to spread into the development.
- Approval of the proposed plan to build two further blocks will block out the light and cramp the immediate area. This will cause the area to become unsafe.

### ***Inadequate infrastructure capacity***

- Since the new blocks of flats on Hammonds Drive have been built the bins are always full and people leave bags of rubbish next to them. By letting Kier build more flats the situation will only get worse as the current bin situation cannot cope with present demand.
- Every time you come onto the development in the evening the smell is horrendous. It is clear that the sewerage system cannot take the volume of waste and allowing more flats will only make the situation worse.
- Kier promote the development as 21st Century living but I beg to differ. If overcrowded roads, abandoned cars, rubbish strewn over the side of the road and the strong smell of waste are the future then it's a step backwards. By allowing the building of the proposed flats it will only make a bad situation even worse.

### ***Misleading sales information/loss of views***

- Kier have proven to be a most irresponsible developer. Selling property by misleading purchasers into believing the development would not expand and ignoring repeated complaints about problems attached to the property.
- At present I (at Miller Way) have a view to the cathedral, once you construct this flat block we will only have views of another apartment block. The view which I have at the moment being on the top floor will disappear meaning my apartment will lose its value.
- We were told that the space in front of the apartment (Miller Way) where this planning will take place was originally going to be grassed up and not built on. This goes against what they [Kier] set out and with that I feel like I bought my property without being told the full story. I would not have bought a property in this location if this was going to happen. You will end up ruining a nice estate with this further development which shows the building company is purely motivated by greed and not customer service.
- When I bought my property on Hammonds Drive, I was assured that the existing show

apartment and the land and car park would never be built on and it would become a community facility.

- My property in Hammonds Drive currently faces in the direction of what has been deemed as Block N. Currently, I have nearly a 180 degree view of the from West to East of the city skyline and the surrounding villages from my lounge and a similar view from one from my master bedroom. Looking at the plans and height and closeness to my property most of the view would be lost. At the time that I purchased my property the view commanded a premium price. Although the total height is not clear, it will have a serious impact on the light that my property gets, the views and subsequently the value of my property. This can only be rectified by completely realigning my apartment so that all of the room face west rather than towards the new Block N. This would mean major internal and external construction work which I would expect the developer to undertake and compensate me for the inconvenience.
- We (at Hammonds Drive) have paid more for a higher floor to have a better view so we are saying big NO for the new properties in the front of our windows.
- As part of the negotiation process prior to purchase of a property on Hammonds Drive, personnel employed by and acting for the Developer answered questions stating that the development would not encroach any closer to the Parkway than that approved at the time. I fully appreciate and accept that no one has a right to a view and the comments of selling agents are not planning matters.
- When purchasing our property (No.20 Hartley Avenue) one of the main sale features and attractions to this property was the views from our balcony. We did ask if any properties would be built in the area where the proposed Blocks R and P would sit and we were both advised and shown plans (which we have copies of) showing it to be a public grassed area. As a result, we feel very strongly about the blocks being built as they would obstruct our balcony views, impact on our lighting and may possibly impact on the saleability of our property should we come to sell it.
- If permission is allowed we will have been sold our flat (at Hammonds Drive) under false pretences as we were told that Kier had no plans to build in front of us.

### ***Property devaluation***

- This further development will reduce the value of my property and those in close proximity and green space will be decreased.

Two local residents have raised **no objections** to the proposal but made the following comments:

- Could the developer make provision to restore the access between the south end of Hammonds Drive and Potters way as soon as possible. This access would allow residents at the south end of the estate to have easy access to the large green space on the other side of the A1139. I (at Hammonds Drive) currently need to walk over 15 minutes to access my local green space. Restoring the footpath access would cut this to 2 minutes. The access has been blocked for some time now by the site compound. I have no objection to this development as long as it does not further delay the construction of the foot and cycle path that can be seen on the plans. The developers should make the completion of the footpath a priority.
- On average once or twice a month rubbish ends up in the road not only causing a health hazard but also potentially serious damage or injury. Apartments by their very nature do not have an large internal rubbish storage capacity so need more not less bin provisions than houses which are able to leave rubbish outside in bags etc. I (at Hammonds Drive) would suggest that any new development needs to take the additional rubbish produced in to consideration and ensure adequate provision is made for this purpose otherwise there is a serious risk of degeneration of the site as a whole which is already happening as described.
- Parking has been a major problem and the single space provision is barely adequate this leads to cars blocking vehicle entrances and even preventing access to emergency vehicles on to the development by blocking the road on occasions. By adding an additional number of apartments this problem will be heightened and needs addressing before further development takes place.

## **5 Assessment of the planning issues**

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Neighbour amenity
- Amenity provision for future occupants
- Contamination
- Ecology
- Flood risk and surface water drainage
- Developer contributions

### **a) Principle of development**

As detailed in Section 1 above, the application sites and the wider Potters Way development are allocated under Policy CC8.1 for residential development. Furthermore, whilst not approved for the construction of apartment blocks (as proposed), the two sites have an extant planning permission associated with the wider residential development which surrounds them and as such, residential use would be compatible.

However, it should be noted that the two areas in question have both previously been approved for use as informal public open space (POS) i.e. not planned or with any play equipment. Therefore, careful consideration must be given as to whether or not the loss of these areas is acceptable.

Within the wider development, there are small areas of POS which are planned, but not yet implemented - namely a localised equipped area of play (LEAP) to the south-eastern corner of the site to an area of 360sqm and the informal open space which forms the southern boundary of the site (to an area of over 6,000sqm) and has dual use for surface water drainage purposes. These are both due for provision upon completion of Phase 4 of the wider development, which runs along the southern and eastern boundaries of the wider site. Furthermore, within very close proximity to the site on the opposite side of the Parkway and access via a subway to the south-western corner of the site, there is the Recreation Ground and Regional Pool. This provides a large area of green public open space available for use. It is therefore considered that without the two areas subject to this application, the wider development would be served by an adequate provision of POS.

Notwithstanding the above, there is both a national and local drive to promote growth with particular emphasis of meeting housing need. Whilst the proposal would provide for a limited number of units (31 in total), this would still contribute towards delivering housing and within a site which has been allocated for such a use. It is considered that this should be afforded substantial weight in the decision-making process.

In addition to the above, careful consideration must also be given to ensuring that the land immediately to the south of the site (referred to in Section 1 above as the capped landfill site), which is allocated for future residential development, is not prejudiced in terms of its deliverability. Whilst the proposal would prevent any direct and easy vehicular access being granted from Hammonds Drive, there would still be an ability to gain access. Furthermore, there would also be access permitted from the existing public/private highway along Potters Way. The relationship of the two proposed southern blocks, in terms of primary habitable windows, would need to be considered as a result of future development of the neighbouring site but this can readily be achieved. As such, the proposal would not prejudice the future development of this parcel of allocated land.

Taking all of the above into account, it is considered that on balance, the benefit arising from the contribution towards meeting housing need outweighs the limited harm that would result

from the loss of the previously planned POS. On this basis, the principle of residential development on these sites is acceptable.

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

### ***Northern site***

This area is situated in a prominent position, at the only entrance into the Potters Way development from the existing built area of Peterborough. The proposed apartment building (identified as Block N) would be set back from the entrance roundabout by an area of hard surfacing which would provide the parking for residents and visitors. To the front of this, would be a small landscaped area which contains some of the historic pumping equipment associated with the former use of the site as a sewage treatment works.

The apartment building itself would be of a design and appearance which mirrors other similar blocks within the wider development. It would be of a staggered height - three storeys to the front and 4 storeys to the rear. This would act as a transition between the entrance to the site and the existing apartment block to the south (which has varied heights of three, four and five storeys above an undercroft parking area). In terms of the elevation treatment, the proposal would use a mixture of render, wooden cladding and brick finish which replicates the existing materials palette within the surrounding area. This, in combination with the replication of design features such as balconies and the windows/doors will ensure that the proposal fits into its surrounding context.

### ***Southern site***

This element of the proposal seeks the construction of two separate four storey apartment blocks which are of a handed design to that which is most closely related - Block G. The building type has previously been constructed on the site and as such, would not appear incongruous or at odds within the streetscene. In terms of their siting, both proposals would be situated immediately abutting the southern boundary of the site. Whilst this boundary, for the remainder of the development, comprises the linear POS, the proposal would maintain a street frontage which is already established by Block G. Accordingly, it is not considered that the siting would appear out of place.

On this basis, it is considered that the proposal would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

## **c) Parking and highway implications**

### ***Parking***

It is acknowledged that a large proportion of the objections received relate to the existing parking problems along Hammonds Drive and within the wider development area. At the time that these apartments/dwellings were approved, the City Council (in accordance with national planning guidance) had in place maximum parking standards. These standards prevented any additional parking above the standard of 1 space per 2-bed unit. Accordingly, following occupation of the development, there has been considerable overspill parking onto the highway. It is noted that some objectors have requested that the proposal make provision to rectify the existing parking shortages. However new developments cannot be required to resolve pre-existing problems and therefore, only consideration as to the impact arising directly from the proposal can be taken into account.

Objectors are also concerned that the construction of further dwellings would exacerbate this existing problem, and by virtue of the siting of the blocks, existing on-street capacity would be lost.

The City Council now has adopted minimum parking standards for residential development.

Policy CC11 of the Peterborough City Centre DPD (2014) and associated Policy PP13 of the Peterborough Planning Policies DPD (2012) states that 2-bedroom dwellings must provide no less than 2 parking spaces per unit and a proportion of visitors spaces (1 for every 6-8 units). With regards to the northern site (Block N), the proposal would provide a total of 15 parking spaces - 2 for each of the 7 proposed 2-bed apartments and 1 visitors bay. To the southern site (Blocks P and R), the proposal would provide a total of 52 parking spaces - 2 for each of the 24 proposed 2-bed apartments and 4 visitors bays. This level of parking provision fully accords with the adopted parking standards set out and on this basis, Officers are of the opinion that a reason for refusal could not reasonably be sustained at appeal.

With regards to the loss of existing on-street parking capacity, it is acknowledged that at present, the section of road which would be utilised for visitors parking associated with Blocks P and R, is presently available for parking by existing residents. However, on-site it has been observed that this only provides space for the parking of 4 vehicles, owing to the position of the undercroft parking access and underground bins. Whilst the loss of this on-street parking would result in some negative impact to existing residents, it is not considered that it would pose a highways safety danger and nor could it form a sustainable reason for refusal.

With regards to cycle parking provision, the scheme has been amended to provide sufficient stands (to PCC preferred specification) to accommodate 1 cycle parking space per bedroom. Whilst the design of the shelters within which these stands would be situated has yet to be finalised, this could be dealt with by way of a condition.

Accordingly, the proposal would provide adequate allocated parking to meet the needs of future residents and would not result in any unacceptable loss of existing parking provision. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and Policy CC11 of the Peterborough City Centre DPD (2014).

### **Access**

With regards to the southern site, the vehicular access is proposed from Hammonds Drive which has been adopted by the Local Highway Authority (LHA). The proposed road layout would ensure safe access by all vehicles, and includes adequate provision for turning by refuse and emergency vehicles. The road would still be adopted by the LHA, with only access to the parking courts being within private ownership.

To the northern site, the proposed parking area would be accessed off Potters Way which is adopted up to the proposed vehicular access. There is a small section within this proposed private parking court which is presently adopted public highway and this would need to be 'stopped-up' to accommodate the proposal. The LHA has not raised any objections to this as it would not pose any unacceptable dangers to highway safety.

It is noted that one of the objectors has raised concerns with regards to the impact upon the wider public highway network and, particularly, the junction of Potters Way with Fengate. In this instance, it is important to note the fall-back position which dates back to the original outline planning permission for the wider development site - 03/01619/OUT. This originally granted consent for up to 550 residential units. As set out in Section 2 above, the permissions for what has been built/consented on the site have altered since this original permission however the total number of dwellings presently built and consented, along with the current proposal, are still below the original limit of 550 units. As a result, there is no requirement for any additional off-site highway works to improve/alter junctions.

With regards to the references made of accidents, the LHA has advised that if these are not reported to the Police, there are no records to indicate whether there is an issue at the junction which needs to be addressed.



On this basis, the proposal would provide safe access by all highway users and is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

### ***Local Transport Plan***

The northern site lies within an area of land which is presently allocated within the Local Transport Plan 3 (LTP3) for a new southern spur road from Fengate onto the Frank Perkins Parkway. The LTP3 covers key transport infrastructure projects which are required within the City to either ease congestion or enable future growth however it only runs to April 2016. To date, the project has no secured funding. Furthermore, the City Council's Transport Planning Team has confirmed that this scheme is not being carried forward into the forthcoming LTP4. As such, the proposal would not conflict with any key transport infrastructure projects. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

## **d) Neighbour amenity**

### ***Northern site***

As detailed above, the proposed residential apartment block (Block N) would be of varying height albeit the section (the southern elevation) in closest proximity to the existing residential units to the south would be at four storeys. This would extend to a maximum height of 14 metres by virtue of the mono-pitched roof design. The proposed block would be sited approximately 16 metres from the facing elevation of the existing flats which lie to the south. These neighbouring units all have primary habitable windows facing towards the application site serving kitchen/living rooms and bedrooms.

The proposed level of separation is similar to other relationships within the wider development and exceeds many examples whereby the separation distances are only 14 metres. In light of this proposed level of separation, and the siting of the proposal to the north of the closest block, it is considered that there is sufficient separation so as to prevent any unacceptable levels of overshadowing or overbearing impact.

However, careful consideration must be given to potential overlooking impacts. The scheme has been revised to address this issue, through the repositioning of the front balconies further to the north so that they are sited at least 21 metres from the adjacent units. Furthermore, the side facing windows of the proposal, which serve the kitchen areas of the proposed flats, have been altered to be obscurely glazed so as to prevent any potential overlooking. However the proposal for obscuring is not acceptable in its present form and therefore it is considered necessary to impose a condition which requires Level 3 obscurity and non-opening unless the opening parts are more than 1.7 metres above floor level. It should be noted that these kitchens are open-plan to the living/dining areas and therefore sufficient daylight will be provided through the clear-glazed windows to the eastern elevation of the proposal.

With regards to the impact upon other neighbouring occupants to the east of the proposed Block N, these would all be sited between 30 and 35 metres from the facing elevation of the proposal. This is considered a sufficient level so as to prevent any unacceptable overlooking, overbearing or overshadowing impact.

### ***Southern site***

The proposed four storey apartment blocks (Blocks P and R) would be sited immediately to the south of the existing flats along Hammonds Drive and to the south-west of the four storey apartment Block G.

Block P would be sited approximately 22 metres from the facing elevation of the neighbouring apartment block to the North. It is considered that this is a sufficient level of separation between primary habitable windows so as to not result in any unacceptable loss of privacy for existing occupants. Furthermore, this would also be sufficient so as to prevent any direct

overshadowing or loss of natural daylight given that the proposal is to be sited due south of existing residents.

Block R would be sited in closer proximity to the nearest existing residential windows, being only 16 metres from the primary habitable windows of Block G. Whilst there would be facing primary habitable windows, given that there are other similar levels of separation elsewhere within the wider development, indeed some which are less, it is considered that the proposed relationship would not unacceptably harm the amenities of existing occupants. Furthermore, there is sufficient separation as to prevent any unacceptable loss of daylight to Block G.

### **General matters**

It is noted that several of the objections received from local residents have raised concern with regards to loss of views. This is also tied to objections relating to loss of premium property values that were paid owing to the outlook of the existing units – presently over either intended POS to the north or the open countryside to the south.

Within the planning system, there is no right to a view and property prices are not a material planning consideration. Therefore these objections cannot be considered as part of the assessment of the proposal. However, the matter of an acceptable outlook in terms of overbearing/overshadowing impact is a material consideration and has been discussed above.

In addition to the above, several objectors have raised concerns with regards to insufficient bin storage capacity within the existing development and the further increased demand resulting from the proposed additional units. In terms of the bin storage provision along Hammonds Drive, at present this is through underground bins. Whilst these bins are to the standard required by the City Council's Waste Services team, it is acknowledged that they have not worked and that there are issues of bin provision. However, new development cannot be made to rectify existing problems and therefore the current proposal must only provide adequate bin storage provision for future occupants. The present design is not acceptable as it does not accord with the standards set out in the RECAP Waste Management Design Guide SPD (2012) however there is adequate space to provide larger bin storage facilities than currently proposed and therefore this could be dealt with by way of a condition.

Taking all of the above into account, it is considered that the proposal would not result in an unacceptable level of harm to the amenities of neighbouring occupants and therefore, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

### **e) Amenity provision for future occupants**

Matters relating to levels of privacy and the relationship to neighbouring residential properties have been considered in the preceding section.

### **Noise**

The application has been accompanied by a detailed Noise Assessment given that both the northern and southern sites are within close proximity to the raised Frank Perkins Parkway. The City Council's Pollution Control Officer has reviewed this document and accepts the assessment contained therein. He has advised that because of the high noise levels generated by traffic using the Parkway, opening windows to enable rapid ventilation and control summertime temperatures will not afford occupants an acceptable level of amenity. As such, alternative methods of ventilation will be required, such as acoustic trickle and rapid (purge) vents.

In addition, the submitted report states that background ventilators and intermittent extractor fans will be used to meet the ventilation requirements of the Building Regulations however no specific details on these have been provided.

In light of this, it is considered necessary to impose a condition requiring the details of

ventilation and noise attenuation be submitted prior to the commencement of development. Subject to this condition, future occupants will not be subject to unacceptable noise levels within the units themselves.

With regards to outdoor noise, none of the proposed apartment blocks would have formal outdoor amenity areas. Instead, this would be provided either by the proposed balconies or through the informal green space surrounding the buildings. Given the proposed layouts, it is not possible for noise attenuation to be implemented and therefore these areas will be subject to high noise levels. However, given that the indoor areas will be within acceptable tolerances it is considered that, on balance, residents will not be subject to unacceptable noise impact overall.

**f) Contamination**

The application sites and wider development are brownfield land, previously used as the former Potters Way Sewage Treatment Works. Under application reference 10/00329/FUL, a scheme of remediation for the site was agreed and this has been implemented on the entire site, including the current application sites. The current proposal would not alter the requirements of the remediation scheme and therefore it is considered acceptable to secure the outstanding remediation by way of a compliance condition related to the previously approved schemes of remediation and monitoring. On this basis, the development adequately addresses the issues of contamination and would ensure that the land is suitable for the intended residential use, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

**g) Ecology**

A large proportion of the wider development site is located on reclaimed marshland which has been built in accordance with a reclamation scheme approved under application reference 10/00329/FUL. To the east of this is further marshland, which is ecologically sensitive and tied to the Nene Washes SSSI/SPA/RAMSAR site, of European conservation value. As part of the previous permissions on the wider development site, a number of mitigation schemes relating to the management of the wider marshland, prevention of cat predation and management of non-native invasive species were approved.

The current application sites are located a sufficient distance from this marsh land so as to not require any conditions relating to protection or management of this marsh and nor would the proposal impact upon the schemes secured through previous permissions on the wider development site.

On this basis, the proposal is in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

**h) Flood risk and surface water drainage**

The application proposals would not alter the flood defence barriers which form the eastern and northern boundaries of the wider development site. However, the proposal would increase the level of impermeable surface within the site as a whole. The wider development site, and the various planning permissions for this, require the submission of a surface water drainage strategy to ensure that surface water runoff from the site does not create a flood risk elsewhere. Whist to date, no finalised strategy for this has been approved, the broad principles have been accepted.

The current proposal seeks differing methods for dealing with surface water runoff from the application sites albeit the overall strategy is to be applied across the application sites and wider development site as a whole. To the northern application site, it is proposed for the surface water runoff to be directly discharged into Anglian Water's sewers and the Statutory Undertaker has accepted this. Whereas to the southern site, it is proposed for a new underground storage tank to be installed beneath the car parking court to Block R which would

then discharge through to the existing surface water drainage network, into the linear pond to the east and then out into the Environment Agency drain to the north of the wider development site.

Whilst the Environment Agency has accepted this, and concludes that it would not increase flood risk elsewhere, the City Council's Drainage Engineer has advised that the solution for the northern application site does not represent a Sustainable Drainage System (SuDS). In April 2015, national planning policy was amended through the National Planning Policy Framework to require all new major developments (including more than 10 dwellings) to incorporate SuDS as their method for dealing with surface water drainage. As the current proposal does not meet with this requirement, the current drainage strategy cannot be accepted. However, it is considered that an acceptable solution can be achieved, one which incorporates full SuDS and which does not increase flood risk elsewhere. Accordingly, a condition is required to secure this.

On the basis of the above, the application sites would not be at risk from flooding themselves and would not pose any increased flood risk elsewhere. The proposal is therefore in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

#### **i) Developer contributions**

##### ***Community Infrastructure Levy (CIL)***

The City Council has an adopted Community Infrastructure Levy (CIL) charging schedule which came into effect on 24 April 2015. The purpose of this levy is to raise funds from developers who are undertaking new building projects, to help pay for the infrastructure that is needed to support it. CIL replaces Section 106 planning obligations for many forms of infrastructure, although these agreements can still be used for site-specific mitigation measures (i.e. off-site highway works) and for open space provision and affordable housing. In this instance, the proposed number of residential flats falls within the policy exemption for CIL and therefore, no infrastructure payment is applicable.

##### ***Affordable Housing***

Under Policy CS8 of the Peterborough Core Strategy DPD (2011), as the application proposal exceeds the policy trigger with regards to affordable housing provision 30% of the units should be affordable. However, the Applicant has previously provided a robust and detailed Viability Assessment which the City Council has accepted. This report adequately demonstrated that there are significant constraints associated with the site which prevent the delivery of policy requirements. As part of the current application, the Applicant has provided further viability information which demonstrates that the additional units proposed would result solely in recouping some of the loss from the wider development site and that no profit will be taken. Therefore, because of the viability issue, no affordable housing is to be provided.

##### ***Public Open Space (POS)***

With regards to the provision of Public Open Space (POS) for the proposed units, the proposal is not currently seeking to provide any additional POS. This is considered acceptable given the Localised Equipped Area of Play (LEAP) that is to be provided within the south-eastern corner of the wider development, the linear area of POS to the southern boundary of the wider development site and the recreation ground which is situated in close proximity on the opposite site of the Frank Perkins Parkway. This is accessed easily by way of an underpass and the application proposal is seeking to provide a footway/cycleway link to this.

#### **j) Other matters**

***Mis-selling of properties*** – Whilst the concerns of residents are noted, information relayed by Selling Agents is not a material planning consideration and therefore cannot be taken into account in determining the current application.

**Failure to secure landscaping of the southern site** – Application reference 12/00981/DISCHG clearly stated that the soft landscaping was only approved for Phases 1B, 2 and 3. The landscaping for the areas of Public Open Space has yet to be approved.

**Foul sewage** – The foul sewage strategy for the wider site has yet to be approved however the Environment Agency has raised no objections to the proposal, provided that a condition requiring details of foul sewage is secured. The concerns of residents are noted and securing this strategy for the entire development site will be prioritised by Officers.

**Crime risk** – The concerns of existing residents with regards to incidents of crime and anti-social behaviour are noted however the Police Architectural Liaison Officer has raised no objections to the proposal as it meets with the requirements of Secured by Design.

## **6 Conclusions**

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

- the proposed 31 no. residential units would contribute towards the overall growth strategy of the City and would provide additional housing within an allocated residential site, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011) and Policy CC8.1 of the Peterborough City Centre DPD (2014);
- whilst the proposal would result in the loss of planned informal public open space, it is considered that there is sufficient provision within the wider development site and nearby. In addition, it is considered that the benefit arising from additional housing provision, on balance, outweighs the slight harm that would result;
- the design and layout of the proposal would not result in any unacceptable impact to the character, appearance or visual amenity of the surrounding area. in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposed site layout makes adequate provision for car parking in accordance with adopted minimum standards and would provide safe access for all highway users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposed three and four storey blocks would not result in an unacceptable level of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would provide future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- adequate provision has been made to ensure that previous contamination of the site is dealt with and that it is safe for future residential use, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to protected species or the protected Nene Washes SSSI/SPA/Ramsar site, in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
- the proposed development would not be at unacceptable risk from and would not increase flood risk elsewhere, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the Applicant has adequately demonstrated that there are significant constraints associated with the site which prevent the delivery of policy requirements in terms of affordable housing.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED**

subject to the following conditions:

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

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

- C 2 The development hereby permitted shall be carried out in accordance with the following drawings:

- 1683/C/505 'Location Plan'
- 1683:P.501 Revision E 'Site Layout Plan'
- 1683:P.210 Revision A 'Flat Block N Floor Plans'
- 1683:P.511 Revision B 'Flat Block N Elevations'
- 1683:P.512 'Flat Blocks P and R Type 2BF-12'
- 1683/C/518 Revision A 'Cycle / Refuse Store Details'

Reason: For the avoidance of doubt.

- C 3 No development other than groundworks and foundations shall take place until details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling;
- Roofing;
- Windows and doors;
- Balconies;
- Rainwater goods; and
- Vents, flues and soil pipes.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. All windows and doors shall be set back at least 50mm behind the masonry of the elevations to the flats hereby permitted.

The development shall not be carried out except in accordance with the approved details.

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

- C 4 No development (including site clearance) shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- Hours of working;
- Haul routes to and from the site;
- Materials storage;
- Contractor parking;
- Areas for the parking, turning, loading and unloading of all construction vehicles visiting the site;
- Welfare facilities;
- Wheel cleansing equipment which all construction vehicles visiting the site shall pass through before entering the adopted public highway; and
- Measures to prevent and control dust emanating from the site.

The development shall not be carried out except in accordance with the approved details.

Reason: In the interests of highway safety and to protect the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). The condition is required prior to commencement as the Local Planning Authority needs to be content that all stages of construction protect neighbour amenity and highway safety.

C 5 Notwithstanding the submitted information and prior to the commencement of Blocks P and R hereby permitted, full details of the following elements of the proposed adoptable public highways shall be submitted to and approved in writing by the Local Planning Authority:

- Levels, form and construction (including surfacing materials and those areas to be block paved);
- Piped surface water drainage;
- Street lighting; and
- Signing/lining.

The proposed adoptable public highways shall be constructed in accordance with the approved details and no dwelling in Blocks P and R shall be occupied until the highway(s) linking that dwelling to the existing public highway network at Potters Way have been completed to at least base course level in the case of bituminous surfacing or final wearing course in respect of block paved highways.

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

C 6 Notwithstanding the submitted information and before vehicular accesses are brought in to use, vehicle-to-vehicle visibility splays measuring 2.4 metres (along the centre line) x 33 metres (along the channel line) shall be provided at either side of all shared vehicular accesses with the adopted/proposed adoptable public highway. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the highway nearest the new access). These visibility splays shall be kept clear of any obstruction above a height of 600mm in perpetuity.

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

C 7 Notwithstanding the submitted information and before vehicular accesses are brought in to use, vehicle-to-pedestrian visibility splays measuring 2 metres x 2 metres, shall be provided at either side of the accesses (measured from and along the back edge of the adopted/proposed adoptable public highway). These visibility splays shall be kept clear of any obstruction above a height of 600mm in perpetuity.

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

C 8 Prior to first occupation of each residential unit hereby approved, parking spaces relating to each unit shall be provided in accordance with drawing number 1683:P.501 Revision E 'Site Layout Plan' and shall be drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Prior to first use of each parking space, they shall be clearly delineated and numbered in accordance with the letter from Ian Mitchell dated 25 May 2012 and email from Ian Mitchell

dated 31 May 2012. Those parking spaces shall thereafter remain solely for the parking of vehicles of occupiers/visitors of the units to which they are allocated.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 9 Prior to first occupation of any residential unit within Block P and R hereby permitted, the proposed adoptable footway/cycleway link to the subway beneath the Frank Perkins Parkway shall be provided and in operation, in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To provide the pedestrian linkages from the site to the City Centre at the earliest and safest opportunity, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

- C10 Notwithstanding the submitted information and prior to first occupation of any residential unit hereby permitted, a scheme detailing lighting to parking areas which will not form part of the adoptable public highway shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided in accordance with the approved details and prior to first use of the parking area to which it relates.

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

- C11 The cycle parking provision shown on drawing number 1683:P.501 Revision E 'Site Layout Plan' and 1683/C/518 Revision A 'Cycle/Refuse Store Details' shall be provided prior to first occupation of the residential unit to which it relates. Thereafter, the cycle parking shall be retained solely for the parking of cycles in connection with the residential units to which it relates.

Reason: In order to promote more sustainable methods of transport, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C12 Notwithstanding the submitted details and approved drawing number 1683/C/518 Revision A 'Cycle/Refuse Store Details' details of refuse, recycling and food waste storage and collection points to serve each residential flat block shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any residential unit. The refuse, recycling and food waste storage/collection points shall be provided in accordance with the approved details and prior to first occupation of the residential unit to which they relate.

Reason: In the interests of the amenity of future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C13 The development hereby approved shall be carried out in accordance with the contamination remediation details contained in the following documents:

- Fengate Sewage Works Remediation Strategy (reference 1001979/OR/1D dated May 2004);
- Contract Completion Report (reference 760ALL/01 dated 20 December 2007);
- Addendum to Remediation Strategy Version 1D (reference 220718/GEE/01 dated June 2005);
- Letter reference JHP/IA/TB/303287 from Mott MacDonald dated 15 May 2012; and



- Outline Specification for Ground Gas Monitoring (reference 303287/EVT/HYES/003/B dated May 2012).

Upon completion of all remediation works, a detailed verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the no risk to human health or pollution of controlled waters will result, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C14 If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted to and had approved in writing by the Local Planning Authority an addendum to the contamination remediation strategy secured by condition 15 above. Development shall be carried out in accordance with the approved addendum.

Reason: To ensure that the no risk to human health or pollution of controlled waters will result, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C15 Prior to first occupation of any residential unit hereby permitted, details of the noise mitigation measures specified within the submitted 'Planning Noise Assessment Proposed Residential Development Plots 464-492, Fengate, Peterborough' (reference JW1004/14316 dated June 2015) shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be carried out as approved and prior to first occupation of the residential unit to which they relate.

Reason: To ensure an adequate level of amenity for future occupants, in accordance with Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C16 No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- C17 Notwithstanding the details submitted and prior to the commencement of development, a detailed scheme for the implementation, maintenance and management of a sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include:

- a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required offsite to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for its implementation,

- e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
- f) Information to demonstrate that it meets the government's national standards.

The scheme shall be implemented as approved prior to the commencement of development and managed/maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

C18 No development shall take place until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

- Proposed finished ground and building slab levels;
- Planting plans including retained trees, species, numbers, size and density of planting;
- Details of any boundary treatment; and
- Surfacing materials to all private parking and pedestrian areas.

The hard landscaping scheme (boundary treatments and surfacing materials) shall be carried out in accordance with the approved details and prior to first occupation of the residential unit to which it relates. The soft landscaping shall be carried out in accordance with the approved details and no later than the first available planting season following first occupation of the residential unit to which it relates.

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual amenity and then enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

C19 Development shall be carried out in accordance with the measures specified in the submitted Bioscan report 'Submission in Respect of Condition 38' (reference E0934aR8 dated June 2012) to manage recreation pressure and cat predation on the Nene Washes SPA.

Reason: In order to protect features of nature conservation importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011).

C20 Prior to the commencement of development, details of fire hydrant provision to serve the needs of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and hydrants shall be provided prior to first occupation of the residential units which they serve.

Reason: In the interests of ensuring the safety of future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C21 Upon first occupation of each residential unit hereby approved, occupiers shall be provided with a Home Travel Information Pack in accordance with details submitted to and approved in writing by the Local Planning Authority. The packs shall include information relating to local footpath locations, bus timetables, cycleways and local shopping provision.

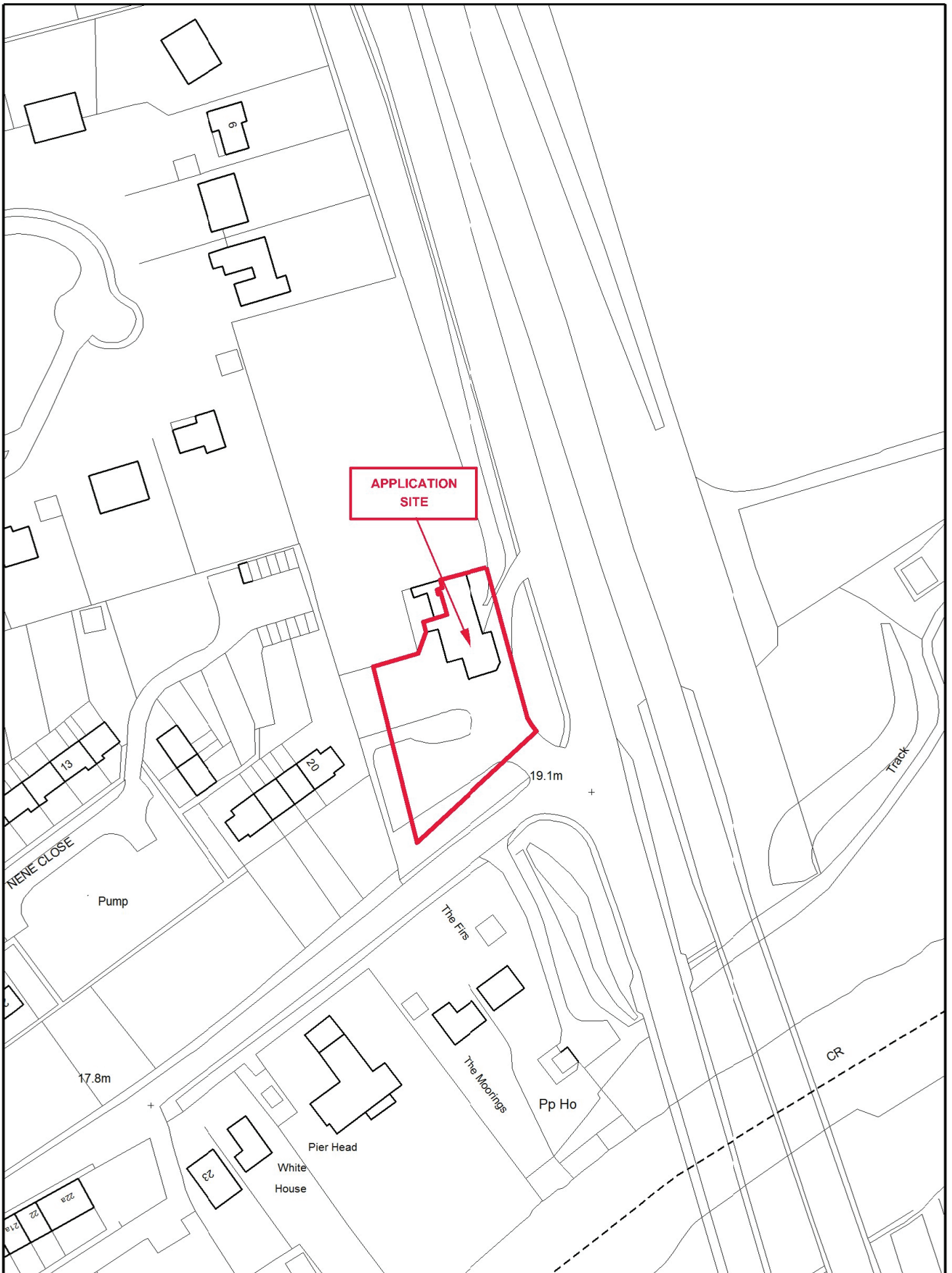
Reason: In order to promote more sustainable methods of travel, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

- C22 Notwithstanding the details shown on drawing number 1683:P.511 Revision B 'Flat Block N Elevations' and prior to first occupation of the residential unit to which they relate, the windows to the southern elevation shall be obscurely glazed to a minimum of Level 3 obscuration and non-opening unless the opening parts are more than 1.7 metres above the floor level to the room that they serve. Thereafter, those windows shall be retained as such in perpetuity.

Reason: In order to protect 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).

Copies to Councillors: N Shabbir, J Johnson, A Iqbal

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**LOCATION PLAN 15/01209/FUL**

ArchHaus, Peterborough Road, Wansford

Scale NTS

Date 12/10/2015

Name AA Department Planning Services



**PETERBOROUGH**



CITY COUNCIL

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**Application Ref:** 15/01209/FUL

**Proposal:** Change of use of ArcHaus ground floor from B1(a) to a mixed use of B1(a) (Office) and Sui Generis (Motorcycle showroom) and construction of new workshop (B2) adjacent to existing building

**Site:** ArcHaus, Peterborough Road, Wansford, Peterborough

**Applicant:** Mr Simon Harris  
Harris McCormack Architects

**Agent:**

**Referred by:** Wansford Parish Council

**Reason:** The application is inappropriate

**Site visit:** 07.08.2015

**Case officer:** Mrs J MacLennan

**Telephone No.** 01733 454438

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

**Recommendation:** **GRANT** subject to relevant conditions

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

### Site and Surroundings

The site area is approximately 0.2ha and lies within and to the far east of the village settlement boundary of Wansford and abuts the Wansford Conservation Area boundary to the south. The site also runs parallel to the A1 to the east. The site contains a two storey building of art deco style built in the 1930s to serve travellers on the A1 which at the time was a single carriageway. Since then, the building has been in the same use although rebranded at various times, and the Little Chef, as it was most recently, closed some years ago. The building itself is on the Local List and, although very dilapidated, still shows some original art deco features such as typical art deco curved walls and flat roof, and is still largely rendered.

There is an existing access from Peterborough Road which is at a right angle to the A1. The access is almost on the junction of the A1 and with current traffic volumes and speeds the access has become less suitable and more dangerous. The site is elevated from the A1, and the access slopes up. There are existing residential dwellings to the west, one of which uses the current access to the site. There is also egress from the site to the A1.

This application is a revision to a formerly approved scheme (14/00637/OUT) which sought approval for 'a change of use of existing roadside restaurant to B1 including external alterations and a first floor extension'. The former approved scheme proposed to carry out various repairs and improvements to the building, add a small extension, and to change the use to offices.

### Proposal

The application seeks approval for use of the ground floor as B1(a) offices and Sui Generis (motorcycle showroom); and the construction of garage building to provide further storage and a workshop (B2). There are no further changes to the main building. The workshop would be positioned along the western boundary. The footprint of the workshop would be 92m<sup>2</sup>. The building would have a flat roof to a height of 3.4m. There would be no openings on the rear of the building. The front elevation would have two roller shutter doors. The building would have a rendered finish to match the ArcHaus building.

A new access to the site was approved under the outline consent for the housing development to the north (14/00637/OUT). It is proposed that the existing access is used for a while, until the

housing development to the north is carried out and the new access road put in. The new access would be used by ArcHaus, the housing development to the rear and the dwelling to the west of the site.

The site would provide 16 no parking bays including 2 disabled and 6 no motorcycle parking bays and provision for cycle parking.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/00637/FUL	Change of use of existing roadside restaurant to B1(a) (offices), including external alterations and a first floor extension	Permitted	27/06/2014
14/00643/OUT	Construction of nine two storey dwellings with single storey garages and associated access road/infrastructure	Permitted	20/06/2014
15/01119/REM	Application for Reserved Matters (Appearance, Landscaping, Layout and Scale) for the construction of nine two storey dwellings with single storey garages and associated access road/infrastructure pursuant to planning permission 14/00643/OUT	Pending Consideration	

## **3 Planning Policy**

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

### **National Planning Policy Framework (2012)**

#### **Section 3 - Rural Economic Growth**

Should be encouraged through sustainable growth and the expansion of business/ enterprise including sustainable rural tourism/leisure developments which respect the character of the countryside, via the conversion of existing buildings and well designed new buildings. The retention and development of local services and community facilities should be promoted.

#### **Section 12 - Conservation of Heritage Assets**

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

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

### **Peterborough Core Strategy DPD (2011)**

#### **CS14 - Transport**

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

#### **CS16 - Urban Design and the Public Realm**

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



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

#### **CS17 - The Historic Environment**

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

#### **CS21 - Biodiversity and Geological Conservation**

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

### **Peterborough Site Allocations DPD (2012)**

#### **SA04 - Village Envelopes**

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

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

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

#### **PP02 - Design Quality**

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

#### **PP03 - Impacts of New Development**

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

#### **PP08B - (b) Employment Uses in the Countryside**

Development involving the expansion of an existing employment use on its current site for B1 to B8 uses will be supported, provided that the building would not require significant reconstruction.

#### **PP12 - The Transport Implications of Development**

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

#### **PP13 - Parking Standards**

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

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

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

#### **PP17 - Heritage Assets**

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

## 4 Consultations/Representations

**PCC Conservation Officer** – No objections – The reuse of the building and alterations were welcomed under the previous scheme. There are no objection to the proposed use of the ground floor or the detached garage/workshop building.

**PCC Pollution Team** – No objection – Given the location of the site and its proximity the A1 there are no concerns raised with the proposed use. There are a number of such activities that operate within residential areas with low background noise without causing nuisance. It is also noted that particularly high background noise levels will be part of the noise climate in this location, and therefore the intrusiveness for comparable noise sources would be less. To prevent nuisance will however require a suitable level of managerial control.

The workshop facility is suitably orientated to minimise disturbance and it is noted that it is proposed to keep doors closed during works. Glazing/openings in the rear and side elevations and through the roof may also present pathways for noise transfer. These pathways require suitable consideration at the detailed design stage. It is recommended that the building shall be constructed so as to provide sound insulation against internally generated noise of not less than 35dB(A), with windows shut and other means of ventilation provided.

**PCC Transport & Engineering Services** - No objection in principle. Car and cycle parking space are acceptable, however the cycle parking should be secure, covered and overlooked. Amended drawings have been submitted extending the red outline to include the new access road off Peterborough Road which already has consent. The LHA no raises objections to the proposal subject to conditions.

**Wansford Parish Council** – Objections to proposal. The Parish Council were opposed to this application, it was felt to be inappropriate - if officers are minded to approve, the Parish Council would wish the application to go before full planning committee.

**Police Architectural Liaison Officer** – No objection in respect of crime and safety and no objections to the principle of such a change of use for this site. The use as a specialist Motorcycle Sales and Repair Centre, may raise the risk of crime for this site, particularly taking into account the close proximity of the A1 as a quick escape route. However, I'm sure that appropriate security measures can be incorporated without having to adversely affect the aesthetics of the building. It is recommended that contact is made with the Local Crime Prevention Officer in Peterborough, to ensure appropriate security measures are designed into any future refurbishment of the site, sufficient to ensure that vulnerability to crime will be adequately addressed, as required by CS16 of the Local Core Strategy Policy.

**Highways England** - No objection - Highways England has no objections for this planning application, on the understanding that the proposal is constructed as shown on drawing no. (08) G02, dated July 2015, produced by Harris McCormack, titled "Proposed Ducati Dealership ArchHaus, Wansford" submitted with this application.

### Local Residents/Interested Parties

Initial consultations: 2  
Total number of responses: 1  
Total number of objections: 1  
Total number in support: 0

No neighbour representations have been received. The objection refers to one made by the Parish Council.

## 5 Assessment of the planning issues

### The principle of development

The existing building has always had a commercial use and it was specifically built in this position due to its association with the A1 road network. Originally built as a roadside motel in 1932, it subsequently became a public house, The Mermaid in 1936 (later becoming the New Mermaid). It ended its recent life as one of the Little Chef's roadside cafes in 2007. Since then it has been redundant. However, the lawful A3 (restaurant/café) use could be reinstated without reference to the Local Planning Authority. Furthermore, A3 uses can change to A2 (financial and professional services) uses or A1 (shops) uses under Permitted Development.

The first floor of the building would be used as offices (B1) and the ground floor would be used as motor cycle showroom with associated offices.

It is considered that this use would be much less intensive than the former A3 use and the proposal would bring the building back into beneficial use as well as providing a rural employment use. The site lies at the edge of a village settlement, has a commercial character and adequate parking provision. It is considered that there is no reason in principle to object to the proposal subject to the application according with other relevant planning policy and material considerations.

### Neighbouring Amenity

There have been no objections or representations made by neighbouring occupiers. However, concerns have been raised by the Parish Council who consider that this is an inappropriate location for the proposed motorcycle showroom due to the potential for noise and disturbance arising from the use.

It is assumed that the concern is regarding the potential for motorcycles being test driven through the village and the subsequent noise and disturbance to residential occupiers that would result.

It is considered however, that while the use does give the perception that the site would generate noise there are numerous examples where such uses live quite harmoniously juxtaposed residential dwellings. The applicant has provided examples of such situations including: Webb's Yamaha Centre (High Street, Eye), Sycamores (Helpston Road, Glington), Classic Cars (Wisbeach Road, Thorney), Nene Overland (Ailsworth), Broadway Garage (Broadway, Yaxley), Stirling Cars (South Street), Dwyer Motor Company (Church Street), First Choice Cars (Church Street), and so on.

The potential occupiers (Ducati) have not come across concerns with noise issues before when proposing a new showroom. Ducati have provided information on the decibel ratings (at static testing) for models as follows:

Superbikes – 108Db  
Multistrada – 100Db  
Monster's – 102/3Db  
Scrambler – 96Db  
Diavel – 105Db  
Hypermotard – 97Db

These numbers decrease by quite a large margin on drive by ratings. For example, according to Ducati's Certificate of Conformity, the Monster 821 drops from 102Db to 79.2Db, which is not much louder than a Ford Fiesta 1.8 (2010) at 85mph which rates as 75.3Db or 71.7Db at 75mph according to the [www.auto-decibel-db.com](http://www.auto-decibel-db.com).

It is proposed that the building would be constructed of 2 skins of 100mm dense concrete blocks with cavity filled insulation. Only high level glass blocks will be inserted into the back elevation. This will prevent any sound from transferring towards the existing houses and would mitigate against noise. The bikes would be statically maintained and tested so that noise pollution is reduced to an absolute minimum.

A condition would be appended to the decision to secure details of the noise mitigation measures proposed for the building.

It is also considered that the position of this workshop will also provide an acoustic barrier to this part of the site currently exposed to the noise from the A1.

It is considered that the use of part of the site as a motorcycle showroom with associated workshop would not unduly impact upon the amenity of the occupiers of neighbouring properties particularly when considering the historic use of the site and its proximity to the A1.

The applicant has, however, agreed to a personal consent which would restrict the occupier of the showroom to Ducati who are a specialist and reputable supplier and it is unlikely the amenity of neighbouring residential properties would be unduly affected.

The location of the workshop building would be some 45 metres from the proposed residential development to the north and this separation distance combined with the design building is sufficient to avoid any adverse impact on the amenities of the occupiers of these properties.

The proposal therefore accords with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

#### Highway Implications

The proposed site layout indicates the provision of 16 no. parking spaces including 2 no. disabled parking spaces and 6 motorcycle parking spaces. Provision is also made for cycle parking however, this will need to be covered, secure and overlooked; the details will be secured by condition. The Local Highways Authority raises no objections subject to condition.

Under the former approval (14/00637/FUL) it was proposed to close off the existing access from Peterborough Road once a new access has been constructed to the west of the site which would also serve the new housing development to the north (14/00643/OUT) in addition the egress from the site to the A1 will be closed off. Conditions will be appended to this planning consent securing these works for the avoidance of doubt. Highways England and the Local Highways Authority therefore raise no objection on access issues.

It is considered that the proposal would not unduly impact upon the adjacent highway and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and policy CS14 of the Adopted Peterborough Core Strategy DPD.

#### Design and Visual Amenity

The former approved scheme dealt with the changes to the existing building. There are no alterations to the existing building as part of this application.

The proposed garage/workshop would be single storey with a rendered finish and would not be dissimilar to a former building which occupied the site.

It has become an iconic building over the years, recognised by English Heritage (when assessing the building for listing status due to its architectural style) links to historical motoring associations and the Local Authority by giving it Special Interest status. However the building has been a target for vandalism & crime and has been stripped of its internal fixtures / fixings; covered in graffiti, had its doors / windows smashed and boarded up. The occupation of the building is welcomed and will ensure the building is brought back into beneficial use which would help secure its refurbishment and survival.

The proposal would respect the character and appearance of the existing building and would be an enhancement to the visual amenity of the site particularly when viewed from the Conservation Area. Hence the proposal accords with policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD and policies PP02 and PP17 of the Adopted Peterborough Planning Policies DPD.

## 6 Conclusions

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

- The site has an existing commercial character located on the edge of the village and the use of the ground floor of the building by a motorcycle dealership would not be uncharacteristic for the site and would support the rural economy and create jobs;
- The occupation of the building would bring the Locally Listed building back into beneficial use and ensure its longevity as well as providing a positive contribution the local area and the scale and design of the workshop are acceptable;
- There is adequate parking within the site and the access and egress would be improved hence there would be no impact on the highway;
- The use of the ground floor of the building by a motorcycle dealership would not unduly impact upon the amenity of neighbouring occupiers; and
- With the noise mitigation measures applied to the workshop the intended use would not result in the significant rise in noise levels.

Hence the proposal accords with policies PP2, PP3, PP12, PP13 and PP17 of the Adopted Peterborough Planning Policies DPD, policies CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD and section 3 and 12 of the National Planning Policy Framework.

## 7 Recommendation

The case officer recommends that Planning Permission is **GRANTED** subject to the following conditions:

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

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

- C2 Notwithstanding the details hereby approved the showroom will be occupied by a Ducati dealership only.

Reason: The condition would enable the Local Planning Authority to control future occupiers of the showroom. In this instance 'Ducati' is a specialist dealer providing for a niche market and in the interests of neighbouring amenity.

- C3 Prior to any occupation of the building for the intended use, the existing egress point from the site shall be permanently closed.

For the avoidance of doubt, this condition refers to the egress point situated on the side boundary of the site, to the A1, and located about 40m north of the junction of the A1 with Peterborough Road.

Reason: In the interest of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD (2012).

- C4 Prior to any occupation of the building for the intended use, the existing access from Peterborough Road shall be permanently closed in accordance with details to be submitted to and approved in writing by the Local Planning Authority with a footway being provided across the closed entrance to link into the existing footway either side.

Reason: In the interest of highway safety in accordance with policies PP12 and P13 of the adopted Planning Policies DPD (2012).

- C5 Within six months of the approved change of use being implemented, a scheme of landscaping of the site, including surfacing to the new higher car park and planting details to the site boundary including the existing access areas to be closed, shall be submitted to the Local Planning Authority for approval in writing.  
The approved scheme shall be implemented in full no later than the first planting season after closure of the existing access (as required by Condition 4).

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C6 The car parking area shown on plan 15-424 (08)E02 Rev A shall be implemented prior to the occupation of the building for the intended use, and shall thereafter be maintained for the parking of vehicles in association with the development.

Reason: In the interests of highway safety and in accordance with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

- C7 Notwithstanding the cycle parking shown on plan 15-424 (08)E02 Rev A plans showing 6 cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided prior to the occupation of the building for the intended use and thereafter be maintained for the parking of cycles only.

Reason: In order to promote sustainable means of travel and in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

- C8 A Construction Management Plan shall be implemented as follows:
- No Temporary Construction Access point(s) shall be created unless the details have been approved by the Local Planning Authority
  - Temporary parking, turning and loading/unloading facilities shall be provided on site for the duration of the build
  - Wheel washing facilities shall be operated such that debris does not get deposited on the highway and compromise highway safety

Reason: In the interests of highway safety and in accordance with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and policy CS14 of the Adopted Peterborough Core Strategy DPD.

- C9 Notwithstanding the details hereby approved a scheme which seeks to control any noise emanating from the workshop shall be submitted to and approved in writing by the Local Planning Authority. For clarity It is recommended that the workshop building shall be constructed so as to provide sound insulation against internally generated noise of not less than 35dB(A), with windows shut and other means of ventilation provided. Development shall be carried out in accordance with the approved details prior to the building being occupied for the intended use and shall remain in place in perpetuity.

Reason: In the interests of residential amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD and section 11 of the National Planning Policy Framework.

- C10 All work, repairs and servicing of motorcycles shall take place within the workshop building only.

Reason: In the interests of residential amenity in accordance with policy CS16 Peterborough Core Strategy DPD and policy PP3 of the Adopted Peterborough Planning Policies DPD.

C11 The development hereby permitted shall be carried out in accordance with the following approved plans:

- \* Site location and existing block plan 15-424(08)G01 A
- \* Proposed block plan 15-424(08)G02 A
- \* Existing ground floor plan and elevations 15-424(08)E01 A
- \* Proposed ground floor and elevations 15-424(08)E02 A
- \* Ground floor plan 15-424(08)E03
- \* Proposed elevations 15-424(08)G03

Reason: For the avoidance of doubt and in the interest of proper planning.

Copies to Councillors: J F W Holdich OBE, D Lamb

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<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 5</b>
<b>27 OCTOBER 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer:	Nick Harding (Head of Development & Construction)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE JULY TO SEPTEMBER 2015**

<b>RECOMMENDATIONS</b>	
<b>FROM</b> : Director of Growth and Regeneration	<b>Deadline date</b> : October 2015
That Committee notes past performance and outcomes.	

**1. PURPOSE AND REASON FOR REPORT**

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

**2. TIMESCALE.**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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**3. MAIN BODY OF REPORT**

- 3.1 In the second quarter of 2015/16 we received a total of 150 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (143 cases) as at 30 September 2015 we had 170 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 96% of new service requests within 3 working days this quarter, well above the target of 80%. 98% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 4 enforcement notices were issued in the quarter. 5 enforcement notices issued in the previous quarter have been complied with. 4 enforcement notices issued in the previous quarter have not been complied with on time. Please refer to the Comments section of the 'Enforcement Notices Due to be Complied With' table in the Appendix to this report which outlines the actions that we will be taking.
- 3.2 Court Action has been agreed to be taken for the failure to comply with an enforcement notice at 221-221B Lincoln Road (14/00314/ENFOTH).
- 3.3 There were no prosecution cases or other notable outcomes to report this quarter.
- 3.4 Please see the attached Appendix for further details of the Planning Compliance Team Quarterly Report on Activity & Performance.

#### 4. IMPLICATIONS

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

**Financial Implications** – This report itself does not have any financial implications

**Human Rights Act** – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

**Human Resources** – This report itself has no human resources implications.

**ICT** – This report itself has no ICT implications.

**Property** – This report itself has no Property implications.

**Contract Services** – This report itself has no Contract Services implications.

**Equality & Diversity** – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.

**INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – Qtr 2 (Jul – Sep 2015)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	<b>150</b>	The number has risen by 8 from the last quarter
Complaints Resolved (cases closed as % of cases received)	<b>143</b>	The number has risen by 2 from the last quarter
Complaints on Hand/Pending	<b>170/126</b>	Cases on hand has risen by 16 since the last quarter and the number of cases pending has risen by 10
<b>Enforcement Notices Served</b>		
Type of Notice	No.	Comments
Stop Notice	1	15/00420/ENFBCN 270 Eastfield Road
Temporary Stop Notice	1	15/00420/ENFBCN 270 Eastfield Road
Change of Use Notice	1	15/00231/ENFCOU 10 St Pauls Road
Breach of Condition Enforcement Notice	1	15/00420/ENFBCN 270 Eastfield Road
<b>Total Notices Served</b>	<b>4</b>	

<b>Enforcement Notices Complied With</b>		
Stop Notice		
Operational Development Notice	1	13/00164/ENFOTH Stables Paradise Lane Northborough
Change of Use Notice	2	14/00506/ENFCOU 314 - 316 Lincoln Road Peterborough 13/00438/ENFACC Old Hall Farm French Drove Thorney
S215 Notice	1	14/00352/ENF215 249 Peterborough Road Stanground
Advert Removal Notice (22 days)	1	15/00020/ENFAD 83 - 89 Cromwell Road
<b>Total Notices Complied with</b>	<b>5</b>	

<b>Enforcement Notices Due to be Complied With in the Quarter</b>		
Site	Date Due	Comments
Stables, Paradise Lane, Northborough	04/07/2015	12/00297/ENFCOU Appeal dismissed but new date to comply 17.12.2015
Land To The Rear Of 1125 Bourges Boulevard, Millfield	21/08/2015	13/00496/ENFCOU Cllr Nadeem is working with the owners to achieve compliance
73 Cromwell Road, Millfield	10/09/2015	14/00492/ENFOTH Compliance date varied on request of the police now due when premises reoccupied
41 - 43 Padholme Road, Eastfield	10/07/2015	15/00005/ENFOTH 41 - 43 Padholme Road Eastfield. Purchased by new owners time to comply extended to 22.9.15 but not complied with consider legal action
<b>Total</b>	<b>4</b>	

<b>Other Notable Outcomes</b>		
<b>Court Action Agreed</b>		
14/00314/ENFOTH 221 and 221B Lincoln Road Peterborough PE1 2PL	1	Failure to comply with enforcement notice
<b>Prosecutions</b>		
Type of Notice	No.	Comments, including cost awards
None		

<b>Performance Measures</b>			
	Description	% / Time	Comments
	% of cases closed within 8 weeks if No Breach found.	70%	Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	12 weeks	
LPI	% of complaints acknowledged within 3 working days.	96%	Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	98 %	Target of 80%

<b>Cumulative Compliance Performance</b>			
Description	Target	This quarter	Yearly average
Enforcement cases closed within 8 weeks if no breach found.	80% within 8 weeks	70%	73.%
Acknowledgement of enforcement complaints.	80% within 3 working days	96%	98%
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	98%	97%