

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 13 MARCH 2018
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. Minutes of the Meeting Held on 30 January 2018 **3 - 8**

5. Development Control and Enforcement Matters

5.1 17/01087/FUL - Land To The West Of Uffington Road Barnack Stamford. 9 - 30

5.2 17/01902/OUT - Land On The West Side Of Guntons Road Newborough Peterborough. 31 - 48

5.3 18/00091/FUL - 20 Broadway Gardens Peterborough PE1 4DU . 49 - 62

6. Update on Local Plan at SPDs 63 - 68



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Committee Members:

Councillors: G Casey (Vice Chairman), L Serluca, C Harper (Chairman), Bull, P Hiller, J Stokes, S Martin, Clark, Bond, Iqbal and C Ash

Substitutes: Councillors: Bisby, Sylvester, N Sandford and B Saltmarsh

Further information about this meeting can be obtained from Dan Kalley on telephone 01733 296334 or by email – daniel.kalley@peterborough.gov.uk

CASE OFFICERS:

Planning and Development Team: Nicholas Harding, Lee Collins, Paul Smith, Mike Roberts, Janet MacLennan, David Jolley, Louise Simmonds, Vicky Hurrell, Sundas Shaban, Amanda McSherry, Sam Falco, Matt Thomson, Michael Freeman, Jack Gandy, Carry Murphy, Joe Davies

Minerals and Waste: Theresa Nicholl, Alan Jones

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

NOTES:

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

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 30 JANUARY 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: (Chairman) Harper, (Vice-Chair) Casey, Councillors Bull, Stokes, Clark, Martin, A Iqbal, Ash and Hiller

Officers Present: Nick Harding, Head of Planning
Dan Kalley, Senior Democratic Services Officer
Stephen Turnbull, Planning Solicitor

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Serluca and Bond.

55. DECLARATIONS OF INTEREST

Councillor Hiller declared a personal non-pecuniary interest in item 5.1 by virtue of knowing the neighbour of the application site. He explained that Members may not be aware that a fellow Peterborough City Councillor was the neighbour in question (said Councillor had made any representations on the application).

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

Councillor Stokes advised that, with reference to item 5.3, upon legal advice, she would be withdrawing from the Committee and making representations as a Ward Councillor.

57. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 19 DECEMBER 2017

The minutes of the meeting held on 19 December 2017 were agreed as a true and accurate record.

58.1 17/02105/HHFUL - VINE COTTAGE, BAINTON GREEN ROAD, ASHTON, STAMFORD.

The Planning and Environmental Protection Committee received a report in relation to seeking planning permission for the 'construction of a 1.5 storey extension to the front of the dwelling, to replace the existing garage structure'.

The proposal would project from the studio room by approximately 9.3 metres in depth and would measure 7.2 metres in width. A dual-pitched roof was proposed, with the proposed ride to measure 6.1 metres high from the ground level. The space provided would accommodate a disabled bedroom, bathroom and garage at ground floor level, followed by carer accommodation at first floor dwelling.

The Head of Planning introduced the report and update report. The Conservation officer had raised some concerns over the proposed development. The proposal would

be too overbearing on the local area. Whilst there had been negotiations between the case officer and the applicant it had not been possible to arrive at a revision that was acceptable to both parties.

Councillor David Over, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There was a need to breakaway from Planning Policy in order to take into account the needs of the applicants.
- Although it was understandable that the officers recommended refusal they had not sufficiently taken into account the disabilities of the person using the extension.
- The village as a whole and the parish council were supportive of the application.
- The individual who would use the extension had severe needs that required attending too on a regular basis.
- The street scene was varied and this application was in keeping with the varied scene of the village. Overall this design was better than what was currently in place and would be in keeping with the character of the area.

Mark Bennis and Mr Wreford, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The current timber building was to be replaced with a larger more practical building.
- This application had been specifically designed for a person who had severe needs and required 24 hour care.
- Raising the height of the roof allowed for better quality of care.
- The size of the additional extension was created to allow enough space for both the patient and carer.
- The extension would be screened on all sides and be in keeping with the local village.
- The application had received support from local residents and the parish council, neighbours had also supported the application.
- The applicant wanted to support the needs of the patient as best as possible.
- Loft space was restricted so there was a need to make it a certain size in order to get bedroom and living space.
- That the design might have to change with the integral garage becoming accommodation instead

The Planning Committee and Environmental Committee debated the report and in summary, key points raised and responses to questions included:

- If permission were granted it would be unlikely that permitted development rights would be removed regarding conversion of the proposed integral garage to accommodation - this is because there is plenty of space available for parking.
- If approved the planning department would look at conditions on consent especially in regards to materials.
- A condition could be included that would include provision for the application site to not be included as separate dwelling or sold as such.

- It was perfectly reasonable to make this application. A varied street scene is more interesting.
- The application had support from the Parish Council.
- The medical needs were relevant and a need to deviate from the normal policy on such applications was necessary.
- The application was going to improve the life of a very ill lady and provide her with 24hr care.
- Lots of support from the Ward Councillor and the local neighbourhood.
- That in the light of the need to revise the scheme promptly consideration should be given to accepting and consulting on a revised scheme before permission is granted

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON FOR THE DECISION:

Proposal is not so harmful to the appearance of the street scene as to outweigh the benefit of the scheme to the occupant in need of care.

Reconsultation on revised plans (the proposed garage to become carer accommodation) and this not giving rise to any objections (otherwise it will return to committee)

Conditions as required being placed on the permission (to include restrictive condition re the extension not being used as a separate dwelling)

58.2 17/01906/HHFUL - 11 ELMORE ROAD, NETHERTON, PETERBOROUGH, PE3 9PS

The Planning and Environmental Protection Committee received a report in relation to planning permission for a two storey side extension and single storey front extension.

The Head of Planning introduced the report and update report.

Mr Phil Branston addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The latest drawings showed no drainage arrangement on the adjoining property.
- Overall the property was to be enlarged by around 30-40%.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Most of the houses had been extended around that area. The idea of the first floor and ground floor being of different sizes made it more attractive.
- There was no set figure for the maximum floorspace increase percentage that would render a proposal unacceptable. Officers would take each application on

its merits. The Committee agreed that there was still plenty of garden space remaining.

- Neighbours concerned about builders gaining access to the land through their garden, they could restrict access to the building but then there were consequences for example the quality of the building work may lessen. This was not a matter for the Committee to determine the application on.
- The application was not adversely affecting the street scene from the front.
- Quite a few properties had large extensions. Objections from neighbour have been well documented.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions being delegated to officers.

REASONS FOR THE DECISION:

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

- The proposed extensions would not be detrimental to the general character and appearance of the immediate area of Welmore Road or to the amenities of the occupiers of the two adjacent dwellings in accordance with policies CS16 of the Peterborough Core Strategy and policies PP2 and PP3 of the Peterborough Planning Policies DPD.

58.3 17/02255/HHFUL - 40 FARLEIGH FIELDS, ORTON WISTOW, PETERBOROUGH, PE2 6YB.

The Planning and Environmental Protection Committee received a report in relation to seeking permission for a 1st floor front extension, to form an en suite.

The Head of Planning introduced the report and update report.

Councillor June Stokes, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The property in question had been extended twice before and on one occasion was done permission was applied for retrospectively.
- The rear garden was without sunlight and would be completely overshadowed.
- The extension was not in keeping and would be placed awkwardly above the garage.

Cllr Diane Lamb, addressed the Committee (as the neighbour to the development and not as a Councillor) and responded to questions from Members. In summary the key points highlighted included:

- There had been over development of the area. People had suffered major loss of amenities.
- There would be massive overshadowing, photos in the update report showed overshadowing without the extension.
- Detrimentially affected the property from when the property was first built.

- The extension would be looking straight into the front garden from bathroom window.
- The application would deny light and privacy in front garden.
- Past alterations to the house had resulted in little sun getting to the rear garden.
- Parish council had already aired their views and do not support this application.

Kirsty Cleworth, applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Proposed ensuite was to adjoin eldest daughter's bedroom and create extra family space.
- The application should not be influenced by the fact the neighbouring property was owned by Cllr Lamb.
- Previous applications refused then been approved on appeal.
- Materials would match the existing building.
- This was to be a small first floor extension.
- The application was to be the last planning application made on the house as this was now sufficient for the family.
- The house was to be lived in for a long period of time and remain as a family home for a long time.
- Hedge of next door is 2.1m high and the extension would be behind this hedge.
- Ensuite bathroom window would use obscured glazing.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Ridge line of the proposed roof sits below existing ridge line.
- Front gardens were generally not private gardens and was not clear that this extension would be a major issue. Addition of en suite won't make major impact.
- Can't see the extra overshadowing of the application with extra en suite. The application may improve the appearance of the street scene and improve the property.
- The proposed extension was small and insignificant.

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the planning permission subject to relevant conditions being delegated to officers.

REASONS FOR THE DECISION:

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 extension by way of its design, appearance, size or form, will not unacceptably harm the character of the area or the amenity of the occupiers of neighbouring dwellings; in accordance with policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policies PP2 and PP3 of the Peterborough Planning Policies (DPD) 2012.

59. QUARTERLY COMPLIANCE REPORT

Head of Planning introduced the report. There had been a reduction in the number of cases coming through. Notwithstanding the reduced number of service requests,

performance had decreased due to resource gaps. E.g the impact on the case closing rate. Speed of site inspections had also reduced.

A member of staff had been deployed to enforcement activity and the use of agency resource was being put into play. In terms of case outcomes 25% were resolved voluntarily and 50% after investigation found that there was no breach.

RESOLVED:

That the Committee noted past performance and outcomes.

60. 17/00011/R4FUL & 17/00013/R4FUL - JOHN MANSFIELD SCHOOL

The Head of Planning introduced the report. In summary when applications were brought to the Committee 81 affordable units were part of the s106 agreement, which was above the 61 minimum level.

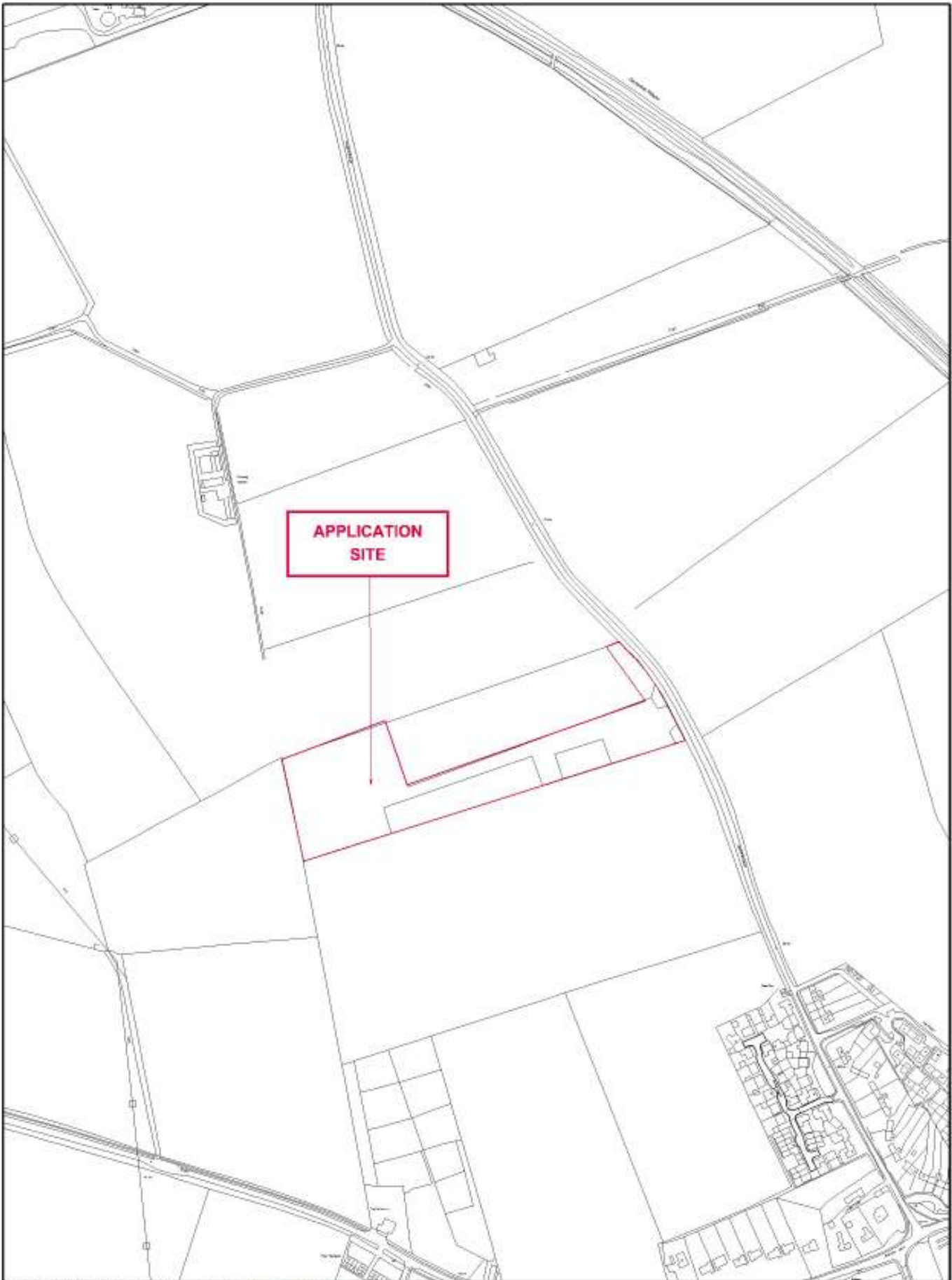
However, since then cross keys had been successful in getting a grant for these extra 20 units. But wouldn't qualify as the s106 agreement was in place.

It was proposed that the S106 refers only to the number of affordable units required by Local Plan Policy while ensuring that the remainder of the units were provided by way of a condition in the contract of sale between the City Council and Cross Keys which would state that 81 affordable units had to be provided.

RESOLVED: (Unanimously) That the Committee agreed:

Provided the 81 affordable units are secured as a condition of the sale of the land by the City Council and / or by way of a restrictive covenant, the S106 agreement be such that in regard to affordable housing, it only refers to the provision of policy compliant levels of provision (61 units). Otherwise, the agreement shall refer to 81 affordable units in accordance with the Committee's original decision on the applications.

Chairman
1.30pm – 3.05pm



LOCATION PLAN 17/01087/FUL

Land To The West Of Uffington Road, Barnack, Stamford

Scale NTS

Date 28/2/2018

Name AA Department Planning Services



PETERBOROUGH



CITY COUNCIL

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Planning and EP Committee 13 March 2018

Agenda No. 5.1

Application Ref: 17/01087/FUL

Proposal: Erection of a temporary timber dwelling and agricultural building

Site: Land to the West of, Uffington Road, Barnack, Stamford

Applicant: Mr Kerry

Agent: Mr Sam Croft
Willis & Co. (Town Planning) Ltd

Site visit: 06.07.2017

Referred by: Cllr David Over and Barnack Parish Council

Reasons: Landscape implications, environmental impact, amenity, principle of the development and hazardous access

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

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

Recommendation: **APPROVE**

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

Site and Surroundings

The site is located on the western side of Uffington Road and approximately 275m north of the village settlement boundary of Barnack and on land designated as open countryside. The field is about 2.4 hectares in size and laid to grass, with areas planted with several dozen apple/pear trees, willows, conifers and other trees. There is an access through the hedged boundary off Uffington Road. The current use of the site appears to be low key with little evidence of regular activity, notably as the access to the site is grassed over.

Proposal

The application seeks approval for a rural worker's (temporary) dwelling and agricultural building to enable the establishment of a free-range rabbit breeding and rearing enterprise.

Temporary dwelling – The dwelling would be two bed of dimensions 12.2m x 6m and would have a dual pitched roof to a height of x 3.6m (ridge) 2.8m (eave). The dwelling would be timber clad and located close to the entrance of Uffington Road.

Agricultural Building – The dimensions of the building would be 12m x 6.2m x 5m (ridge) 3.6m (eave) constructed in profiled steel sheeting.

The buildings would be in association with the development of a 300-doe, free-range rabbit production unit over the next three years with 100 does in Year 1; 200 does in Year 2; and 300 does in Year 3. The rabbit farm will occupy the east of the site with the remaining land used as a tree nursery.

It is proposed to use curved aluminium sheets for runs and metal ammunition boxes for hutches for the breeding stock. The runs and hutches would be enclosed within a heras fence.

The farm would be enclosed by weldmesh fencing buried 0.5m into the ground with electric fencing running around it at 0.5m and along the top.

The application has been revised since the initial submission. The red edge of the application site

has been amended to include a stretch of hedgerow on the adjacent site to the north. Reconsultation has been undertaken and an amended site plan erected.

The Local Planning Authority are also considering an application for a 20ft storage container on the adjacent site to the north (ref.17/02124/FUL). The storage container is to be used for agricultural purposes including, use a potting shed, for any first aid and shelter needs and for the storage of agricultural items and equipment.

2 Planning History

Reference	Proposal	Decision	Date
07/00649/FUL	Erection of boundary fencing, stables, hardstandings and use of land for grazing horses	Permitted	19/07/2007
10/01594/FUL	Construction of a barn for rabbit breeding and construction of 1 X Poly tunnel for trees, shrubs and plants	Refused	16/02/2011
11/00910/FUL	Construction of 2.4m high post and wire stock enclosure fencing for livestock	Refused	07/09/2011
14/01557/CLP	Two static caravan or log cabin ancillary to use on agricultural land	Withdrawn by Applicant	11/12/2014
16/01085/CLP	Installation of a caravan ancillary to the agricultural use of the land	Refused	16/12/2016
17/00431/CLP	Installation of a caravan ancillary to the agricultural use of the land	Refused	12/05/2017

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 6- Delivering a Wide Choice of High Quality Homes

Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

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 - Development on Agricultural Land

Where deemed necessary areas of poorer quality land should be used in preference to that of a higher quality.

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

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

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.

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 Site Allocations DPD (2012)

SA04 - Village Envelopes

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

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

CS26 - Mineral Safeguarding Areas

Development will only be permitted where it can be demonstrated that the mineral concerned is no longer of economic value, the mineral can be extracted prior to development taking place, the development will not inhibit extraction in the future, there is an overriding need for the development and prior extraction cannot be reasonably undertaken or the development is not incompatible.

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.

PP07 - Occupational Dwellings in the Countryside

Permission for a permanent dwelling will only be granted to enable an agricultural/forestry worker to live at or in the immediate vicinity of their place of work. Permission will not be granted for a new permanent dwelling in association with a proposed or newly established enterprise in the countryside.

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.

Peterborough Local Plan 2016 to 2036 (Proposed Submission Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan will take place during January and February 2018 after which the responses will be reviewed ahead of submission to the Secretary of State.

This plan was approved Cabinet for consultation on 13 December 2017. It is, therefore, classified as an 'emerging plan'. Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At the final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

Peterborough Design and Development in Selected Villages – SPD – Adopted 13 June 2011

SPD Policy – Barnack & Pilsgate

4 Consultations/Representations

PCC Minerals And Waste Officer (Policy) – Objection - The eastern part of the proposal site falls within a Minerals Safeguarding Area (MWS) (MW Policy CS26). Development within a MSA will only be permitted where it has been demonstrated to the Mineral Planning Authority that: the mineral concerned is no longer of any economic value or potential value, or the mineral can be extracted prior to the development taking place, or the development will not inhibit extraction if required in the future, or there is overriding need for the development and prior extraction cannot be reasonably undertaken, or the development is not incompatible. No information supports the application which suggests that the development should be permitted in accordance with MW policy CS26.

Archaeological Officer – No objection – The proposed development site is located in an area of archaeological importance, with particular reference to the presence of remains dating to the Roman period (a scheduled settlement is located to the north-east). On the basis of the available evidence the officer recommends a watching brief of all deep groundwork operations, depending on the method of construction and type of foundations. If no deep groundwork is proposed, there is no need to secure a programme of archaeological work

Lead Local Drainage Authority – No concerns

PCC Peterborough Highways Services – Objection – The vehicular visibility splays of 2.4m x 215m cannot be achieved because of the bends in the road. This is an issue because the proposed development constitutes an intensification of use in comparison to that which currently exists. The

Officer considers that the existing activity on the site is sporadic and looking at the vegetation growth in the access, very few vehicles appear to have used it in recent months. Compare this to a dwelling and building and it is clear that the access would be used more frequently.

There are concerns that refuse vehicles and so on would have to park on the carriageway near these blind bends on what is a fast rural road. The local highway authority therefore objects to the planning application as it poses a potential risk to highway safety contrary to policy PP12(b) of the Planning Policies DPD, adopted 2012.

No deliverable planning conditions can be suggested because unless the field boundary hedges are removed on both sides of the access and the road straightened out, the visibility simply cannot be achieved.

PCC Peterborough Highways Services Revised comments: - No objection - Further information has been supplied by the applicant to deal with the visibility issues with the access. Speed surveys have been carried out and the weekday 85th percentile speed for vehicles calculated at 47.8mph northbound and 46.1mph southbound. Using the calculations contained in the Design Manual for Roads and Bridges (DMRB) these speeds would result in the need for visibility splays along the road to be in the order of 130m in each direction.

To the north only 75m or so is available within the highway, in front of the hedge but to the south around 145m appears to be achievable. Based on the above figures the LHA accepts the availability of the southern visibility splay in the highway but the one to the north cannot be achieved unless the hedge in the field is cut back. If the applicant was to include this in the red line boundary then it would be possible to include a planning condition to require this hedgerow to be kept no higher than 600mm above the carriageway level.

Further to the submission of the amended plan including the hedgerow to the north the LHA raises no objections subject to conditions.

PCC Pollution Team - No objection – Further information was sought on details of waste disposal for the site, odour management and insect control. Following receipt of information based on the Granby site the EHO Officer considers that given the scale and the nature of the proposal the potential for issues are likely to be low and therefore the Officer would have no objection.

PCC Wildlife Officer – No objection – the proposed development would be unlikely to result in any adverse impacts to protected species or habitats.

Peterborough Cycling Forum – No comments to make

Environment Agency – The application falls outside of the scope of matters which the Environment Agency is a statutory consulted. Therefore the EA has no comments to make.

Natural England – Consultation Service – No comments to make on the application.

PCC Rights of Way Officer – No public rights of way concerns with this application.

Ramblers (Central Office) – No comments

Health & Safety Executive – Do not advise against development on safety grounds.

Cadent Gas – There is apparatus in the vicinity of the site which may be affected by the activities specified.

National Grid – No objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline.

Barnack Parish Council – Objection for the following reasons:

Consistency in decision making: This is the most recent of a series of applications made for this site. Barnack Parish Council views the present application as the last in a series of similar attempts and expects Peterborough City Council to apply the same standards as before when assessing the case. Previous permissions have been refused on grounds of its negative effect on the landscape and the unproven need for on-site accommodation for the effective operation of an agricultural enterprise. The Parish Council asserts that these two reasons still hold good.

Environmental (landscape and archaeological) considerations

One of the Core Principles of the National Planning Policy Framework is that planning should “take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.” This is supported by the Barnack and Pilsgate Village Design Statement.

The hundreds of runs, spread over two acres, together with the two buildings, would form a large and obtrusive development. This would be visible from Uffington Road and also from the public footpath that runs on the high ground along the western boundary of the field. The applicant acknowledges that the site is visible from a public road or other public land (see answer to question 24 on the application form).

The location is totally inappropriate for such a development and therefore contrary to Peterborough City Council’s policy of protecting sensitive landscapes.

Archaeological implications and a watching brief is recommended.

The presence of hundreds of rabbits in outdoor runs will create smell and contamination

There is no need for on-site accommodation

There is doubt over the future of the proposed agricultural enterprise

Concern with access and creation of a traffic hazard

Barnack Parish Council on revised scheme - Objection for the following reasons:

Barnack Parish Council would like to draw your attention to information regarding the applicant’s existing business in Granby, which would appear to highlight the intention of obtaining permission for a residence rather than an essential building to support a legitimate business, or indeed whether there is a need for another site.

The Parish Council’s original comments still stand.

It is also not known whether the rabbits be slaughtered on the premises at Barnack, and what implications there may be to hygiene and human health risks?

The latest traffic survey took place during school holidays whilst the roads were icy, and as such is not a true reflection of traffic volume and speed. Within the next year work will commence on building 80 new properties two fields down from the site, so traffic volume will increase substantially on an already poorly maintained road. The landowner has recently cut down the hedgerows in line with Highways recommendations to 0.6m above road height which will have a detrimental impact on the views across the open countryside and will not screen unsightly containers and buildings. They are unlikely to be maintained at that low height.

Cllr Over – objection to proposal. Refer to committee if recommendation is for approval

Local Residents/Interested Parties

Initial consultations: 0

Total number of responses: 39

Total number of objections: 39

Total number in support: 0

20 letters of objection have been received since receipt of the revised information. Most have reiterated previous comments.

- As you will be aware this is the second application that the owner has made for a rabbit farm on this piece of land
- The site gets no attention until a planning application is submitted, then the whole site is tidied to make it look as if it is being farmed
- The site is not suitable for the construction of any buildings either agricultural or temporary wooden structures for housing
- No mention in the plans is made of waste disposal and concern regarding waste contamination of water supply and land
- The buildings and fencing would be visible not only from the road but also from the houses on Bainton Road, Uffington Road, Paynes Field etc
- The owner of this field is a developer, who purchased the land with the intention of using it for building. To allow a temporary dwelling to be built would automatically lead to a permanent house.
- Barnack is a part conservation village and the approaches to the village are most important.
- To create a septic tank for the house waste would certainly not be a temporary structure.
- The site is used as a vineyard so why is the rabbit farm being applied for?
- The rabbit farm is unethical with environmental and animal welfare implications
- The village road cannot take any more traffic
- Nothing seems to be happening with the land
- There was a sign up selling Christmas trees for a day or too, this caused traffic problems
- What is proposed for the agricultural building and why is it temporary?
- The site is on a curve in the road and is completely out of sight for motorists travelling in both directions
- Any vehicles entering and leaving the site would be out of sight to on coming vehicles
- Some years ago two vehicles did collide as a vehicle exiting the site drove into oncoming traffic
- The site is outside the village envelope and on prime agricultural land
- There are dwellings to rent in the village
- There is no drainage or electricity on this field
- A 20ft container, agricultural building and timber dwelling would be unsightly to the proposed housing estate making it difficult to sell homes
- The proposal would impact on the visual amenity of the area
- We chose to live here to be surrounded by fields
- The smell from the farm will be disturbing throughout the year
- There will be noise and disturbance
- Intense farming goes against our values and we would not have lived here had we of known this sort of application would be considered
- We should be protecting our greenfields and not allow money making developers to move in and take advantage
- The lane is a short cut between two b class roads not designed to deal with the level of traffic
- This will create a road safety hazard
- Health hazard and pollution concerns
- It will affect water supply
- There would be rats and mice, flies, smell
- Where will the dirty bedding be stored and how often will it be removed?
- How many rabbits are legally allowed in a pen?
- What provision has been made for dead rabbits?
- Rabbits being bred for food will cause many children distress
- When and where are the rabbits going to be slaughtered?
- Is the proposed temporary dwelling going to be a slaughterhouse?
- Rabbits should be allowed to wonder free
- The speed restrictions of 30 mph is ignored

- The proposal will result in more lorries through Barnack, the narrow bridge near Copshill school will eventually collapse.
- The development will ruin the intrinsic character and beauty of the area
- Poses risk of small contamination and disease
- This is another attempt to find a way of developing land for housing outside village
- Not compatible with local farming and business activities
- The idea of changing the character of greenfield land in this manner is hideous
- I agree with the objections raised by the Parish Council
- This will end up like the stables at Helpston
- If animal rights groups find it they may let rabbits out and we will be overrun by them
- You do not take any notice of what local people say
- Despite the recent Gladman application this is a rural village and should be protected
- The applicant has made at least 7 applications for supporting a business, there has never been any credible attempt to operate a viable agricultural business.
- The applicant owns several similar sites across the country – one is in the village of Granby where they obtained planning permission and are now marketing it as a business opportunity.
- The site at Barnack is purely to uplift the value of land to sell it on
- There is no mention of waste disposal
- The proposed number of rabbits will create an unmanageable number of rabbits in a short space of time
- We request proof of the ownership of additional land on the revised plan
- There has been little activity on this land – where is the nursery?
- New houses are being built 270m from the site
- The Agricultural Consultant did not visit the site, had he done so he would have seen the unsuitable nature of the site
- The cutting back of the hedgerow to 600mm would have considerable impact on the landscape and the development would be obvious.
- The highway information is at odds with the former highway advice which stated that visibility could not be achieved.

18 letters of objection were received following the initial consultation raising the following issues:

- Supports the Parish Council's response.
- The proposal would bring additional traffic to the area
- Narrow road with blind bends already very busy
- This is a busy road used as a short cut.
- There would be a dangerous and significant road safety hazard by vehicles accessing and egressing the site
- The road is not fit for purpose for additional agricultural vehicles
- There will be impact on pedestrians and traffic particularly with the new residential development
- Is there a need for a building?
- It is a totally inappropriate development on what is considered to be prime arable land
- It would have a detrimental impact on the environment of a Conservation village
- There is potential for disruption to nearby dwellings (from smell and potential contamination)
- Concern that the Rabbit Farm will attract vermin
- Object to the breeding of animals on such a large scale.
- I have strong ethical and moral objections to having a factory farm on my doorstep – What are the rabbits going to be used for?
- There are no EU standards for the protection of rabbits, many of whom are kept in battery cages, which limits their freedom to roam.' ‘
- As of 2017, there are no 'approved' rabbit breeding farms or slaughter facilities for human consumption registered with the Food Standards Agency and only one approved facility for pet food use.'

- There is certainly no need for this here with many villages and towns in close proximity.
- The caravan is also unsuitable to house farm equipment or needed for any other intended purpose.
- Residential dwellings or rabbit farms are likely to be the intended final outcome both of which are totally unsuitable.
- Residential dwellings would further spoil the beautiful countryside here and set a precedent for other local land owners.
- This countryside between Peterborough and Stamford needs saving
- The applicant appears to have a history of speculative applications across the UK
- There would be no benefit to the local area
- There is no evidence that the type of rabbit farming the applicant is experimenting with at Granby is successful, and is not a model pursued across Europe.
- It seems that an underlying agenda may be the extremely profitable sale of the land for building.
- In the nearby village of Helpston, an agricultural building and caravan associated with horse paddocks has become a house. The building is described as ‘temporary’
- It is not clear that the business is a viable one.
- Evidence from this site and other sites owned by the applicant have shown a succession of ideas and businesses, many of which have not been pursued properly, leaving a mess in the countryside.
- The range of documents submitted are designed to bamboozle. It is an approach which was taken by Gladman Ltd and which Peterborough City Council proved unprepared for during the appeal. I am sure the Council will be better ready for any appeal made by the applicant given this experience
- This is in an overlooked area of open countryside, and the various models of rabbit pen used by the applicant at Granby are all highly visible, particularly the most recent, the small aluminium sheeting
- Barnack is becoming bombarded with excessive planning permission requests that are eroding the unique village environment and benefiting just one person, the land owner.
- The fertile farm land is being treated as a commodity and investment for land owners rather than seen as an important part of the cultural set up of an historical village.
- The Gladmans proposal should never have been granted and without protection the village is threatened. Please protect the village
- I did not receive any notification of your extraordinary meeting concerning the proposed rabbit farm 300 metres along the road from the last house which is very near me.
- a large number of breeding does and their offspring in captivity will be offensive to adults and most distressing to all the local children
- Problems will arise from the septic tank leading to the contamination of the existing natural drainage of the area.
- The opposition to such a situation would have been apparent at the meeting had all those in the locality been properly notified of the extraordinary meeting.
- This is farm land and when we are out of the common market there will be a need for farm land
- Mr Kerry is currently in breach of an order to remove a derelict trailer from the site. An indication of Mr Kerry’s disregard for orders and regulations.
- Will the proposed Animal Welfare and Environmental controls be observed – Doubtful.
- The planning officer will confirm the site does not have the benefit of an existing access. There is not visible sign of use.
- What are the proposed use of the buildings indicated in the application?
- Will any meat processing take place on the site?.
- Are satisfactory proposals declared in the application to ensure Animal Welfare and continued Husbandry of the Animals. If not Animal Rights Activists may well show an interest and presents on site.
- The proposed application must adequately address important Environmental matters i.e. smells, nuisance, pollution, insect infestation, animal waste storage and disposal of dead Rabbits.
- A site notice is not sufficient to advertise the proposal. Most residents were unaware of the

application

- Any buildings on the site, and the proposed fence (or wall) would be an eyesore,
- We understand that there was a similar application in 2010/11, which was rejected.
- The land was purchased with the intention of using it for a building. This will inevitably change the greenfield site to a brownfield site
- We believe that the proposer wishes to put 2,000 rabbits on the site this will create an unmanageable number of rabbits in a very short time.
- There are no services on the land and a septic tank would need to be emptied by another large vehicle.
- If this application were to be approved it would make a mockery of our planning system which is intended to protect the open countryside from this type of development.
- The proposal would set an unwelcome precedent which could open the floodgates for any person that happens to own a field to do exactly the same.
- As a former property developer myself I am obviously not opposed to change and property development. I would just like to see it carried out within the village settlement area and be sympathetic to the local architecture
- This application is a blatant and cynical attempt to flout planning laws. The long-term objective is to convert the use of this field to residential development – and the Gladmans application has simply given this applicant ammunition to pursue yet again.
- It has been partially planted with trees and these together with the rough grass receive no attention, until a planning application is submitted, then the whole site is tidied to make it look as if it is being farmed
- Waste running from the field would run on to the verge where the ditch was filled in when a second entrance was constructed without planning permission
- To have livestock on this site would involve feed being delivered and goods being taken from the site. The Uffington Road is a narrow country lane. It is unsuitable for lorry traffic or large delivery vans
- To allow a temporary dwelling to be built would automatically lead to a permanent house or houses to be built as a replacement in the future.
- This same scenario took place in Helpston some years ago, where stables were built outside the building envelope. I, personally, do not want this mistake to be repeated in Barnack

5 Assessment of the planning issues

Background

The site has been the subject of a number of former planning applications as follows:

07/00649/FUL - 'Erection of boundary fencing, stables, hardstandings and use of land for grazing horses' – Approved on 19th July 2007

10/01594/FUL - 'Construction of a barn for rabbit breeding and construction of a poly tunnel for trees, shrubs and plants' which was refused by Members of the Planning and Environmental Protection Committee in 2010 (ref. 10/01594/FUL). The application was refused for the following reasons:

1. The applicant has provided insufficient information to demonstrate that the proposal is essential to the effective operation of local agriculture and therefore the proposal is contrary to Policy LNE1 of the Peterborough Local Plan (First Replacement) – Adopted 2005.
2. The proposal would result in the loss of Grade 2 and 3 agricultural land and therefore the proposal is contrary to the provisions of Policy LNE3 of the Peterborough Local Plan (First Replacement) – Adopted 2005, which seeks to protect such categories of agricultural land from development.

3. The proposal (located in the Area of Best Landscape defined in Peterborough Local Plan (First Replacement) – Adopted 2005), involves the construction of buildings in an open landscape setting, characterised by long and wide views, isolated from any other buildings that would normally be associated with an agricultural / livestock / horticultural operation. In the case of the rabbit breeding barn, the structure is of substantial dimensions. The proposal is therefore contrary to Policy LNE5 as it fails to:

- a) respect local building forms
- b) reflect the distinctive landscape features
- c) safeguard important views
- d) be sympathetic to the local topography

11/00910/FUL - 'Construction of 2.4m high post and wire stock enclosure fencing for livestock' – Refused 9th September 2011 for the following reason:

The proposed enclosures will have the appearance of solid structures and by virtue of mass, density and appearance the enclosures will be at odds with the attractive character of the landscape. A proposed landscaping scheme would fail to mitigate the visual harm on the landscape, and as such the proposal is contrary to Policies CS16 and CS20 of the Peterborough Core Strategy DPD (2011), PPS1 (2005) and PPS7 (2004).

Two further applications for a Certificate of Lawful Use were considered for the 'Installation of a caravan ancillary to the agricultural use of the land' ref. 16/01085/CLP and 17/00431/CLP; both applications were refused for the following reason:

The scale of the proposed caravan would not be proportionate to the level of agricultural use which is currently taking place on site. Notwithstanding the details within the application the site does not contain a Vineyard, fruit trees or Willow trees that would justify the need for the scale of storage provision or shelter for staff as proposed. For these reasons the siting of a caravan and would not be lawful development in accordance with Section 55 (2) (e) of the Town and Country Planning Act 1990 (as amended) and the Certificate of Lawfulness is deemed to fail.

Current Proposal

The application is supported by an Appraisal undertaken by 'Reading Agricultural Consultants (RAC)' which provides background information.

The application site was purchased in 2007 by BCH UK Ltd, a company owned by Phil Kerry 'the applicant' who has business interests in quarrying, vineyards and tree & shrub nurseries. The applicant has a similar enterprise at Granby, Nottinghamshire which has been operating for the past few years. This site was granted planning permission at appeal.

This is an outdoor system of keeping rabbits for meat production and with other outlets such as pelt production and pet sales, and utilising techniques used on the continent. The appraisal states that outdoor rabbit production is less developed in this country where rabbits for meat production have traditionally been kept intensively and where breeding does are housed in a system of indoor cages. Rabbit meat has fluctuated in popularity over the years. The proposed business model for the application is based on that used at Granby.

The RAC Appraisal states that many such businesses fail due to underestimating the husbandry requirements and the need for good stockmanship. This is highlighted in the welfare code for Rabbits which states that "...rabbits are animals which need individual and frequent attention" and that "...it is essential that the stockman should watch for signs of distress or disease and take prompt remedial action." The code advises, inter alia, that at least one responsible member of staff should always be available to take the necessary (emergency) action.

It is proposed that whilst each doe can produce up to 10 litters over a 12-month period, at Barnack

this would be managed much more conservatively, with only 6 litters per annum which will be considerably less demanding on the doe, and with an expectation of 9 kits born per litter. There will, however, be almost constant process of mating, gestation, parturition and recovery (dry period) for each female animal, and a 16-week rearing phase for the progeny.

It is stated that crucial elements of the productive cycle always occur at night or at anti-social hours, particularly kitting (the name given to the birthing process). One of the key requirements is to ensure the doe and the kits are “in the right place” immediately after kitting. In commercial set-ups it is often the case that the doe will give birth outside the nest area and to optimise performance (and minimise mortality) there is a need to place the young with the doe inside the nest area. This ensures that the doe is secure; will minimise her stress and thence auto-consumption of kittens; and should improve uptake of colostrum and milk. Living off-site renders this simple activity almost impossible, especially on a commercial unit with 300 does likely to give birth throughout the year, every day.

The need, or otherwise, for temporary accommodation was assessed at the appeal for the enterprise at Granby. The Inspector reported: *“Turning to the proposed rabbit breeding enterprise, the RAC statement refers to the Welfare Code for Rabbits in support of the need for a relevant stockman who is readily available at most times. The statement indicates that the proposed 300 doe unit would require labour in excess of one fulltime worker, based on the standard data for conventional caged systems, with the free range enterprise being likely to have a greater requirement. It suggests that it would be essential that someone would be readily available at most times to manage the enterprise, specifically with regard to the birthing process, the health and well-being of the stock, security, the management of predators and contact with customers.*

*The appellant has referred to the other free range rabbit rearing business in support of the need, which he has indicated is a similar scale to the proposed enterprise and has been granted planning permission for a log cabin on site. The appellant has claimed that this business has reduced the losses from 25% to 10% following the on-site occupation, which has enabled kittens that have been born outside during the night to be taken into the hutches. At the hearing, the Council’s independent expert queried whether this would be acceptable, but no substantive evidence has been provided to show that this has not been the case. The Council’s independent expert’s desktop agricultural appraisal accepts that, if the enterprise is developed as proposed, it may be able to pass the functional test, subject to that need being fulfilled by another existing accommodation in the area. Whilst this is based on the progeny being finished intensively in the permitted agricultural building, which the appellant has claimed would not be the case, the appraisal gives limited evidence to show that such a functional need would not exist. **Therefore, based on the above, I find that there would be a functional need for a rural worker to live permanently at or near the business”***

The breeding rabbits are shut-up during the period immediately prior to giving birth but are otherwise able to access outdoor grazing pens, which are utilised in rotation. This is a modern variant of a husbandry system used in parts of Europe whereby the rearing phase is undertaken in ‘plein-air’ conditions, and has been successfully trialled and developed at Granby (Nottinghamshire).

The proposal states that the enterprise will require and sustain a full-time worker employed by BCH UK Ltd and there is an essential need for staff to live on site to provide for the welfare and security of the rabbits.

The principle of development

Policy CS1 of the Adopted Peterborough Core Strategy restricts development in the open countryside to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation and so on. Rabbit farming is an agricultural practise and therefore the principle of the rabbit farm per se would accord with policy CS1 and in itself would not require the benefit of planning permission.

The proposal seeks permission for the erection of a temporary dwelling, agricultural building and associated structures, including fencing. The main consideration with the proposal is the siting of

the temporary dwelling.

Policy PP7 of the Peterborough Planning Policies Development Plan Document (DPD) 2012 permits agricultural dwellings, permanent or temporary, in the countryside subject to meeting certain requirements. The final part of Policy PP7 states that 'Planning permission will not be granted for a new permanent dwelling in association with a proposed or newly established enterprise in the countryside. In such cases, if a functional need is demonstrated, there is clear evidence of a firm intention and ability to develop the enterprise and there is clear evidence that the enterprise has been planned on a sound financial basis, permission may be granted on a temporary basis for no more than three years for a caravan, mobile home or wooden structure which can easily be dismantled.'

In addition, the National Planning Policy Framework (NPPF) at paragraph 55 states that local planning authorities should avoid isolated new homes in the countryside, unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Paragraph 28 of the Framework states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development, and supporting the sustainable growth and expansion of all types of business and enterprise.

The NPPF contains no guidance on how to determine essential need for a rural worker to live at or near a site. However, Annex A to Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) (although cancelled by the NPPF) sets out a useful, tried and tested methodology for assessing whether there is an essential need for a rural worker's dwelling on a holding and is considered to be a useful tool in seeking to establish whether a temporary dwelling is justified.

Peterborough City Council sought the services of an Agricultural Consultant to advise on this proposal as it is a specialist area.

Functional need

The applicant operates a free range rabbit breeding enterprise at Barnstone Lane, Granby, Nottinghamshire. Planning permissions for both a temporary dwelling and later permanent dwelling were allowed at appeal. In determining the appeal the Inspector concluded that there would be a functional need for a rural worker to live permanently at or near the business specifically with regard to the birthing process, the health and well-being of the stock, security and the management of predators. During the appeal the appellant referred to other free-range rabbit rearing businesses in support of the need. The appellant set out that similar businesses reduced losses from 25% to 10% following the on-site occupation, which enabled kittens born outside during the night to be taken into the hutches.

It is noted that in a number of cases that it has been argued that this could be addressed through the use of the CCTV rather than on site occupation. However, the Inspector at the Barnstone Lane appeal concluded that whilst it was accepted that security could be improved by the use of CCTV, alarms and more substantial boundary treatment, even with these improvements, the proven need to attend to the rabbits on a regular basis at unsocial hours would require a presence nearer the site.

The application states that an online search was carried out on 26th May 2017 to identify whether there was any available housing near to the site. This revealed there were no existing dwellings within the immediate vicinity of the site which are presently suitable and available for occupation by the applicant. The nearest property was located over 0.5km from the site and was valued at £495,000. The closest rental property identified was over 5km from the site and would cost £525 per calendar month (equivalent to £6,300 per annum). A search of the Council website was also carried out, on the 26th May 2017, to identify if there were any rural workers dwelling in the immediate vicinity. One such dwelling was identified but is not available.

The Council's Consultant advises that two aspects of the functional test need to be considered; the husbandry aspects; that is a regime that provides for the efficient welfare of the livestock so that they thrive and produce a profit; and the legal requirements of an animal keeper to comply with the animal welfare codes and thus the law. Where codes are not followed, that can be evidence in a case for neglect or cruelty.

It could be argued that an outdoor system is more likely to satisfy animal welfare requirements than a more intensive cage-based indoor system, as being nearer the rabbits' natural environment. Likewise, allowing rabbits to graze as part of their diet in line with their natural digestive system. However, more labour and management is involved. Each doe must be constantly monitored, to note physical changes as it approaches parturition and any signs of disease or other problems. If conditions are not appropriate, rabbit mothers can eat their offspring. Strict monitoring of progeny as they grow is similarly essential and this could not be done satisfactorily during only normal working hours.

The Consultant agrees with section 4 of the RAC's statement dealing with animal husbandry and welfare factors. There are also bio-security factors to consider. The Consultants view is that without a person available on site at most times it would not be possible to keep out determined unwelcome visitors; this included visitors who might bring in or spread disease, i.e. proper bio-security. A human presence on site out of working hours is the best deterrent.

The Consultant considered that the animal husbandry requirements, compliance with the animal welfare codes and security can only be satisfied adequately by the presence of someone on site, or living close by the entrance. Surveillance by camera would not meet these requirements.

The Consultant goes on to state that the 2 Inspectors agreed that there was a functional need at the similar enterprise at Granby.

It is the Consultant's view that the functional need could only be fulfilled by a dwelling on site or close to the premises and therefore houses in the village are too far away.

Financial

The business plan for Barnack is based on a model that has been developed at Granby. The Council's Consultant considers the plan to be comprehensive. The main consideration when evaluating the business plans is whether the projected net profit at the end of year 3 will show the business can fund the new permanent dwelling after all costs, including labour if the person being housed is an employee. In this case, net profit is indicated at over £56,000. If one amortises the erection cost of the permeant dwelling over 25 years and at 5%, assuming a fairly modest dwelling of, say 150 m², an annual sum of around £12,000 would be needed; easily found from the profit indicated.

Business plans can only be a theoretical exercise; circumstances such as the markets can change over the course of a plan; and factors such as disease can throw a plan off course. The submitted business plan for this application is based on a similar enterprise which has proved successful. The Council's Consultant therefore agrees that the proposal is planned on a sound financial basis.

Therefore the proposal for a temporary agricultural worker's dwelling would accord with policy PP7 of the Adopted Peterborough Planning Policies DPD and section 6 of the NPPF because both tests are met.

It is acknowledged that the Parish Council has provided information regarding the enterprise at Granby being marketed and concerns that this proposal is purely an exercise to ultimately enable development in the open countryside. The case officer has raised this issue with the agent however, at the time of writing the report no response has been received. This information can be provided as an update to Members.

It should be noted that the site at Granby is being advertised as a '*Rabbit Farm with Planning for Detached House £300,000*' and as '*going concern Rabbit Farm with consent for a detached brick build farmhouse and connecting barn. The land could continue to operate as a Rabbit Farm or there is potential for any agricultural based business to operate from the location*' therefore the use of the land is in accordance with the planning permission and conditions attached thereto.

If Members are minded to approve the application it would be a temporary permission for three years. At that time, in accordance with policy PP7 of the Adopted Peterborough Planning Policies DPD, the applicant will need to demonstrate that the unit has been established for at least three years, been profitable for at least one of them, is financially sound and where there is a clear prospect of it remaining so in order to get a permanent dwelling.

Highway Implications

The application site would be accessed from an existing access point off Uffington Road. The Local Highways Officer has visited the site and advised that the required vehicular visibility splays of 2.4m x 215m cannot be achieved because of the bends in the road. Whilst this is an existing access it is considered that the proposal would constitute an intensification of use in comparison to that which currently exists. The activity on site is sporadic and looking at the vegetation growth in the access, very few vehicles appear to have used it in recent months. In comparison with the proposed use of the site comprising an agricultural building and dwelling the access would be used more frequently.

In addition, the use would generate more visitors to the site for example refuse collection vehicles, whereby the crew would be put at risk by being on the carriageway near these blind bends on what appears to be a fast rural road.

The LHA's recommendation was to refuse the application due to lack of visibility and subsequent highway implications. The applicant questioned the reason for refusal on highway grounds as the proposal would be an agricultural use. The applicant had also suggested that there would be sufficient land to provide a layby or pull off point for refuse vehicles and so on.

Further information has been submitted by the applicant to demonstrate the available visibility splays at the point of access. Speed surveys have been undertaken and the weekday 85th percentile speed for vehicles calculated at 47.8mph northbound and 46.1mph southbound. Based on the calculations contained in the Design Manual for Roads and Bridges (DMRB) these speeds would result in the need for visibility splays along the road to be in the order of 130m in each direction.

To the north only 75m or so is available within the highway, in front of the hedge but to the south around 145m appears to be achievable. Based on the above figures the LHA accepts the availability of the southern visibility splay in the highway, however the visibility to the north could not be achieved without cutting back the hedgerow to an adjacent land to the north.

A revised red line boundary plan has been submitted and notice has been served. This will enable a condition to be appended on any grant of planning permission to ensure the hedgerow to the north is kept no higher than 600mm above the carriageway above the carriageway level.

Based on this revised plan it is considered that the proposal would not unduly impact upon the safety of the users of the adjacent highway and the proposal would accord with policy PP12(b) of the Adopted Peterborough Planning Policies DPD. The LHA has removed its objection.

Minerals and Waste

The eastern part of the proposal site falls within a Minerals Safeguarding Area (MW Policy CS26). Development within a MSA will only be permitted where it has been demonstrated to the Mineral Planning Authority that the mineral concerned is no longer of any economic value, or the mineral can be extracted prior to the development, or the development will not inhibit extraction if required in the

future, or 4. There is overriding need for the development and prior extraction cannot be reasonably undertaken, or the development is not incompatible.

No information supports the application to suggest the development would be compliant with policy CS26.

A key consideration when dwellings are proposed within a MSA is the sterilisation of surrounding minerals due to the need for appropriate stand-offs, not just the resource within the footprint of the proposed building. It is accepted that the proposal is for a temporary dwelling and therefore this would not form a reason for refusal of the application currently under consideration. However the applicant has been advised that in the event that an application is submitted for a permanent dwelling, the objection would need to be addressed.

Odour

The Environmental Health (Pollution) Officer requested information regarding waste disposal at the site, odour management and insect control to demonstrate that the proposal would not adversely affect amenity.

The applicant has advised that the unit at Barnack is intended to be similar to the unit at Granby. All rabbits are kept outdoors. The faeces and urine produced is deposited on to the grass in the same manner as other types of farm animal. Rabbit waste is odourless unlike other farm animals. It is also known as cold waste as opposed to hot waste associated with cows, pigs, sheep etc. The Granby unit has been established since 2011 and at no time have complaints been received in connection with odour, insects or vermin.

Unlike other farm animal waste, rabbit droppings have no need to compost and will fertilise immediately. The waste is therefore an excellent organic fertilizer.

The process does not attract insects or vermin. Waste and carcasses are kept in sealed bins and disposed of regularly by a licenced commercial operator.

In response to the information provided by the applicant, given the scale and nature of the proposal the EHO Officer raises no objection and the potential for issues regulated by this Section is very low.

Archaeology

The proposed development site is located in an area of archaeological importance, with particular reference to the presence of remains dating to the Roman period (a scheduled settlement is located to the north-east). On the basis of the available evidence the Archaeologist recommends a watching brief of all deep groundwork operations, depending on the method of construction and type of foundations. These details would be secured by condition.

Ecology

The Wildlife Officer considers that the proposed development would be unlikely to result in any adverse impacts to protected species or habitats and raises no objection.

Natural England do not wish to comment on the application.

Design and Visual Amenity

It is considered that the scale of the buildings are commensurate to the proposed use and the materials would be appropriate for the open countryside setting. The proposal would not unduly impact on the character and appearance of the area and would accord with policy CS16 of the PCS and PP2 of the Adopted Peterborough Planning Policies DPD.

Neighbouring Amenity

The site is located some 270m to the north of the nearest residential dwellings in Uffington Road. Therefore it is not considered that the proposal would impact on the amenity of the occupiers of these dwellings and would accord with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

Landscape Character

The site falls within a landscape character area. The proposal buildings would be located close to the Uffington Road and views into the site are precluded by dense hedgerow and vegetation. The proposal is for an agricultural building of modest height and a timber dwelling. Whilst it is accepted that there will be views of the buildings particularly during the winter months the buildings are not untypical of agricultural buildings found in the open countryside. The proposed weldmesh fencing around the perimeter, subject to colour, would assimilate with the rural setting and would not have a hard boundary finish. It is therefore not considered that the proposal would result in an adverse impact on the landscape character surrounding the site and would comply with policies CS16 and CS20 of the Adopted Peterborough Core Strategy 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 proposal has been assessed against the criteria under Annex A to the former PPS7.
- the functional need for a temporary agricultural dwelling is accepted and the business has been planned on a sound financial basis.
- the scale and design of the proposed agricultural building and the temporary dwelling would be in keeping with the proposal agricultural use of the site.
- the proposal has demonstrated a safe and convenient access can be provided

The proposal therefore accords with policies, PP2, PP7, PP12 and PP13 of the Adopted Peterborough Planning Policies DPD, policy CS16, CS17 and CS20 of the Adopted Peterborough Core Strategy and section 6 of the National Planning Policy Framework.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

- C 1 The mobile/temporary dwelling hereby approved shall be removed and the land restored to its former condition (grassland) on or before 31st March 2021 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the character and appearance of the open countryside and in accordance with policy PP7 of the Adopted Peterborough Planning Policies DPD.

- C 2 The occupation of the dwelling shall be limited to a person solely employed in the Rabbit Farm as situated on the land edged red on the location plan drg. ref. SC/BCH/01 Rev A, or a widow or widower of such a person and any resident dependants.

Reason: In order to safeguard the character and appearance of the open countryside and in accordance with policy PP7 of the Adopted Peterborough Planning Policies DPD.

- C 3 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing. The scheme shall a watching brief of all deep groundwork operations. No demolition/development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

- C 4 Prior to commencement of development details of the proposed access off Uffington Road as shown on the approved drawing ref SC/BCH/03 shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the access has been implemented in accordance with the approved details. The access shall be retained as such thereafter.

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

- C 5 The visibility splays to the north and south of the site access where it meets the public highway shall be provided across the land edged in red in accordance with drawing number SC/BCH/01 Rev A prior to the first occupation of the development.

For the avoidance of doubt these splay lines shall measure 2.4 metres along the centre line of the proposed access from its junction with the channel line of the public highway and 215m metres to the north and 154m to the south measured along the channel line of the public highway from the centre line of the proposed access road. The visibility splays shall thereafter be retained and kept permanently clear of all obstacles above 600mm in height.

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

- C 6 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the construction period.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

- C 7 No development other than groundworks and foundations shall take place until details of the materials to be used in the external elevations of the agricultural building and temporary

timber dwelling have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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 8 Prior to the rabbit farm being brought into use the details of the style, height, material and colour of all boundary treatment to be erected within the shall be submitted to an approved in writing by the Local Planning Authority. These shall be erected in accordance with the approved details prior to the rabbit farm use commencing.

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

- C 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any subsequent revisions to this, the agricultural building will be used solely in connection with the agricultural use of the site and shall not be used for residential accommodation.

Reason: In order to safeguard the character and appearance of the open countryside and in accordance with policy PP7 of the Adopted Peterborough Planning Policies DPD and policy CS1 of the Adopted Peterborough Core Strategy DPD.

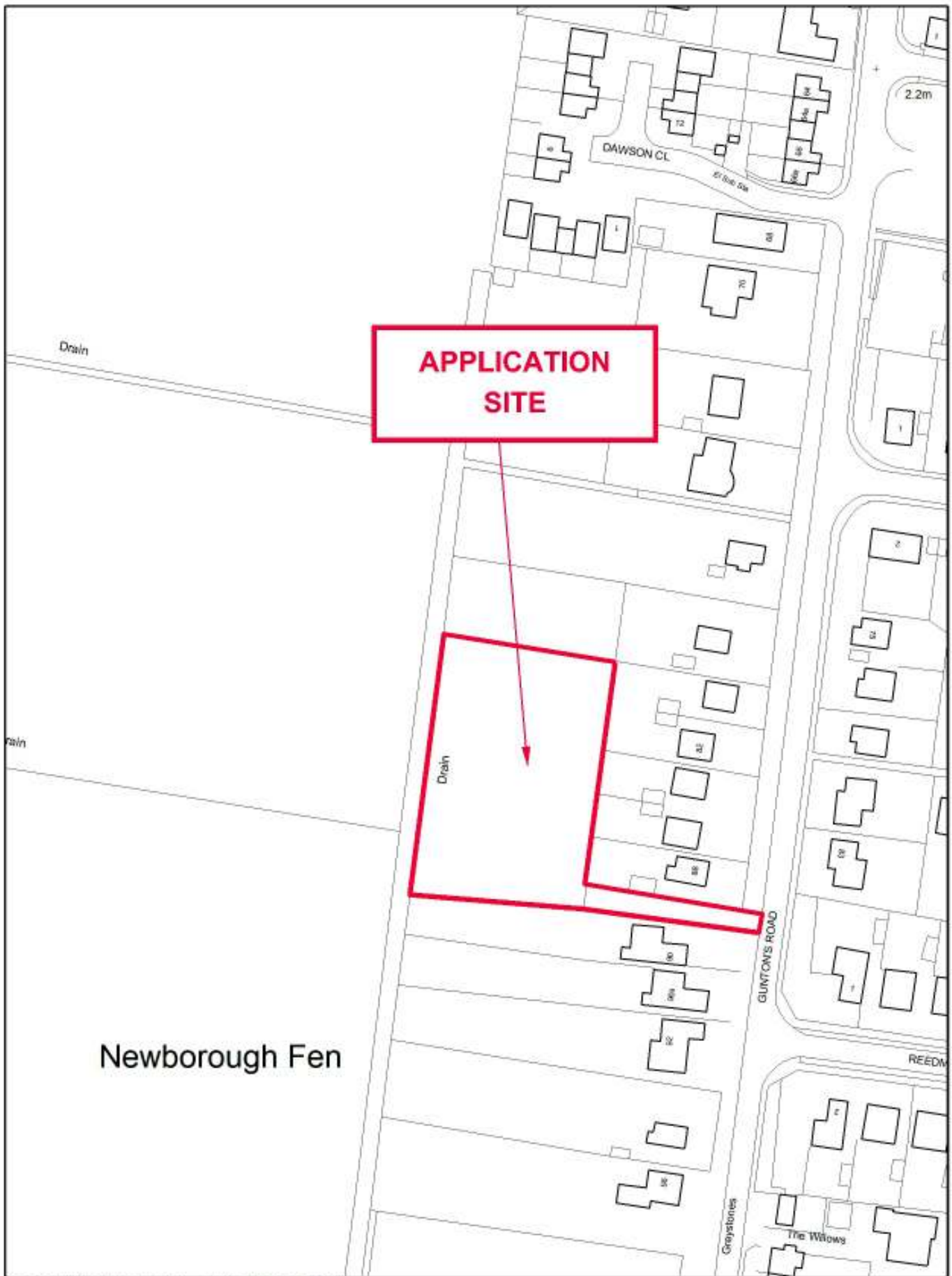
- C10 The development hereby approved shall be implemented in accordance with the following approved plans:

- Location Plan drg. no. SC/BCH/01 Rev A
- Proposed Block Plan drg. no. SC/BCH/03
- Plans and Elevations – Agricultural Building drg. no. SC/BCH/05
- Plans and Elevations – Timber Cabin drg. no. SC/BCH/04

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

Copy to Cllr David Over

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LOCATION PLAN 17/01902/OUT

Land On The West Side Of Guntons Road, Newborough, Peterborough

Scale: 1:1000 Date: 28/2/2018 Name: AA Department: Planning Services



PETERBOROUGH



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Planning and EP Committee

Item No. 5.2

Application Ref: 17/01902/OUT

Proposal: Outline planning permission for the erection of 5 self build detached bungalows (with refuge in the roof space) together with associated access, parking and amenity space with all matters reserved except for access

Site: Land on the west side of Guntons Road, Newborough, Peterborough

Applicant: Mr & Mrs B GREGORY

Agent: Mr J S Dadge
Barker Storey Matthews

Site visit: 1th October 2017

Referred by: Cllr Nigel Simons

Reason: Supports application as the application has addressed the appeal decision.

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 and 0.42 hectares (44m x 95m), rectangular in shape and is located on the western side of Guntons Road and to the rear of nos. 78 to 90. The application site is primarily a large grassed area/paddock and part of the domestic garden to no 90 Guntons Road.

The site lies within the Newborough settlement boundary approximately 70m from the southern entrance to the village. The site is bounded by residential development to the east comprising both bungalows and two storey dwellings; to the north and south the site abuts rear gardens to properties fronting Guntons Road, with agricultural fields to the west. There is a drain/ditch parallel to the western boundary.

Access to the site would be gained via an existing access off Guntons Road which is also used by the host dwelling. There is a further independent access off Guntons Road serving the host dwelling.

Proposal

The application seeks outline approval for the erection of 5 no. self-build detached bungalows (with refuge in the roof space). Access is to be committed at this stage with all other matters reserved to a later stage.

Two revisions have been submitted since the initial submission reducing the number of bungalows from 8 to 6 and now reducing the number to 5. There would be no first floor accommodation.

Re-consultations have been undertaken with neighbouring properties.

2 **Planning History**

Reference	Proposal	Decision	Date
15/00941/OUT	Erection of 2 x dwellings	Refused	12/08/2015
13/01638/WCPP	Removal of conditions C1, C3 and C4 of planning permission 05/01592/FUL - Change of use of land to residential garden (retrospective)	Permitted	17/12/2013
05/01592/FUL	Change of use of land to residential garden (retrospective)	Permitted	09/01/2006
05/00622/FUL	Change of use of land from open countryside to residential garden (retrospective)	Refused	19/09/2005
02/00405/OUT	Erection of two dwellings with garages	Permitted	09/07/2002

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 6 - Backland Development

Inappropriate development of residential gardens where harm would be caused to the local area should be resisted.

Section 6- Delivering a Wide Choice of High Quality Homes

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

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.

Peterborough Core Strategy DPD (2011)

CS01 - Settlement Hierarchy and the Countryside

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

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.

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.

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)

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.

PP16 - The Landscaping and Biodiversity Implications of Development

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

Peterborough Local Plan 2016 to 2036 (Proposed Submission Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan will take place during January and February 2018 after which the responses will be reviewed ahead of submission to the Secretary of State.

This plan was approved Cabinet for consultation on 13 December 2017. It is, therefore, classified as an 'emerging plan'. Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At the final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

Peterborough Flood and Water Management SPD (2012)

This supplementary planning document (SPD) focuses on managing flood risk and the water environment in and around new developments in Peterborough. In order to reduce the likelihood and consequences of flooding, it is necessary that development is located in a safe environment.

4 Consultations/Representations

Archaeological Officer – No objection. The area is low lying and may have been unsuitable for occupation from the later Bronze Age period until systematic drainage of the Fens in the post-medieval period. However, cropmark remains associated with prehistoric funerary activity and undated domestic/agricultural activities are recorded to the north, south and west of the subject site. Some of these remains may extend into the proposed development site. Given the uncertainty surrounding the archaeological potential of the site, an evaluation by trenching should be secured by condition.

PCC Pollution Team - No comments received

PCC Peterborough Highways Services – No objection. The principle of this development in traffic terms is acceptable to the local highway authority (LHA) however requests improvements to be made to the access for the benefit of the new residents and the community in general. The access width at 5.5m is in line with PCC's requirements. A short length of new footway should be provided either side of the access to allow pedestrians to cross from the opposite footway away from the driveway so as to avoid potential conflict with vehicles.

The existing access to no. 90 must be closed off and access to this house should be solely from the shared drive. The development should be designed to accommodate refuse collection vehicles including a turning head. Visibility splays should be indicated on the drawing. These should show vehicle to pedestrian visibility splays of 2m x 2m within the site on each side of the access and vehicular visibility splays of 2.4m x 43m formed along the carriageway edge.

The revised drawing takes on board the highway concerns. There are no highway objections subject to relevant conditions.

Highways England - No objection

Environment Agency – The Local Planning Authority needs to assess the appropriateness of the proposed development in this location from a flood risk perspective by applying the Sequential and Exception Tests. Should the proposed development satisfy the requirements of the Sequential and Exception tests, we would have no objection to the application subject to the inclusion a condition regarding the FRA.

Health & Safety Executive - Do not advise against planning permission being granted.

Cadent Gas - No comments received

Newborough & Borough Fen Parish Council - Recommend that the density is reduced to allow larger amenity area. Recommend no windows in the refuse space to avoid overlooking. Parking is an issue on Guntons Road. Question why a refuge is needed if there is no risk of flooding.

Revised comments: While the Parish Council agrees there should be a minimum 5.5m access width requirement, the Parish Council would like to ensure the road is wide enough for cars to pass easily when vehicles are parked on the road outside the properties as the Parish Council already receive complaints with regard to Williams Close parking. Properties are already being built behind Guntons Road and so I see no comment needed there. It should be built to a standard that freight vehicles can collect bins from the premises rather than them being deposited at a point on or near the highway.

We would request that no upper floor window overlook/look into other premises.

Who would be responsible for the amenity land. Could this area be developed for more car parking?

There are also concerns regarding the capacity at the local primary school.

North Level District Internal Drainage Board – No objection. The Board's Mossops Drain forms the western boundary to the development and the Board's byelaws prevent any construction within 9m of this watercourse. An application to relax this byelaw together with an application to discharge surface water in to the drain will be required. A development levy will be payable.

Cambridgeshire Fire & Rescue Service – No objection. Requests that provision is made for fire hydrants by condition or by a S106 agreement.

Open Space Officer - Having reviewed the newly submitted Layout plan indicating the reduced unit number to 6 (which would not normally lead to a S106 Agreement) clarification is needing to be made regarding the issue of "Amenity Space" & whether this is to be Public Open Space (POS) before the application proceeds any further. At this point it is also to be noted that if the 3 areas are to be Amenity Space or POS they are to be combined into one useful recreational area, thus requiring a redesign of the current layout.

PCC Tree Officer - The site is outside of a Conservation Area and there are no trees protected by a TPO in the vicinity. No arboricultural information supports the application. Within the DAS it is stated that an AIA will be produced at reserved matters. It is stated that the 'trees on the boundary and adjacent to the site are unlikely to be impacted upon'. In my opinion the current layout is sympathetic to the boundary trees and without any information to outline the contrary it is assumed that they will all be retained. It is noted that the majority of the trees are low quality and/or don't have the public amenity to merit protection with a TPO.

An indicative plan for tree removals and retentions would be helpful to acknowledge to the public and planning team which the likely outcome of the proposal will be. Further to the information requested above there is no objection to the proposed layout. Further to what is described in the DAS if the application is successful it is appropriate that an arboricultural method statement and tree protection plan is produced at reserved matters.

Waste Management - No comments received

Local Residents/Interested Parties

Initial consultations: 11

Total number of responses: 10

Total number of objections: 8

Total number in support: 1

Cllr Nigel Simons - I have been asked to have the above application recommended to the planning committee, should it not be approved. I note the original application was turned down by a planning appeal. I also note the new application has changed somewhat, village boundary has changed. The new application has taken into account comments from the Inspectorate.

Cllr Steve Allen – I have been contacted by a number of residents affected by the proposed development. Those living in close proximity have a number of concerns. Should the applicant be recommended for approval I request it is referred to planning committee.

7 letters have been received following consultation on the revised scheme of 5 bungalows. The following comments have been made:

- Due to the soil/proximity to farmland which has low bearing capacity the buildings would require substantial and significant foundations
- The density of the development would create a risk of further subsidence.
- No 86 is incorrectly shown on the plan; the development would result in overlooking to the property and garden of no. 86
- Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life and this includes the protection of the countryside also.

- The view across the countryside would be tarnished by the development
- The new footpath would lead to loss privacy to no. 86 Guntons Road
- The development would be clearly seen from the open countryside
- The density is not in keeping with the surrounding character
- The plots would be 6-7m apart which would negate the community feel being a high density compressed cul de sac
- The field is the wrong shape for the development
- I use my garage for counselling and the development would jeopardise my business and impact on my clients. My clients need peace and quiet and noise from the building works/future occupiers would be unsettling, distracting and stressful for my clients.
- I can see that considerable concessions have been made with the revised scheme. This is probably the best we can hope for.
- I am hoping the planning committee still refuses the application.
- Our only concerns now are that the utility areas are maintained.
- Support the reduction from 8 to 5 dwellings.
- The development will fulfil a need specifically for this type of dwelling in the village.

The following comments were made on the earlier schemes:

- No. 86 Guntons Road has not been amended on the plan to show it as being closer to plot 6.
- First floor windows to plot 6 will overlook the rear bedroom windows of no. 86.
- The new footpath to the front boundary of no. 86 will have direct views into no. 86 and 88
- 6 bungalows with accommodation in the roof is too much and is still too close to no. 84
- Bungalow at no. 5 is still very close to our boundary; there are trees along the boundary but this may not always be the case
- We have poplar trees along the bottom of this boundary which have long reaching roots
- The number of plots should be reduced to reflect the surrounding density.
- I use my garage for counselling and the development would jeopardise my business and impact on my clients. I am passionate about what I do and believe I'm doing my bit to help keep the NHS waiting lists down
- The new footpath would have parking issues for clients
- The sights, sounds, smells from building work and noise, light pollution, lack of privacy would be unacceptable to me as a counsellor due to client's sensory issues
- I am devastated by the thought of it all it makes me feel quite ill
- I will not feel safe knowing that people will be able to climb into my garden and home.
- Loss of light/sunlight
- Overlooking to my garden and bungalow
- Impact of dust and fumes and pollution from traffic
- We would have to erect a high fence to replace the existing low wire fence to maintain privacy
- We would overlook 8 properties and impact on their privacy
- The development would impact on my health (asthma) due to pollution of air quality
- Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life and this includes the protection of the countryside.
- The development would be detrimental to our well being and comfort due to noise and poor impact on views.
- The development would not provide adequate living space
- No reports have been undertaken on the quality of the ground for building and effect on neighbouring properties.
- There could be a compaction of soil causing the properties to have a downward movement taking them below the 30cm above ground level.
- How will the amenity spaces be maintained?
- Small areas of amenity land are inadequate
- The gardens are irregular in shape and do not correlate with surrounding properties.
- The development would be visible from St Martins Road/Middle Road
- The new properties would be constantly visible to the existing occupants

- I would not want to tarnish the view across the country with a high density development.
- Loss of outlook to the countryside
- The land was not meant to be for residential use and has always been green belt, use for grazing which is why we bought our house
- Loss of value and saleability of our property
- There are more suitable parcels of land available within the village envelope that could meet housing target.
- The land is outside of the village boundary
- The land has been protected by being outside the village envelope until 2012
- We bought the house in the knowledge that the land could not be building on.
- Planning permission was previously refused for two dwellings behind 90 Guntons Road due to flood risk/lack of any benefit to the wider community. The same arguments apply.
- Spoiling the beautiful green field which houses bats and natures wildlife.
- I have lived here for 47 years enjoying the privacy and watching the wildlife
- The amended plans appear to have different measurements and the width is now 3m wider (how has this been gained)
- The timescale for re-consultation did not allow time for me to attend the PC meeting
- The developer and Mr Gregory received far more advanced warning of the PC meeting which allowed their interests to be put to the meeting without objection by neighbours
- The access would be directly opposite Reedmace Close
- The development would result in a traffic hazard
- Potential for residents and their visitors to park additional vehicles along the road could lead to further obstruction
- Waste vehicles would be required to use this turning hearing
- The main road has too much use and needs constant repairing
- The access would be extremely tight for emergency vehicles/delivery vehicles
- This is not a sustainable location and most people would invariably use private cars.
- The access road to the development is claimed to be 5.5m it is actually 4.5m. The garage to no. 88 Guntons Road would have to be demolished to achieve 5.5m
- The turning head is obstructed by 3 lots of parking bays
- The field used to be water logged before the farmer installed drainage pipes which drain to the dyke
- The applicant has said he would be happy with as few as four dwellings (including the two for his family) to achieve his plans
- We cannot assume that this development would support the community strategy of providing health and social care closer to home
- The community strategy is focused on building stronger communities the development does not bring any guaranteed new support networks to the community
- We would cautiously accept the four dwellings provided they are more than 9m from our boundary and that they are bungalows.
- A condition should be imposed for fencing to a height of 2.4 metres to ensure security.
- Support application, but the bungalow at plot 6 is too close to our boundary
- 5/6 bungalows would be better
- No objection. The development would not be intensive and disturbance from through traffic would be minimal
- The building of bungalows would be low profile and preserve a sense of openness
- The development would fill a need for this type of dwelling as people age
- The development would complement the village

5 Assessment of the planning issues

Background

Outline planning permission was refused in 2015 for the erection of 2 dwellings on land to the rear of 90 Guntons Road (ref. 15/00941/OUT). The proposal sought permission for a retirement home

for the applicants' parents and an additional dwelling for the applicants' own use.

The application was refused on flood risk grounds. The site is located within flood zone 3 and on land at the highest risk of flooding. Residential development is classed as 'more vulnerable' development. The application had failed to demonstrate, by way of a Sequential Test, that there were no more sequentially preferable sites available for the proposed development.

In addition, it was not considered that the proposal would provide wider sustainability benefits to the community that would outweigh the risk of flooding as required by the Exception Test. The proposal therefore failed to meet both the Sequential and Exception Test requirements with regards to flood risk and was contrary to paragraphs 100, 101 and 102 of the National Planning Policy Framework (2012), Policy CS22 of the Peterborough Core Strategy DPD (2011) and Chapter 4 of the Peterborough Flood and Water Management SPD (2012).

The applicant appealed the decision of the Local Planning Authority.

Additional information was provided by the applicant at the appeal which included information in relation to the sequential test regarding the availability of alternative sites not at risk of flooding within villages with the same designation - 'Limited Growth Villages', as Newborough. This concluded that there were no suitable sequentially preferable sites, allocated or potentially allocated, available within limited growth villages that could accommodate the proposed development.

In addition market research found that there were no plots of land on the market within the limited growth villages with planning permission that could accommodate the proposed development. At the time of the appeal the Local Planning Authority was satisfied that information met the criteria in terms of the Sequential Test and that the Sequential Test had been met.

As well as the requirement to meet the sequential test Paragraph 102 of the Framework advises that the Exception Test must also be passed. In order to do so the development must demonstrate there are wider sustainability benefits to the community to outweigh flood risk; and a Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall.

In respect of the second part of the Exception Test, the development proposed that the finished floor levels would be higher than those of the adjacent properties and would be designed to be flood resilient. The Environment Agency raised no objection and the Inspector was satisfied that the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

In respect to the first part of the Exception Test the Inspector considered that whilst the proposal would lead to benefits to the appellants and their parents, these would not extend to the communities of Peterborough. The Inspector did not consider the scheme to score well against the outcomes in the Community Strategy or that it would have a positive impact on them. The Inspector concluded that the wider community benefits were insufficient to outweigh the flood risk. This will be discussed further below.

The appeal application was subsequently dismissed.

The applicants have lived at the property for 13 years. The scheme as originally submitted sought permission for up to 8 bungalows, with refuge accommodation in the roof space. The scheme has been amended and now proposes 5 bungalows. One bungalow will be for the applicants' aged parents who they would like to relocate from Ellington near Huntingdon to enable the applicants to provide care for them. One of the bungalows would be for the applicants and the remainder will be sold as self-build plots.

The Principle of Development

The site lies within the village settlement boundary of Newborough which is designated as a 'Limited Growth Village' under policy CS1 of the Adopted Peterborough Core Strategy DPD. While inclusion within a village envelope is the first requirement for housing in villages, this does not automatically support residential development. Consideration is given to the planning constraints as in the case with any development.

The site was proposed under the draft development plan 2012 as a housing allocation site. The site was rejected on flood risk grounds.

The site was also rejected as a site allocation for the new local plan on flood risk grounds. (NBF004 H). The site was subsequently withdrawn from the Peterborough Local Plan (Proposed Submission Version) as an allocation as 9 dwellings is below the threshold of 10.

The applicant states that whilst the site is not a specific site allocation it is reasonable to assume the site is appropriate for development otherwise there would have been no change to the village envelope boundary.

Members should also be aware that as part of the review of the development plan – the proposed submission version (Jan 2018) the village envelope has been re-drawn following consideration of flood risk constraints and therefore within the emerging local plan, this site would fall outside of the village envelope. It is accepted that this is not a reason to refuse the scheme currently under consideration as the proposal accords with the adopted development plan at the present time.

Flood Risk

Notwithstanding the location of the site being within the village settlement boundary the site lies within Flood Risk Zone 3 as defined on the Environment Agency's Flood Risk Maps. No residential development in these areas can be permitted unless the sequential test and exception test as advised under policy CS22 of the Adopted Peterborough Core Strategy DPD and section 10 of the National Planning Policy Framework are passed.

Sequential Test

A sequential test has been applied to the development and following the request by the case officer additional sites that were put forward for allocated housing sites for the new local plan within the Site Evidence Report 2016 and rejected by the City Council, were also considered. This concludes that there are no suitable sequentially preferable sites, allocated or potentially allocated sites currently available within limited growth villages that could accommodate the proposed development.

The applicant has advised that an extensive internet search (including the local land agents) was carried out on the 19th September 2017; including internet and local agents, Zoopla, Prime locations - housing land and Rightmove land. The agent acting on behalf of the applicant also used their market intelligence and connections to establish if there were comparable sites available in accordance with the search parameters. Within this search no land was identified as being suitable and available within any of the target villages identified above.

It is considered that the sequential test is therefore passed.

Exception Test

The Exception Test ensures that new developments which are needed in medium or high flood risk areas will only occur where flood risk is clearly outweighed by other sustainability factors and the development will be safe for its lifetime, taking climate change into account.

The Peterborough Flood and Water Management Strategy (SPD) (2012) advises the use of the

outcomes set within the Greater Peterborough Partnership Sustainable Community Strategy 2008-21 as the framework for demonstrating whether or not wider sustainability benefits can outweigh flood risk. There are sixteen outcomes (listed on page 11 and 12 of the Strategy) against which the development should be scored. These outcomes are those that Peterborough wishes to see delivered in order to benefit its communities. The Sustainable Community Strategy has been adopted by the city council and its partners as the overarching and guiding strategy for Peterborough.

Referring back to the former appeal decision (ref. 15/00941/OUT). The former scheme was a small piece of land and the proposal was for two bungalows to provide accommodation for the applicants and their elderly parents. The Inspector acknowledged the proposal would have allowed the applicants' parents to be cared for whilst maintaining a degree of independence and a good quality of life. The applicants claimed that the proposal would reduce the burden on health and social care services, the local authority and the wider community. In addition, the scheme would support vulnerable people given the applicants' parents progression in age and potential for failing health.

The inspector considered that nothing had been provided in support of the appeal indicating what the care needs of the parents were, or the demands they currently put on the local authority or are likely to in the future. As such there was no evidence to suggest that health or social care would necessarily be saved as a result of the appeal scheme either now or in the future.

The Inspector went on to say that there was nothing to suggest that the future occupiers of either dwelling are affected by disadvantage or disability or that they are, or are likely to become, vulnerable. Furthermore, the Inspector was conscious that the occupation of the proposed houses by the applicants and their parents or by other occupants who are elderly, vulnerable or in need of care cannot be assumed or ensured in the long term; and that it is not normally appropriate to impose conditions to limit the benefits of the planning permission to a particular person or group of people and that *'planning permission runs with the land and it is rarely appropriate to provide otherwise'*.

The Inspector was therefore not convinced that the scheme's contribution to improving health and supporting vulnerable people (Community Strategy outcomes 1 and 2) would be significant.

The current application is supported with a letter from the applicants' parents' (Mr and Mrs Murden) doctor which explains their health needs. The letter supports the urgent need for planning permission for a 'mobile home' or 'single storey extension' suitable for the parents. The letter states that the applicants' mother's care needs *'are unpredictable and she pretty much needs the availability of somebody to care for her 24 hours a day, which means it is ideal for her daughter to be on site, although at times she is perfectly capable of being independent'*. Mr Murden, who used to be her primary carer is now suffering ill health also and finds it difficult to cope when Mrs Murden is unwell. The letter goes on to state *'if they were not to be allowed a mobile home on Mr and Mrs Gregory's site then the alternative would probably be residential care which of course would be very much more costly to the local authority'*.

The application states that the development would not only benefit the applicants' parents but also the wider society and that bungalows are a most appropriate form of development for older residents. The application states that the scheme would provide modern bungalow accommodation that is not provided elsewhere in Newborough or in the other Limited Growth villages.

It goes on to state that *'there is increasing concern about the isolation of, and care for the elderly in our society. The benefit of being in close proximity to family is recognised as improving longevity and quality of life and reducing the demands on the NHS and social services. This is certainly something Government and Peterborough City Council are cognisant of in developing new social services policy based around care at home and in the community'*.

It is acknowledged that the provision of accommodation for the applicants' parents would provide an opportunity for care to be provided by the applicants. However this could also be provided in the form of a temporary dwelling, annex or by an extension to the host dwelling at no. 90.

The scheme has now been reduced to 5 bungalows; two of which would be occupied by the applicants and the applicants' parents. Three would be available as self-build plots. However as stated by the Inspector considering the former scheme the future occupants of the bungalows cannot be assumed or ensured in the longer term and therefore neither can provide any benefit to the community in this regard. It would not be appropriate to condition the occupancy of the development.

In terms of building community cohesion (outcome 7) the application states the development would build community cohesion with a mix of new residents who can be varied in composition given the accessible nature of the dwellings.

Under the former scheme the Inspector considered that there was nothing to suggest this could not be achieved by development on a site that has a lesser risk of flooding; and that given the scale of the development it would do little to create a strong and supportive community or to build community cohesion. It is accepted that the proposal would provide an additional 5 dwellings compared with the former scheme of 2 dwellings however, it is considered that the scale of the development would do little towards building community cohesion.

The application states:

- that the quality development would build pride in Peterborough (outcome 8). It is not considered that the development would make a significant contribution to this objective.
- that the development would provide open space / amenity space making Peterborough cleaner & greener (outcome 9). An area of open space is proposed on the indicative layout however this is to be private to the development; again it would not exceed the policy requirement for residential development and would therefore not be a significant contribution to making Peterborough cleaner and greener as recommended by outcome 9; and it is already grassed land.
- that the development would create a safe environment with a single point of access and good surveillance throughout. This is accepted. The proposal would allow a good level of surveillance of the elderly parents, however it would do little to contribute towards '*Creating a safe, vibrant city centre and sustainable neighbourhood centres – so that people have more diverse and improved places to visit and enjoy*' (outcome 13).
- that the proposal would create jobs in the building process and new residents will contribute to the local economy by increasing potential spending within the village (outcome 14). It is also noted that the development would be 'self-build' plots. Given the small scale development its contribution to the local economy and increasing economic prosperity in the area would be minimal.
- that the development would conserve natural resources by utilising land within the village envelope rather than green field sites beyond it. However, development would not be permitted outside the village boundary.
- that the development would support public transport services by providing additional residents who can use of sustainable transport. As with the former scheme the Inspector's view on this matter was that the future occupants' use of the private car could not be ruled out. It is not considered that the development would significantly increase the use of sustainable forms of transport.

Having assessed the stated wider sustainability benefits of the proposal it is not considered that the proposed benefits of the development would outweigh the risk of flooding as required by the Exception Test.

Flood Risk Assessment

A site specific Flood Risk Assessment (FRA) supports the application. The FRA has been revised since the initial submission and now proposes that the finished floor levels would be 500mm above the existing ground level and an additional 300mm of flood resilient construction above the finish floor level and a safe refuge in the roof space of each dwelling. The Environment Agency (EA) advises that should the proposed development satisfy the requirements of the Sequential and Exception tests there is no objection to the proposal subject to the measures contained within the FRA being secured by condition.

It is considered that the dwellings could be designed to ensure they are safe for their lifetime in terms of flood risk without increasing flood risk elsewhere.

It is accepted that there is a need for bungalow accommodation which would provide a specific housing need particularly for the elderly and people with disabilities however due to the flood risk location the development would only be acceptable with safe refuge within the roof space. This requirement does raise questions as to whether this would be suitable for the proposed occupiers and the need to access the roof space in extreme flood events. As stated above it is not considered appropriate to impose conditions limiting the occupancy of the dwellings and therefore this application should be considered as regular housing development.

Furthermore, notwithstanding the failure to demonstrate the wider community benefits as required by the Exception Test, if Members are minded to approve this application there is the potential for other sites within areas at risk of flooding, to be put forward for development. It is therefore considered that this would set an undesirable precedent which would make subsequent development proposals difficult to resist.

Highway Implications

There is an existing access off Guntons Road which would serve the proposed development. The width of access would be 5.5m throughout the development which would allow turning provision for large vehicles including refuse collection vehicles. This is an outline application which would agree to access with all other matters reserved to a later stage. It is considered that there would be provision for refuse vehicles and larger vehicles to enter the site, turn and leave in forward gear. The full details would be agreed at the reserved matters stage. As this would be a private road if PCC vehicles were to enter the site they would need to sign an indemnity with the land owner removing any liability for damage to the access road.

Concerns have been made regarding the access and that there is insufficient space to accommodate an access 5.5m in width. The width of access would be secured by condition.

There is currently an independent access serving the host dwelling at no. 90. The Local Highways Authority (LHA) has requested that this access is closed off as it is too close to the access serving the development due to the intensification of use.

The LHA has also requested a short footway is provided either side of the access road to provide safer crossing points for pedestrians. An amended plan has now been submitted showing these footways.

The access plan also indicates available vehicle to pedestrian visibility splays.

The indicative plan, now amended for 5 bungalows, demonstrates that there would be adequate provision of parking space to serve the development. It is noted that the Parish Council and others raised concern regarding the lack of parking space and whether more could be provided. Again this will be agreed at reserved matters stage.

The proposal would provide a safe and convenient access to the development and would accord with policy PP12 of the Adopted Peterborough Planning Policies DPD.

Impact on neighbouring amenity

The initial scheme proposed 8 no bungalows which was then reduced to 6 and finally to 5. The amended scheme situates the dwellings at a distance of 20m to the dwellings fronting Guntons Road; with the exception of plot 5 which is located 10m to the shared boundary, however this plot has a side elevation towards the eastern boundary. It is considered that the separation distance to existing neighbours as shown on the illustrative plan would be acceptable.

The neighbour most likely to be affected by the development would be at No 88, as the access runs alongside this plot about 2.5m from the side of the bungalow. There is a low fence along this boundary at present and the neighbour's driveway is immediately alongside the fence. The main windows of the bungalow face front and rear. The number of dwellings has now been reduced to 5 which would have a much lesser impact on the occupiers of this dwelling. It is considered that subject to the erection of a suitable boundary treatment to the north of the access the impact on the occupiers of this dwelling would not be unacceptable.

A number of neighbouring residents have raised concern regarding overlooking due to the close proximity of the dwellings to the rear boundaries of these properties. The revised scheme has positioned the amenity area and the access road between the rear boundaries of properties fronting Guntons Road and plots 2, 3 and 4 would be set back 20m from the eastern boundary providing a minimum back to back separation distance of 36m.

The appearance of the dwellings is reserved to a later stage however a condition would be appended to this decision to ensure any first floor windows or windows within the roof would be orientated away from neighbouring properties.

It is noted that comments have been made regarding the indicative layout plan and that the footprint of the existing dwellings fronting Guntons Road is not a true reflection of what is on the ground. This is accepted however, it is considered that the separation distance between these properties and the development is acceptable and would not lead to overlooking or loss of privacy to the occupiers fronting Guntons Road.

The development is for bungalows with no accommodation within the roof space other than as a refuge in an extreme flood event. No designs or appearance of the dwellings are known at this stage. However should the application be approved, then the details of first floor windows and potential overlooking would be considered at reserved matters stage.

Reference has been made to the new footpath which due to the land levels will have direct views into the front of properties no.88 and no.86. These properties are set in to their plot by a minimum of 10m. It is accepted that the land levels at the point of the highway are higher than the dwellings. There is currently no footpath along the eastern side of Guntons Road. The short footpath is required for the safety of pedestrians crossing from the western side of Guntons Road to the site. The relationship of the position of the dwellings and that of the road would be similar to those on the western side of Guntons Road. Whilst there is the potential for views into the ground floor windows of these dwellings this would be the same if people were walking on the road. Due to the increased level of activity at the front of properties the level of amenity is generally lower than at the rear. The set back distance is considered to be acceptable and given the relatively short footpath it is likely that this would only be used infrequently by the occupiers of the development and is acceptable.

Concern has been raised by one of the neighbouring occupiers who runs a counselling service from an outbuilding in the rear garden of the property. There is concern regarding the noise and disturbance arising from the site both during construction and by the future occupants due to the sensory issues of the clients. Unfortunately the Local Planning Authority could not refuse an application on this basis. It is accepted that there would be some disturbance during the construction phase however, this would be for a relatively short time. An informative would be appended advising the applicant of what are the normal and reasonable working hours for construction.

It is considered that the site could accommodate the development without compromising the amenity of the occupiers of existing neighbouring occupiers; hence the proposal would accord with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

Residential Amenity

The dwellings would have a good level of private amenity space, adequate parking provision and would be laid out to achieve a good level of internal space with natural lighting.

An outdoor shared amenity area is indicated on the illustrative plan which would also provide a separation between the development and the existing dwellings in Guntons Road. This space would not be adopted by the city council and the landscaping details of the amenity area and the maintenance of it would be secured by condition or as part of the reserved matters application.

The indicative plan demonstrates that the site could accommodate 5 no. bungalows whilst providing a satisfactory level of amenity for the future occupiers. The proposal therefore accords with policy PP4 of the Adopted Peterborough Planning Policies DPD.

Visual Amenity

The application is at outline stage and therefore no details have been submitted regarding the design and appearance of the dwellings. The dwellings would be primarily single storey with refuge accommodation within the roof. Most of the development would not be directly visible from Guntons Road and whilst there would be views of the development from the east, along St Martins Road and Middle Road it is not considered that the development of 5 bungalows would adversely impact on the visual amenity of the area. The proposal would therefore comply with policy CS16 of the Adopted Peterborough Core Strategy DPD.

Landscape Implications

The site is not located within a Conservation Area and there are no trees protected by a TPO in the vicinity. No arboricultural information supports the application. The revised scheme has positioned the dwellings further from the eastern boundary and hence near to trees on third party land. It is unlikely that any trees to the site boundaries would be affected by the development. An Arboricultural Method Statement and Tree Protection Plan would be required at reserved matters stage or secured by condition.

It is not considered that proposal would have any significant landscaping or biodiversity implications and would accord with policy PP16 of the Adopted Peterborough Planning Policies DPD.

Archaeology

The area is low lying and may have been unsuitable for occupation from the later Bronze Age period. However, cropmark remains associated with prehistoric funerary activity and undated domestic/agricultural activities are recorded to the north, south and west of the subject site. Some of these remains may extend into the proposed development site. Due to the uncertainty it is recommended a scheme of archaeological investigation is secured by condition.

Human Rights Act

A neighbour has referred to Article 8 of the Human Rights Act stating that '*a person has the substantive right to respect for their private and family life and this also includes the protection of the countryside*'. It is not considered that the development would impinge on the private and family life of any of the occupiers neighbouring the site. It is not considered that the granting of the proposal would be incompatible with Article 8 of the Human Rights Act.

Equality Act

Reference is made to the Equality Act 2010 and the Public Sector Equality Duty (PSED). Under Section 149 of the Act there is a duty on the Local Authority in all decision making to have regard to the need to:-

- Eliminate unlawful discrimination, harassment and victimisation and other conduct which is prohibited by the 2010 Act.
- Advance equality of opportunity between persons who share relevant protected characteristics and those who do not.
- Foster good relations between the persons who share relevant protected characteristics

It is noted that the application, in part, is to provide accommodation for the applicants' parents in order that care can be provided on site by the applicants. However, there are alternatives that could be considered for example, an annex to the host dwelling and therefore whilst the Local Planning Authority is sympathetic to the applicants' needs the weight which can be given to the personal circumstances is limited in planning terms.

It is considered that due regard has been given to the personal circumstances of the applicant however the Local Planning Authority is only able to give the personal circumstances limited weight as it is considered that alternative measures could be found. The personal circumstances therefore do not outweigh the flood risk issues.

Misc

Comments received not covered in the above report

- Stability of the land: Concerns have been raised regarding the quality of the land and possible subsidence potential for the development and neighbouring properties. – Office response: This is something that would be picked up under the Building Regulations and appropriate foundations will be used.
- Amenity space: How will it be maintained? The amenity space would serve the 5 dwellings and would be privately maintained; the details would be secured by condition.
- The development would devalue our property – Officer response: This is not a material planning consideration
- Comments have been made about consultation with neighbours – Officer response: The Local Planning Authority has consulted with all neighbouring occupiers on all revisions and has therefore carried out its statutory obligation.
- The Parish Council has raised concern regarding the capacity of the local school. Officer response: Due to the scale of the development it is not considered that this would have a substantial impact on school capacity.

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.

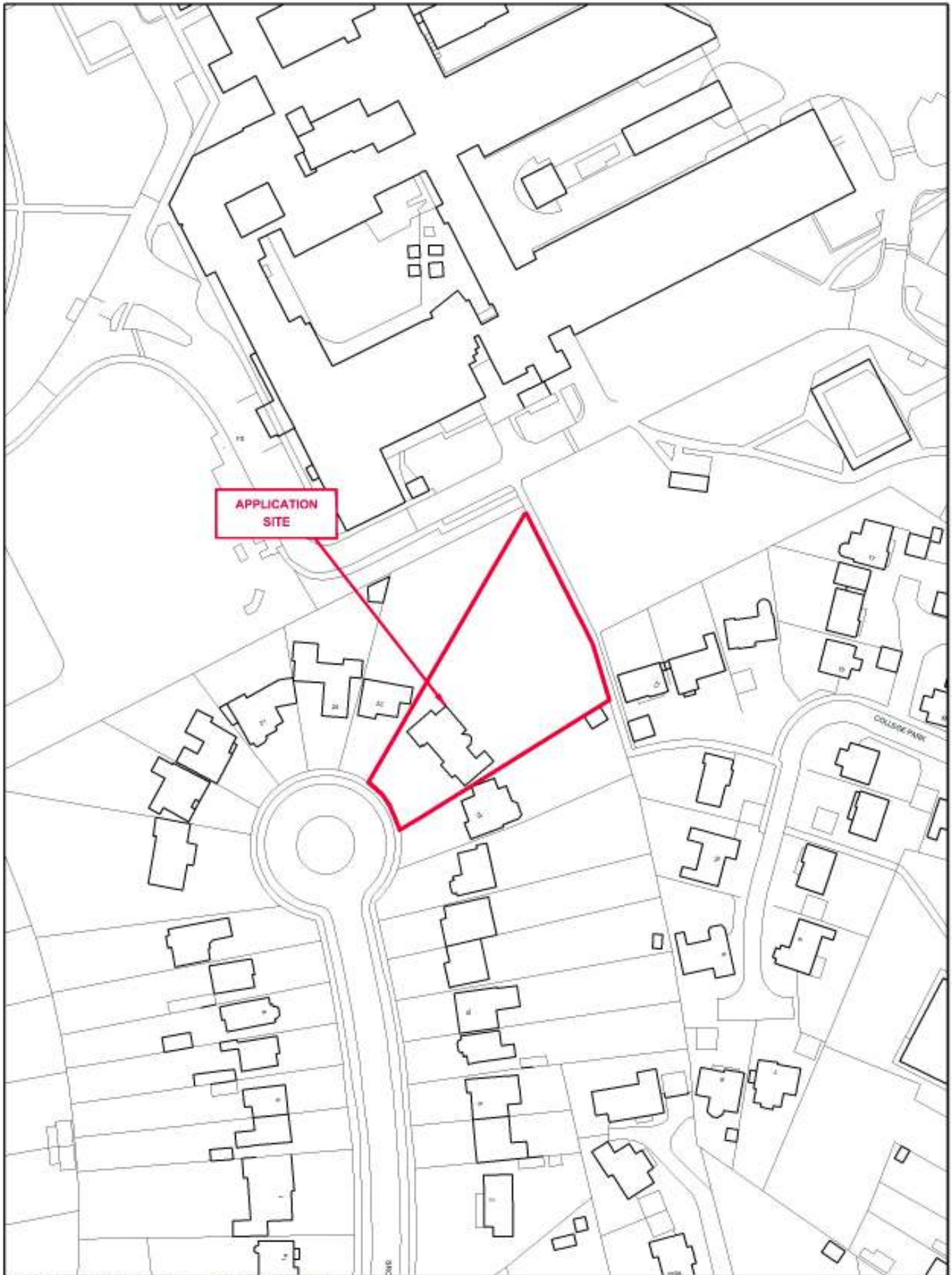
7 Recommendation

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

The application site is located within Flood Zone 3 and is therefore at the highest risk of flooding. The proposed residential development, classed as 'more vulnerable' development, is inappropriate

within this location. Whilst it has been demonstrated, by way of a Sequential Test, that there are no more sequentially preferable sites available for the proposed development within the settlement or other settlements within the 'Limited Growth Villages' the proposal would not provide wider sustainability benefits to the community that would outweigh the risk of flooding as required by the Exception Test. Paragraph 102 of the NPPF is clear that both elements of the test have to be passed for development to be permitted. The proposal is therefore contrary to paragraphs 100, 101 and 102 of the National Planning Policy Framework (2012), Policy CS22 of the Peterborough Core Strategy DPD (2011) and Chapter 4 of the Peterborough Flood and Water Management SPD (2012).

Copy to Cllrs Allen, Brown and Simons



LOCATION PLAN 18/00091/FUL
20 Broadway Gardens, Peterborough PE1 4DU

Scale NTS **Date** 1/3/2018 **Name** AA **Department** Planning Services



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Planning and EP Committee 13 March 2018

Item No. 5.3

Application Ref: 18/00091/FUL

Proposal: Change of use from dwelling (C3) to residential institution (C2) - retrospective

Site: 20 Broadway Gardens, Peterborough, PE1 4DU,
Applicant: Ms Naidre Werner, Florinee Homes Ltd
Agent:

Referred by: Councillors Peach, Ferris and Nawaz
Reason: Loss of residential amenity; harm to the Park Conservation Area; incompatible use within a residential area; traffic and parking issues; anti-social behaviour

Site visit: 24.01.2018

Case officer: Mrs Louise Simmonds
Telephone No. 01733 4501733 454439
E-Mail: louise.simmonds@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site comprises a two storey detached residential dwelling located to the eastern side of Broadway Gardens, a residential cul-de-sac. The dwelling is set back from the public realm by virtue of a landscaped front garden which is bound to the front by a low wooden fence and mature shrubs/hedging. Parking is provided within the site for approximately 5 vehicles, and access is granted from Broadway Gardens via a dropped kerb crossing.

The character of the surrounding area is formed by large detached dwellings, all of unique design but within the same architectural period, within spacious grounds and set back from the street by approximately the same distance. This unique character is recognised through the area's inclusion within the Park Conservation Area.

Proposal

The application seeks planning permission for the change of use of the site from a residential dwelling (Use Class C3) to a care home for 6no. children aged 16 to 18 years (Use Class C2 - residential institution). It should be noted that the change of use has already taken place and therefore the application is retrospective.

No external alterations or other associated development is proposed alongside the change of use.

2 Planning History

Reference	Proposal	Decision	Date
P0139/89	First floor extension over garage	Permitted	30/03/1989
98/00597/FUL	Single storey extensions at rear	Permitted	29/06/1998

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

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

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)

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% lifetime homes and 2% wheelchair housing.

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

Peterborough Planning Policies DPD (2012)

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.

PP13 - Parking Standards

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

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.

Peterborough Local Plan 2016 to 2036 (Proposed Submission Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan will take place during January and February 2018 after which the responses will be reviewed ahead of submission to the Secretary of State.

This plan was approved Cabinet for consultation on 13 December 2017. It is, therefore, classified as an 'emerging plan'. Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At the final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

4 Consultations/Representations

PCC Peterborough Highways Services (07.02.18)

No objections - The application site has generous space to the front, in keeping with the generally set-back layout of dwellings within this cul-de-sac. This gives ample space for parking vehicles. The number of parking spaces (at 5) is likely to be acceptable for the proposed staff numbers (3 in the daytime and 2 at night) and on-street parking is also available via permits. The submitted traffic movement sheet is noted but the LHA has no concerns over traffic generation from the proposed development or the impact on the streets/junctions.

Victoria Park Residents Association

No comments received.

PCC Conservation Officer (26.01.18)

No objections - The proposal would retain the domestic accommodation use of the building, thereby retaining its historical design use. In addition, there are no proposed external alterations which means that the proposal will not impact upon the setting of the Conservation Area.

Broadway Residents Association

Objects - Their detailed objections are included within the comments in the residents / interest parties representations below but for clarity, their main objection areas are as follows:

- Loss of residential amenity thorough noise, loss of peaceful enjoyment of the area, saturation of the area by businesses and care homes and light pollution;
- Increased anti-social behaviour issues;
- Additional parking and traffic generation;
- Harm to the Conservation Area, breach of the area's management plan and loss of green spaces within it;
- Inaccuracies within the information submitted by the Applicant;
- Concerns for the safeguarding of occupants; and
- Concerns regarding the size of the proposed care home.

Local Residents/Interested Parties

Initial consultations: 12
Total number of responses: 29
Total number of objections: 29
Total number in support: 0

A total of 29no. objections have been received from local residents on the following grounds:

Conservation Area

- Goes against the Council's own policies for the Park Conservation Area. The Appraisal and Management Plan emphasises that housing should be retained as traditional family homes and Officer's should resist the encroachment of businesses into the Conservation Area.
- Although this is a business based upon providing residence, it will not be a family home and the property will be maintained and staffed according to a business plan and budget.
- There are already sufficient businesses within the Conservation Area. Another residential children's home has just been proposed at the end of Broadway. Within the surrounding area there are already 5 residential homes, a vets, 2 dental surgeries, a nursery, political club and beauticians. These were all in place before the designation of the Conservation Area and should therefore be seen as a maximum.
- Many of the care homes within the surrounding area have been extended, resulting in less green space. Worried that further expansion would result in less green spaces within the Conservation Area.

Neighbour amenity

- The demography of the existing community and the number of proposed occupants will adversely impact upon the success of the home and could in the long run involve nuisance to the neighbourhood (i.e. police visits, vandalism, etc.). Should this happen, the impact will be magnified by the fact that Broadway Gardens is a small cul-de-sac and the opportunity for friction with residents is enormous given such a confined location.
- It is not unreasonable to presume that 16-18 year olds will socialise, including smoking and drinking alcohol. Smoking cannot be allowed on the premises and it is likely that residents will smoke outside. This will impact upon the immediate environment.
- Our direct experience living next door to a similar setup accommodation 2-3 16-18 year olds was that they tended to sit on the wall outside smoking and talking and so did some of the staff. We feel strongly that any such establishment should have staff who do not smoke or not smoke whilst at work – smoke free policy – and any smokers be supported to quit.
- Whilst you cannot generalise that all children in a care home will show challenging or anti-social behaviours, it is naïve to assume that occupants will be quiet. Movements associated with socialising etc. could be noticeable and intrusive to residents of Broadway Gardens.
- There will be an increase in noise resulting from the home being staffed 24/7. There will be cars, visitors and professional staff accessing the cul-de-sac at times throughout the day and night, all of which will encroach upon neighbouring residents amenity.
- If this business was to be granted planning permission for change of use it would set a precedent for others wanting to locate a business or similar establishment and would significantly reduce our amenity.
- Our direct experience whilst living next door to a similar set-up in PE1, accommodating just 2-3 16-18 year olds was that it was noisy with visitors knocking on the door, shouting and on occasions singing outside late at night. Also on occasions very loud music.
- It is likely that if developed as a children's home the property would be lit in some way or other 24 hours per day, which is not now the case anywhere else in Broadway Gardens.
- Occupants will be constantly changing which will impact further upon local residents.
- All looked after young people have had a poor start to their lives and often have no idea how to live in proximity to local communities with the necessary respect, tolerance and understanding needed.
- Existing children in the street will no longer be able to play in their front gardens owing to the increased traffic and general disturbance that this use will create.

Crime and anti-social behaviour

- Further concern is the proximity to Central Park which has, in recent years, been the location of sexual grooming of vulnerable children. It is also used as an area for prostitution and drug dealing. It seems stupid to locate a residence for children with behavioural problems so close to such a venue.
- Concerned that the vulnerable occupants will become a magnet for those in the wider community who wish to influence and abuse them.
- We feel that the safety of children in the road may be compromised by the presence, as we understand it, of ex young offenders and ex sex offenders.

Highways

- Local care facilities certainly add to local traffic and parking issues. How can it be assumed that adding a further facility into a residential cul-de-sac will not have an impact?
- The parking survey provided by the Applicant is unscientific and does not give an indication of the traffic movements associated with the care home. It was done by the Applicant over a limited period of time which included part of the festive break, and with only one occupant and limited staff numbers. It is not independent or representative.
- Whilst it is possible to park 5 cars within the site, this would lead to considerable shuffling of vehicles as there is not sufficient space for cars to manoeuvre. This means that car movements will come onto the road throughout the day and night.
- Issues with restricted on-street parking within Broadway Gardens have not been addressed.

Other matters

- Demographically, the fact that the owners will not occupy the property means that residents are less likely to integrate into what is a very tight community. This integration will be further hindered by the fact that most of the families on the street now have children away at University meaning that the demographic is largely middle aged and without children.
- This demographic argument also ties in with correspondence Councillor Peach received from the Head of Social Services which stressed that the most successful residential homes for young people resulted from them being placed in locations where they have integrated into the community.
- The correspondence also further stressed that success generally results from residential homes having a maximum of 2 or 3 children as inhabitants.
- Six children will be sufficiently large for the residential home to form its own community which will result in minimum integration with the Broadway Gardens community.
- The nearby property on Eastfield Road is wholly more suitable a location for a children's home and would impact less upon surrounding neighbours.
- Concerns as to the proper safeguarding of children/young people at this establishment as we are led to believe it will be unregulated.
- This type of facility should be sited in a more appropriate location within the City Centre where occupants will be able to find the services and facilities that interest them along with other young people they can integrate with.
- It is a disappointment that the Applicant/operator did not consult with neighbours before embarking on this development. This lack of interaction has negatively impacted upon possible relationships moving forwards and develops a distinct feeling of distrust that the facility will be run professionally.
- The Applicant has misrepresented dealings with local residents.
- We are appalled that the owners of the business have rented a property and commenced operating their business without first gaining all relevant approvals.
- We feel very strongly that children and youth in Peterborough should receive the highest quality best practice care and that this application is the wrong type of property for this purpose, in the wrong place and we have concerns regarding the potential quality and lack of regulation of the proposed business establishment. We are concerned that Peterborough City Council has already placed one young person in the property prior to all the necessary regulatory and legal considerations being in place.
- There is a lack of clarity as to how many children will reside at the premises.
- The Applicant does not appear to have any prior experience in running such a home and the business – Florinee Homes Ltd – was only incorporated in January 2017.

- We have significant concerns that the Council seems to be promoting this kind of unregulated home which the Children's Society have investigated and reported on unfavourably.
- The number of children proposed to live in the home shows a clear misunderstanding of the Applicant as to what type of care home is most appropriate. Many local authorities across the country are now disposing of care homes for 6 children or more in favour of smaller homes.
- It does not appear that the Council is entering into any formal contract with the Applicant to provide the care. If the Council has no choice but to place children in unregulated homes, we feel that the children must be provided with an appropriate advocacy service.
- There are 5 other care homes within the surrounding area which makes it saturated – Broadleigh Care Home (213 Broadway); Lavender House Care Home (205 Broadway); Orchard House (160 Broadway); Park Vista Care Home (15 Park Crescent); and Park House Care Home (27 Park Crescent). In addition, there is a children's day nursery at 134 Broadway.
- There are a number of inaccuracies within the supporting information provided by the Applicant.
- We cannot see any comments from the Fire Service that an assessment has been undertaken for its use as a care home.
- What qualifications will the staff have? How will medication be administered and stored? What level of staff training will be provided?

Ward Councillors

Have objected to the proposal as follows:

Councillor Richard Ferris (12.02.18)

Objection - On the basis of concerns expressed to me by local residents, wish to add my voice to the call-in on grounds of loss of amenity. Specifically, increased traffic, noise and the risk of associated anti-social behaviour.

Councillor J Peach (09.02.18)

Objection - Loss of residential amenity, inappropriate conversion within the Park Ward Conservation Area, harm arising from a business in a residential area, traffic and noise problems.

Councillor Shaz Nawaz (13.02.18)

Objection - Residents have expressed concern that, with homes being converted into business premises, it is affecting the Conservation Area.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Parking and highway implications
- Neighbour amenity
- Impact upon designated heritage assets

a) Background and the 'fall-back' position

It is noted that a large number of the objections received from local residents have raised the issue of this application being retrospective, and that the previous use was intended for up to 9no. children. For the avoidance of doubt, until such time as an Enforcement Notice is served, development without the benefit of planning permission is unauthorised (not unlawful) and any application to regularise unauthorised development is not subject to a penalty. The Local Planning Authority must therefore consider this current application on its own merits and without prejudice in respect of the unauthorised development which precedes it. Furthermore, the current application seeks the change of use for a care home for up to 6no. children only and it is on this basis that the proposal is to be assessed.

Notwithstanding the above, due consideration must also be given to development which could have taken place without the benefit of planning permission – this is known as the 'fall-back'

position. Class C3 (residential dwellinghouses) of the Town and Country Planning (Use Classes) Order 1987 (as amended) was the former lawful use of the site. This class not only includes traditional family homes (i.e. where one family unit resides together) but was also expanded in 2010 to include up to six residents living together as a single household where care is provided. The Order gives an interpretation for 'care' and does not explicitly reference children however nor does it exclude them. Given this potential ambiguity, Officers requested that the current application be submitted on a precautionary basis.

However, it should be noted that were the site being used for the care of adults (the definition of which includes people in need by reason of old age, disablement, past/present dependence on alcohol or drugs or past/present mental disorder) planning permission would not have been required and indeed this use could begin at any point without any control by the Local Planning Authority.

Similarly, the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows for the change of use from Class C3 to Class C4 (small-scale house in multiple occupation) without the need for a planning application. Class C4 would therefore allow for up to 6 unrelated persons to live together with shared communal facilities (which may only include a bathroom or kitchen).

The proposal must therefore be considered against the impacts arising from the above permitted development.

b) Principle of development

Policy CS8 of the Peterborough Core Strategy DPD (2011) highlights the importance and emphasises the need to provide housing to meet the needs of all sectors of society, particularly those who are vulnerable and/or have special requirements. This includes those young people who are within the care system and require a safe home in which to live.

The proposal seeks to provide a 'care' home for children/young adults aged 16 to 18 years whereby staff support is provided on a 24 hour basis. From the information accompanying the application, it is proposed for the care to be offered in a semi-independent fashion to prepare residents for life beyond the care system at 18 years. The home is proposed to be fully staffed at a ratio of 3 children to 1 worker and residents will share communal living facilities including kitchen, dining and lounge areas.

Whilst no formal data has been provided in respect of the demand for such care places within Peterborough, minutes of a meeting attended by local residents, the Applicant and the City Council's Service Director for Children's Services have been provided. Within these minutes, the City Council's Director advised that the Council has a statutory duty to find suitable accommodation for young people in its care, and preferably within their local area which provides the best support for them. In addition, it was highlighted that care places for children aged 16-18 (as that proposed) is in short supply within the City.

Taking the above into account, it is considered that the proposed use would provide much needed housing for older children within care which is fully in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011), and the benefit arising from this should be afforded a significant amount of weight.

c) Parking and highway implications

At present, the site benefits from on-site parking – approximately 5no. spaces which includes tandem spaces. The Local Highway Authority (LHA) has raised no objections on this basis, as this amount of parking is considered sufficient to meet the needs of the care home use. From the information provided by the Applicant, a maximum of 3no. staff are required to care for the children and maintain the building at any one time. If these staff all arrived by private car, this would generate demand for 3no. parking spaces which can clearly be accommodated.

It is acknowledged that during the period of staff/shift changeover, additional parking demand would be generated which may result in some parking on-street whilst cars are moved. Whilst this would, for a temporary and relatively short period each day, result in increased on-street parking demand, such an arrangement would be likely to occur if the site were occupied by a single family (with a large number of children of driving age) and similarly, if the fall-back position were implemented.

It is also noted that a number of objectors have also raised concerns with regards to the level of visitor parking and traffic generation (including service vehicles) that would be generated by 6no. children/young adults residing at the premises. These concerns are noted however the children/young adults would be living together within the property akin to a single household. They would be cared for as if they were within a traditional family home and accordingly, service vehicles are unlikely to result. Furthermore, traffic demand would only be generated by staff as the children/young people would not have access to their own vehicles. With regards to visitor traffic, However, when taking into account the fall-back position, it is not considered that the level of visitor parking demand arising from the proposed care home would be above and beyond the levels which could already arise.

The number of staff and children permitted within the site can readily be restricted by way of a condition to ensure that this is not exceeded as can the specific use within Class C2. Such a restriction would ensure that any alternative uses which create additional parking demand can be subject to further assessment through a new planning application.

Accordingly, and subject to the conditions proposed above, it is not considered that the current proposal would generate parking demand or traffic above and beyond levels arising from development that would not require planning permission. On this basis, the proposal is in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

d) Neighbour amenity

It is noted that the majority of objections received by local residents have raised concerns with regards to the incompatibility of the proposed use within an existing residential area, particularly due to harm arising to neighbour amenity. The main concerns appear to relate to an intensification of the use of the site from a traditional family dwelling which residents fear will give rise to undue noise disturbance, light pollution and increased anti-social behaviour.

As detailed above, it is proposed for the 6no. children/young adults to live akin to a single family unit with shared communal facilities including living room, kitchen and dining room. The occupants will live semi-independent lives but will all likely be in full time education as that is a national requirement now to the age of 18 years. It is not considered that children living together and receiving care in the manner proposed would significantly intensify the use of the site above and beyond a traditional family home.

The facility will have staff on site 24-7 and will be subject to inspection by the City Council. Therefore there is ample opportunity for interventions should they be found to be necessary.

Furthermore, when considering the impacts arising from the 'fall-back' position, it is considered that the proposed use is likely to generate less significant issues in relation to noise and general disturbances. A care home for adults, which would not require the benefit of planning permission, could and would likely result in emergency vehicles/servicing/staff movements throughout the day and night in a fashion which is considerably more intensive than the current dwelling. The proposed occupants relating to the use subject to this application will not require intensive care and, during the night-time, will use the property much like any other family home.

On this basis, it is not considered that the proposal would result in an unacceptable level of harm to the amenities of neighbouring occupants would likely result in less harm than development which does not require the benefit of planning permission. Accordingly, the proposal is considered to be

in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Impact upon designated heritage assets

As detailed within Section 1 above, the application site is located within the Park Conservation Area. Under the provisions of Section 72(1), the Local Planning Authority has a statutory duty to ensure that all new development either preserves or enhances the setting of this designated heritage asset. This is also further reinforced through both local and national planning policies which attach significant weight to this duty.

It is noted that nearly all objections by local residents and the 3no. Ward Councillors have expressed concern with regards to the erosion of the special character of Broadway Gardens and accordingly, the Conservation Area. In particular, reference has been made to the adopted Park Conservation Area Appraisal Report and Management Plan (March 2007) which, residents believe, seeks to resist business uses within residential properties and encourages them to be retained in residential use.

The City Council's Conservation Officer has provided detailed comment on the proposal which references the adopted appraisal/management plan. He has raised no objections to the proposal as it is considered that the intended use would retain the appearance of domestic accommodation which respects the site's historic design and use. Whilst the proposal would no longer be a traditional 'family home', the future occupants would reside together as a single family unit, sharing communal facilities. They would utilise the site for semi-independent living whilst making the transition from full-time care as children to adults and would be supported in this transition by staff working from the site.

The Conservation Area appraisal highlights that applications for change of use should demonstrate that the new use would not adversely affect the building's character and appearance and it is considered that the proposal has done so. No external changes are proposed and the intended use (as set out above) is not considered likely to generate significant additional demand for cars being parked above and beyond that which does not require planning permission. Accordingly, the proposal would not have a materially different appearance from others within Broadway Gardens.

In terms of any future changes to the building (i.e. extensions or alterations to windows/doors etc.), residential institutions (Class C2) have no 'permitted development' rights. Therefore, any such future changes would require the benefit of planning permission and would be thoroughly assessed in terms of impact to the Conservation Area.

On this basis, it is considered that the proposal would preserve the special character of this part of the Park Conservation Area and is therefore in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning policies DDP (2012) and paragraph 131 of the National Planning Policy Framework (2012).

f) Other matters

In response to those objections raised by local residents which are not discussed above:

- i) Safeguarding of children – This is not a material planning consideration as it is covered by other statutory legislation.
- ii) Appropriateness of site / other appropriate sites – It is noted that local residents consider that the proposed use would be better sited closer to the City Centre however it is not for Officers to make this judgement. The proposal can only be considered on the basis of adopted planning policies and the appropriateness, or otherwise, of the site is not a material planning consideration.
- iii) Saturation of the surrounding area – It is noted that local residents feel that the surrounding area has become 'saturated' with care homes however this has, to some extent, resulted from

changes made by the Government to the Use Classes Order. The creation of small-scale care homes of up to 6 persons has been considered appropriate within local communities and to not result in a significant additional impact above and beyond 'traditional' family homes. The proposal would provide differing care to those properties within the surrounding area and would operate much in the same way as a single family unit. Furthermore, the Council has no adopted planning policies which place a limit on such uses and it is not considered that the cumulative impact results in unacceptable harm to the amenities of surrounding occupants or the general area.

- iv) *Fire regulations* – This is not a material planning consideration and is covered by the Building Regulations. A change of use under this separate legislation is required and this would consider fire safety.
- v) *Integration with the community* – There are no specific planning policies in this regard and as such, integration with the local community is not a material planning consideration. However, the National Planning Policy Framework (2012) seeks to provide truly mixed communities whereby a range of housing, services and facilities are provided. As such, and in this light, it is considered that a residential care home within a residential area is appropriate.
- vi) *Qualifications of staff/ operator/ scrutiny/appropriateness of style of home/registration with CQC* – These matters are not material planning considerations and small establishments such as that proposed do not have to be CQC registered / inspected. Notwithstanding the latter the City Council would undertake more regular checks on the operation of the facility than would be undertaken by the CQC.
- vii) *Lack of pre-application engagement with local residents* – There is no statutory duty for Applicants to engage with local residents prior to the submission of a planning application. As such, this is not a matter for which the proposal could be considered unfavourably.
- viii) *Crime and disorder - There is no evidence to suggest that the proposal will result in any significant increase in crime and disorder to the locality.*
- ix) *Impact of the proposal in combination with businesses in the locality - There is no evidence that existing businesses in combination with the proposal would be harmful to the conservation area.*

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 proposal would provide much-needed housing for up to 6 no. children/young adults in a semi-independent manner to act as a transition between full-time care and independent adult living, in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011);
- adequate on-site parking is provided to meet the demands of the development and no unacceptable impact would arise in terms of the safety of the surrounding highway network, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in an unacceptable degree 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); and
- the proposed use would preserve the appearance of the Park Conservation Area, in accordance with Policy Cs17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 131 of the National Planning Policy Framework (2012).

7 **Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

- C 1 The use hereby permitted shall be a care home for children aged up to 18 years only and for no other use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification).

Reason: Only the impacts arising from the specific use above have been considered and alternative uses within Class C2 may result in additional parking demand which cannot be accommodated within the site and may lead to unacceptable harm to highway safety, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 2 No more than 6no. children shall live at the property and receive care at any one time, and no more than 3no. staff shall be present within the site at any one time other than during shift changeover.

Reason: To ensure that no undue pressure for parking results which may pose an unacceptable danger to highway safety and in order to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3, PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 3 The area shown on the submitted 'Block Plan' for the parking and turning of vehicles shall be retained solely for those purposes in connection with the care home use hereby permitted and shall not be used for any other purpose in perpetuity.

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

Copy to Cllrs Ferris, S Nawaz and Peach

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
13 MARCH 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director Growth and Regeneration	
Cabinet Member(s) responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Gemma Wildman - Principal Planning Officer	Tel. 863824

Peterborough Local Plan and Supplementary Planning Documents update

RECOMMENDATIONS	
FROM: <i>Simon Machen, Corporate Director Growth and Regeneration</i>	Deadline date:
<p>It is recommended that Planning Committee notes:</p> <ol style="list-style-type: none"> 1. The progress on the Peterborough Local Plan; 2. That three Supplementary Planning Documents are currently available for public consultation and that, should it see fit, the committee can offer any comments on them. 	

1. ORIGIN OF REPORT

1.1 The Proposed Submission Local Plan was approved by Full Council on 13 December 2017 for six weeks public consultation to take place in January 2018 and subsequent submission to Secretary of State for the purpose of independent examination.

Following the closure of the Proposed Submission Local Plan consultation on 20 February 2018 this report provides an update on the consultation and explains the next stages involved in the production of the Local Plan.

Separately, this report also provides an update on a number of Supplementary Planning Document (SPDs) which are intended to support the new Local Plan and that are currently available for public consultation.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to provide Planning and Environment Protection Committee with an update on progress on the Peterborough Local Plan and to update committee on the current public consultation on the three SPDs.

2.2 This report is for Planning and Environmental Protection Committee to consider under its Terms of Reference No. 2.6.1.5

To be consulted by, and comment on, the Executive's draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	No
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4. **BACKGROUND AND KEY ISSUES**

Peterborough Local Plan

- 4.1 Over the past two years, this Committee has contributed to the development of a new Local Plan for Peterborough, including a report to you on 7 November 2017. This report provides a brief update on recent progress. Since your November meeting, Full Council approved the 'Proposed Submission' version of the plan, which resulted in public consultation taking place through January and ending on 20 February 2018. As explained at your meeting on 7 November 2017, all comments (formally known as representations) will be uploaded to our website (the consultation portal) and will be made public in the next few weeks (by end of March). We will summarise the main issues raised by representors and publish a report. The scale of representations received appears to be about par for what we would expect, with a mix of comments from the public, agents, developers and various other bodies.
- 4.2 Next, the Local Plan, all supporting evidence and all representations received will be submitted to Secretary of State (or, in practice, to the Planning Inspectorate). This is scheduled to all happen in April 2018. As soon as the Local Plan is 'submitted', the plan is taken out of the hands of the council and its officers, and is in the hands of a Planning Inspector appointed to 'examine' the Local Plan.
- 4.3 The Inspector will consider all representations received, and will hold a number of 'Hearing' sessions as part of the examination, whereby those who wish to verbally raise their objections with the Inspector will get their chance to do so. Officers will sit at all days of the 'Hearing', to defend the contents of the Local Plan.
- 4.4 The Inspector will prepare an Inspector's Report, which will contain a list of 'Main Modifications'. As Main Modifications, once finalised, are proposed to make a submitted plan sound and legally compliant, they are effectively binding on the council, if it wants to adopt the Local Plan.
- 4.5 The Local Plan is due to be adopted by the council in November/December 2018, though this is subject to progress with the examination. If adopted by the Council the plan will form part of the statutory development plan and will be used in the determination of planning applications.
- 4.6 A key question Members of this Committee might have is what status the new Local Plan has, for the purpose of making decisions now (and in the period prior to its adoption). Unfortunately there is no simple legal answer. However, the existing set of adopted plans certainly remain the 'starting point' for making decisions, rather than this new Local Plan. That said, the new Local Plan can have some weight in decision making terms, particularly where there is new policy, and that policy is in line with national policy, and there are no or limited objections to it.

Supplementary Planning Documents (SPDs)

- 4.7 As the title suggests, SPDs 'supplement' policies in a Local Plan. If the new Local Plan is adopted by around the end of 2018, it will mean that some of the council's current SPDs will become out of date (because they were written to supplement the current Local Plan). Also, some of the information within the documents has become dated as other documents, council policy or national policy has been replaced or amended in recent years.
- 4.8 Therefore the council is updating its Developer Contributions SPD and Flood and Water Management SPD. It is also preparing a new Green Infrastructure and Biodiversity SPD. Further details about each SPD are set out below:

- 4.9 **Flood and Water Management SPD** - was previously adopted by the council in 2012 to support existing policy and provide guidance to developers and decision makers on how to manage surface water and main river flood risk.
- 4.10 The Flood and Water Management SPD is being updated to support the emerging Peterborough Local Plan. The current SPD links to a number of policies in the adopted Local Plan which will soon become out of date.
- 4.11 The aims of the updated Flood and Water Management SPD remain the same:
- a) to make sure that new development does not increase the risk of flooding from main rivers and surface water and also, where possible, actively reduces it; and
 - b) to expand on emerging policy in the Peterborough Local Plan relating to flood risk management and water quality.
- 4.12 The update looks to make the document more succinct and accessible, with many changes based on feedback from planning officers and developers who regularly use the adopted SPD. It does not create fundamentally new policy. Some of the changes include:
- Updating the 'how to use the document' section to be more user friendly
 - Identifying sources of relevant information for developers and providing links
 - Highlight organisations that can potentially adopt new assets
 - Clarify some of the terminology and recently outdated tables
 - Detailing all permit requirements that currently exist
- 4.13 **Developer Contributions SPD** - was adopted in April 2015, and prepared to coincide with the introduction of the Community Infrastructure Levy in Peterborough. It sets out the detail of what contributions would be expected by the council from development schemes coming forward in the area.
- 4.14 The current SPD links to a number of policies in the adopted Local Plan and contains a substantial amount of information to justify the need for infrastructure. As the council is updating its Local Plan, these policy links will soon become out of date. Furthermore, much of the information within the document has also become out of date as other documents, council policy or national policy has been replaced or amended.
- 4.15 It is important to refresh the SPD for a number of reasons, specifically:
- to link to the policies in the new Local Plan;
 - to remove old information and links to old external documents so that it is usable;
 - to streamline the document so that it is more fit for purpose for both decision makers and applicants and, in turn, make it more future-proof by not replicating information in other documents; and
 - to make sure that the process for seeking contributions and details of what will be sought is clear so that it does not unduly delay development and so that developers can factor costs into land prices being paid to ensure viability and timely delivery of infrastructure.
- 4.16 The draft update has incorporated changes recommended by planning officers, infrastructure providers and officers from other council departments to ensure that it performs effectively going forward.
- 4.17 The updated draft SPD does not seek to create new policy or to reinvent the way in which contributions are sought, instead it seeks to make it clearer what the process will be, what will be sought and when, and provides signposts to where additional information can be found to justify the need for infrastructure. It is important to have a Developer Contributions SPD to ensure that provision of infrastructure matches growth in the city.

4.18 **Green Infrastructure and Biodiversity SPD** - this is a new SPD, though builds on existing policy documents of the council which are not presently adopted as SPDs i.e. it is not all completely new policy for the council. It is being prepared to support the emerging Local Plan, explaining how the relevant policies in the Local Plan should be implemented, and act as a 'one stop shop' source of information and advice to developers, planning officers, environmental organisations and community groups.

4.19 The SPD aims to:

- Bring together appropriate material, and gain formal council approval for the document.
- Support the emerging Local Plan. It will not introduce new policy but explains how policies in the Local Plan should be implemented.
- Act as a material consideration when determining planning applications and is intended to act as a 'one stop shop' source of guidance and advice in relation to both biodiversity and green infrastructure.
- Incorporate relevant new Government legislation and policies, with the 'Lawton Review' and associated Natural Environment White Paper being key influences.
- Include an updated list of Priority Projects which have been carefully assessed against relevant criteria to ensure that the limited resources available are focussed on the most deliverable and beneficial initiatives.

4.20 The draft SPD has been developed by the council working in close partnership with a small working group consisting of a range of conservation organisations and land managers.

5. CONSULTATION

Peterborough Local Plan

5.1 The final stage of public consultation on the Local Plan ended on 20 February 2018.

5.2 As set out in your 7 November 2017 committee report the Local Plan was subject to two previous consultation stage in January 2016 (Preliminary Draft) and December 2016 (Further Draft). All comments received have helped inform the final version of the Local Plan.

Supplementary Planning Documents (SPDs)

5.3 The three SPDs referred in this report were approved by Cabinet on 15 January 2018 for the purpose of consultation. That consultation has recently commenced, and is due to close on 29 March 2018. The public consultation documents (and details of the consultation arrangements) are available here: www.peterborough.gov.uk/spds

5.4 It is anticipated that following the public consultation the SPDs will be amended accordingly and then will be recommended to Cabinet for adoption later in 2018 (alongside or shortly after the adoption of the new Peterborough Local Plan, but not before). Once adopted, they will become important material considerations for the determination of relevant planning applications. However, as we are at a first draft stage, it is suggested very little weight, if any, should be afforded to them for the present time.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that committee will note the progress of the Local Plan and current SPD consultation. Further, should the Committee wish to make comments on any of the content of the SPDs then such comments will be considered alongside the wider public comments received, prior to each document being finalised. Of course, in addition, individual Members can also make their own views on the SPDs, in the same way as a member of the public can.

7. REASON FOR THE RECOMMENDATION

7.1 This report provides an update for the Committee on the progress of the Local Plan and three SPDs.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The alternative options considered for the Local Plan were set out in the 7 November committee report.

8.2 Alternative Options considered for the Developer Contribution and Flood and Water Management SPDs:

Option 1 - do not update the documents, policies remain outdated, links broken and missed opportunity to simplify the processes.

Option 2 - Remove the SPDs from circulation - this would result in a loss of a valuable resource for both planners and developers.

Option 3 (Recommended) - update the documents with the appropriate changes in policy, legislation and best practice. There are also steps that can be taken to simplify the documents for the end user and this seems the most appropriate option.

Option 4 - full rewrite, but there is little likelihood of significantly changed documents being produced and the associated demand on resources make this an ineffective option.

8.3 Alternative option for the Green Infrastructure and Biodiversity SPD

Option 1 - do not update the 2006 Green Grid Strategy and various biodiversity guidance notes available on the council's website, and convert to SPD status. This would represent a missed opportunity to simplify the process for those requiring advice in relation to both biodiversity and green infrastructure, and as such this is not the preferred option.

9. IMPLICATIONS

Financial Implications

9.1 There are no direct implications from this report - the report is predominantly for information only, plus the opportunity to make comments on the aforementioned SPDs presently out for consultation.

Legal Implications

9.2 There are no direct implications from this report.

9.3 The Local Plan must be prepared and adopted in accordance with a wide range of Acts and Regulations, especially the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. In addition, the Council must have regard to national policies and advice contained in guidance issued by the Secretary of State.

9.4 The council must follow statutory regulations in preparing and consulting on the SPDs. After the statutory process concludes, the final SPDs will be recommended to Cabinet for adoption. Once adopted, the documents will be used as a material planning consideration in the determination of planning applications.

10. BACKGROUND DOCUMENTS

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

- 10.1
- Proposed Submission Local Plan (January 2018)
 - Flood and Water Management SPD Consultation Draft (March 2018)
 - Developer Contributions SPD Consultation Draft (March 2018)
 - Biodiversity and Green Infrastructure SPD Consultation Draft (March 2018)

11. APPENDICES

11.1 Nil

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 7
13 MARCH 2018	PUBLIC REPORT

Report of:	Simon Machen	
Cabinet Member(s) responsible:	Cllr Peter Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Richard Kay - Head of Sustainable Growth Strategy Chris Stanek - Planning Officer	Tel. 01733 863795

MINERALS AND WASTE LOCAL PLAN - PRELIMINARY DRAFT FOR CONSULTATION

RECOMMENDATIONS	
FROM: <i>Simon Machen - Director of Growth and Regeneration</i>	Deadline date: <i>Cabinet meeting of 26 March 2018</i>
<p>It is recommended that the Committee:</p> <ol style="list-style-type: none"> 1. Consider, and make comments as it see fit, in respect of the Cambridgeshire-Peterborough Minerals and Waste Local Plan - Preliminary Draft, prior to its consideration by Cabinet on 26 March 2018. 	

1. ORIGIN OF REPORT

- 1.1 The report originates from the Cabinet decision on 10 July 2017 to proceed with a new Minerals and Waste Local Plan, and for that Plan to be prepared jointly with Cambridgeshire County Council (CCC).

2. PURPOSE AND REASON FOR REPORT

- 2.1 To meet the Cabinet decision to prepare a new Minerals and Waste Local Plan, a 'preliminary draft' version of that plan needs to be approved by this council prior to a formal round of consultation. A number of future stages will also take place, before the plan is finalised and adopted.
- 2.2 This report is for the Planning and Environmental Protection Committee to consider under its Terms of Reference No. 2.6.1.5

To be consulted by, and comment on, the Executive's draft proposals for Local Development Documents within the Local Development Framework at each formal stage in preparation
- 2.3 *This Reports links in particular to the council's corporate objectives of 'driving growth, regeneration and economic development' as well, to a degree, the 'implement the environment capital agenda' corporate objective.*

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	26 March 2018, and other future dates.
Date for relevant Council meeting	To be confirmed - likely in 2019 (final consultation version) and again in 2020 (adoption)	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	Post first Full Council decision

4. BACKGROUND AND KEY ISSUES

4.1 On 10 July 2017 Cabinet agreed to proceed with the preparation of a new (joint with CCC) Minerals and Waste Local Plan ('the Plan'), and agreed a timetable (in the form of what is known as a Local Development Scheme (LDS)) for doing so. That LDS timetable was slightly updated on 29 August 2017.

4.2 The agreed timetable, therefore, for preparing the Plan is, in short:

- May 2018 - first round of consultation on the emerging Plan
- March 2019 - second round of consultation
- November 2019 - third and final round of consultation
- March 2020 - 'submission' of Local Plan, in order to commence its independent examination
- November 2020 - adoption

4.3 This report sets out the draft version of the Plan which, subject to Cabinet approval (which itself will be informed by this Committee's views), will meet our commitment to consult in May 2018.

4.4 The council already has a set of joint Minerals and Waste Plans with CCC, all agreed around 2012. Rather than update all those individual documents, it is proposed to bring most, if not all, into a single Minerals and Waste Plan. Again, this has been agreed to be done jointly with CCC (rather than each authority preparing its own Plan).

4.5 At this first stage of Plan consultation, it could perhaps best be described as an issues and options stage. The Plan as attached sets out the proposed approach to the Plan, identifying those elements of the present suite of plans it is intended to be carried forward (and updated as necessary). The Plan does not at this stage set out any draft sites for new Minerals extraction, waste management or any other site allocations - these will all be proposed (and consulted upon) as part of the latter two rounds of consultation. Suggested new sites are, however, sought from operators as part of this first round of consultation.

4.6 In drafting the emerging Plan, some key principles have been in mind:

- Merge existing Minerals and Waste Plans into a single document: this is cheaper to produce and maintain, and more user friendly.
- Minimise content to only that which is necessary: again, making production cheaper and quicker, and making the end product more user friendly.
- Bring all policies up to date and in line with latest national policy and best practice.
- Structure the Plan in a more coherent way than present Plans, so applicants and decision makers can quickly and easily navigate to the important policies relevant to a specific application.

4.7 At this stage the Plan is likely to be relatively non-controversial, and probably only of real interest to those organisations and companies active in the Minerals and Waste markets. This opinion is reached because the Plan, at this stage, is not suggesting any new sites.

- 4.8 However, future Plan stages (or indeed any sites suggested during the upcoming first consultation stage) may well become of considerable public interest, especially so in the broad vicinity of where the site is proposed to be located.
- 4.9 As a snapshot of what is contained in the attached Plan, it contains policies covering matters such as:
- Draft Scale and strategic approach to locating minerals and waste development.
 - Draft policies on dealing with proposals on non-allocated sites.
 - Draft Policies dealing with important matters such as highway impacts and effects on biodiversity.
 - Draft Policies which help protect important minerals and waste operations, or protect future reserves.

Fundamentally, the approach of the Plan is largely to roll forward the principles of the existing adopted Plan, subject to the 'principles' highlighted in para 4.6.

- 4.10 Any comments of this Committee will be made known to Cabinet (especially anything whereby this Committee is seeking changes to the content of the Plan), prior to Cabinet approving the Plan for consultation. The Cabinet recommendation is likely to be as follows:

It is recommended that Cabinet

- 1. approve the attached Cambridgeshire-Peterborough Minerals and Waste Local Plan - Preliminary Draft, for the purpose of subsequent public consultation commencing in May 2018.*
- 2. delegate to officers authority to make any minor non-consequential amendments to the Plan as attached, prior to consultation, in order to: correct any typographical errors; improve presentation; or address any minor amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.*
- 3. delegate to the Cabinet Member for Growth, Planning, Housing and Economic Development authority to make more substantive changes to the Plan as attached, prior to consultation, provided he should see fit to do so, if it would help to address any more substantive suggested amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.*

5. CONSULTATION

- 5.1 The purpose of the report to Cabinet will be to receive approval to undertake public consultation. This consultation will be for 6 weeks, commencing in May 2018. Two further rounds of consultation will follow (both due in 2019). This Committee will receive further reports on the Plan as it emerges, prior to each of the next two consultation stages.
- 5.2 To date, the only consultation taken place has been:
- internal consultation with officers (including CCC officers)
 - focussed technical consultation with certain statutory bodies took place in January-February in relation to the emerging framework for the sustainability appraisal of the Plan (this consultation was a legal requirement).
- 5.3 The Plan, as attached, is also due for consideration by the Growth, Environment and Resources Scrutiny Committee on 5 March, and its views (alongside this Committee's views) will also be taken to Cabinet prior to Cabinet decision.
- 5.4 It should be noted that the Plan, it being a joint one with CCC, also needs to be approved by CCC's due democratic process before consultation can commence. Should any major issues arise from one or other party during the respective democratic consideration of the Plan, then it may be necessary for the Plan to be referred back to this Committee prior to consultation. However, more minor to moderate amendments arising via CCC can adequately be addressed

by the recommendations being put to Cabinet.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 That this Committee will make any comments as it see fit at this stage, which will be reported to Cabinet. Cabinet will then be asked to approve the attached for the purpose of public consultation.

7. REASON FOR THE RECOMMENDATION

7.1 Two main reasons for the recommendation:

- As a 'top tier' authority, the council has a statutory duty to maintain a Minerals and Waste Local Plan.
- The council has agreed to proceed with preparation of an updated Plan.

This report (and subsequent report to Cabinet) ensures the council is meeting its obligations and commitments.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1
1. To not prepare a plan. This option was rejected by Cabinet in July 2017.
 2. Any options relating to not undertaking consultation or not complying with national policy were immediately rejected, as it would be unlawful to do so.
 3. Alternative options for Plan content will be considered (and appraised under the legally required sustainability appraisal framework) as this Plan progresses.

9. IMPLICATIONS

Financial Implications

9.1 Nil arising from this report. Preparation of the Plan can be funded from existing budgets.

Legal Implications

9.2 The Council must follow due legislation in preparing the Plan. Eventually, once the final document is adopted in 2020, the council has a legal duty to determine planning applications in accordance with the Plan.

Equalities Implications

9.3 No anticipated implications

Rural Implications

9.4 No anticipated implications at this stage. However, future versions of the Plan are likely to include new allocations for minerals extraction, and by their very nature such sites will be in rural locations. This will be a matter to consider at future stages of Plan preparation.

10. BACKGROUND DOCUMENTS

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

10.1 Peterborough LDS - August 2017

11. APPENDICES

11.1 *Appendix 1 - Cambridgeshire - Peterborough Minerals and Waste Local Plan: Preliminary Draft*



Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036

Preliminary Consultation Draft May 2018

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Introduction

Introduction to the Cambridgeshire and Peterborough Minerals and Waste Local Plan

The Planning and Compulsory Purchase Act 2004 (the 2004 Act) set the requirement for Minerals and Waste Planning Authorities to prepare Minerals and Waste Development Plan Documents (DPDs) for their administrative areas. These DPDs help form the 'Development Plan' for the area¹. The term 'Local Plan' has in recent years been favoured over the term 'DPD'.

Local Plans can be produced jointly by two or more planning authorities. The two Planning Authorities of Cambridgeshire and Peterborough have previously produced the following joint Local Plans:

- Cambridgeshire and Peterborough Minerals and Waste Development Plan **Core Strategy** DPD (adopted July 2011); and
- Cambridgeshire and Peterborough Minerals and Waste Development Plan **Site Specific Proposals** DPD (adopted February 2012)

Those two DPDs remain in force until a new Local Plan replaces them. That is what the two planning authorities intend to do - replace the above two documents with a single new Local Plan, to be known as 'The Cambridgeshire and Peterborough Minerals and Waste Local Plan'.

It is necessary to replace the above two documents because without doing so, they will steadily become out of date. Up to date Local Plans are important, so that all parties (landowners, operators, members of the public etc.) are clear what policies will apply in which locations and for what types of proposals.

Starting in 2017 (and from 6 April 2018, it has become a legal requirement to do so), the two planning authorities carried out a review of the current adopted DPDs and supporting documents, to see which policies were in need of review and which were still relevant, and to determine if a partial or full review of them would be required.

It was decided that, whilst the two DPDs as a whole were still generally sound, some policies (and potentially allocations) were in need of a review. In light of this and changes made to the national planning system since the current plans were adopted, it was agreed that they should be reviewed in full.

Building on the success of previous joint working, both Cambridgeshire County Council and Peterborough City Council agreed to commence preparation of a new joint Minerals and Waste Local Plan. Preparing a joint Local Plan is possible under section 28 of the Planning and Compulsory Purchase Act. The Local Plan will, upon adoption, replace both of the adopted DPDs referred to

¹ The Development Plan for Cambridgeshire and Peterborough includes the Minerals and Waste Local Plan, the Local Plans of the Cambridgeshire Districts and Peterborough City Council, and any adopted Neighbourhood Plans or Neighbourhood Development Orders across the plan area.

above. Other supporting documents, such as linked Supplementary Planning Documents (SPDs) are also being reviewed to determine whether they should be retained, amended or revoked alongside this new Local Plan.

For the rest of this document, the phrase Local Plan will be used, rather than DPD, due to its more common usage.

How to make comments

This is the first opportunity for you to make comments on the emerging Local Plan and we encourage you to take this opportunity to let us know your views.

Peterborough City Council is hosting the consultation exercise, and comments are welcome from anyone, for any area across Cambridgeshire and Peterborough.

The Preliminary Plan can also be viewed at peterborough.gov.uk/MWLP where comments can also be made online using the consultation portal.

Alternatively a Comments Form (Form M&W (A)) is available to collect in paper format from the following locations:

Peterborough City Council's customer service centre at:

Bayard Place
Broadway
Peterborough
PE1 1FZ
Opening hours: 9am to 5pm, Monday to Friday

Cambridgeshire County Council's Office at:

Shire Hall
Castle Hill
Cambridge
CB3 0AP
Opening hours: 9am to 5pm, Monday to Thursday, 9am to 4.30pm Friday

or a form can be downloaded from the above link and returned by e-mail or post to:

planningpolicy@peterborough.gov.uk or:

Minerals and Waste Local Plan Consultation
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HF

Please clearly let us know exactly which part of the document you are commenting on or what issue it is you wish to raise, by quoting the relevant paragraph number or policy number.

The closing date for all comments is **midnight on xx June 2018**. Please note that all comments will be uploaded to our online consultation portal and will not be confidential (however personal email addresses, telephone numbers and signatures will not be shown). All comments received will be taken into consideration and will help inform the Further Draft Local Plan, due to be published for public consultation in 2019.

Approach of this Preliminary Plan

We are at a very early stage in preparing this new Local Plan. The approach we have taken in this document is to 'kick start' a discussion on it. Overall, our approach is intended to be one which rolls forward, refreshes and consolidates the existing Minerals and Waste Local Plans, rather than a fundamental review of everything from scratch. We are still at the early stages of gathering evidence (and this consultation is part of that process), and we would also like to start the process of gathering suggested new minerals and/or waste management sites from you so that, if we need to allocate more sites, we have a got platform to start from (see Part Six).

This Preliminary Plan consists mainly of proposed non-site specific policies. These are, with a few exceptions, written in detail to a degree which could form the final version of those policies, subject to your views. These are, as it explains in each case, primarily derived from existing adopted policies. We welcome your views on what we have done, and we are very open minded to further adjustments (or, potentially, retaining some of the adopted policies rather than amending them as proposed in this document).

Key questions for you to respond to

At this first consultation stage, we would welcome a wide range of comments to be submitted to us, not necessarily just focussed on what is presented in this document. As such, to assist you, here are some questions that may help you to formulate a response to the consultation:

- (a) Do you have any views on the overarching approach to preparing this Plan? For example, are you content it is a joint Plan? What about the emerging Objectives, and their link to the Sustainability Appraisal process?
- (b) For each draft policy in this emerging Plan, do you agree with the policy wording and supporting text? If not, why not? Are you able to offer any precise wording changes you would like to see?
- (c) Is there a theme or policy area not properly covered? If so, what is it? Do you have any suggestions what that additional theme or policy should cover?
- (d) Are there any designations or allocations in the currently adopted Minerals and Waste Local Plans, that you wouldn't want to see carried over into this new Plan? If so, please be precise what you would like to see changed. This could be an allocation, or the boundary of a site, or the extent of any consultation or safeguarding area. Or perhaps you have a suggestion for a new allocation or designation?

- (e) If you are promoting a site for development, please ensure you complete the site suggestion form (see Part Six).
- (f) Broadly speaking, the two councils are proposing to roll forward the strategy and approach of the current adopted Minerals and Waste Plans (and complementary supporting policies), albeit consolidating the policy and guidance, updating it where appropriate, and making new provision for various matters should the evidence determine we need to. Similarly, as the Plan evolves, evidence may indicate that some elements are not appropriate to be rolled forward (including, potentially, some allocations).

Status of Preliminary Plan May 2018 for Decision Makers

When reading this Preliminary Plan please note the following information about its status. It has been produced in accordance with the National Planning Policy Framework (NPPF) and other relevant national policy.

The NPPF was issued by Government in March 2012, followed by the 'live' National Planning Practice Guidance (NPPG) from March 2014, and the National Planning Policy for Waste (NPPW) in October 2014. This Preliminary Plan has been written to complement the NPPF and NPPW and to comply with the guidance in the NPPG. Should the NPPF, NPPW, or NPPG be revised in the future, then any references to them in this document should be checked against the latest versions in force at that point in time. This Local Plan does not repeat policies in the NPPF or NPPW; it builds on them when necessary and ensures locally specific issues are covered.

The NPPF clarifies the position on the status of emerging plans. It states:

Paragraph 216: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that can be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to policies in this framework the greater the weight that may be given).*

In accordance with NPPF paragraph 216, the policies contained within this emerging plan will be used (alongside the Development Plan and other material considerations) in determining planning applications, especially where it contains 'new' policy not currently found elsewhere in either the Development Plan or the NPPF and NPPW. In helping determine proposals, the amount of weight to be given to the content of this emerging plan in comparison with the amount of weight given to other plans, strategies and material considerations, will be a matter for the decision taker to decide and will vary depending on the specific elements of the proposal. However, at this draft stage of plan preparation, the weight is likely to be very limited.

Policies Map

Any reference to the term Policies Map in the Preliminary Plan relates to the adopted Policies Map (previously referred to as Proposals Map) of the relevant individual District Councils or Peterborough City Council (whom are responsible for identifying Minerals and Waste designations that apply in their administrative area).

At this stage no changes are proposed to the Policies Map. Any proposed changes will be included in the next version of the Local Plan due to be published for consultation in 2019.

OS Map - Copyright Note

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If you respond to this consultation or send us your contact details, we will retain your information and inform you of future consultations associated with this plan (unless you ask us not to).

Further information about this consultation

This Preliminary Plan is a formal consultation under Regulation 18 of the The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It seeks the views of land owners, their agents, members of the community, parish councils, neighbouring authorities and any other interested party. A further 'Regulation 18' consultation is due to be held in 2019 (the 'Further Draft' stage).

As well as consulting on the content of this Preliminary Plan, the authorities are also seeking land owners and / or their agents to submit their land for future minerals and waste management development. This includes existing allocated sites which do not yet have the benefit of planning permission. For more information on what is required to support your submission, and for a site submission form, please see Part Six.

Vision

At this Preliminary Plan stage, the following sets out our high level vision for minerals and waste management development. It will evolve over the preparation of the plan, especially when we have established more details on needs and proposed allocations. The vision will therefore become more 'locally specific' as the plan evolves:

Over the plan period to 2036 Cambridgeshire and Peterborough will ensure a steady and sustainable supply of minerals to meet current and projected future need. There will be an increased commitment to the use of secondary and recycled aggregate over land won material, with restoration and aftercare placed at the forefront of planning decisions.

As existing communities grow and new communities are formed, a network of waste management facilities will provide for the sustainable management of all wastes to the achievement of net self-sufficiency.

A balance will be struck between meeting present and future needs, and maintaining and enhancing the social, environmental and economic vibrancy of the plan area.

Aims and Objectives

To ensure that the overall vision of the Plan is achieved, that national and european policy is met and that local needs are addressed, a set of aims and objectives have been formed. The Plan has a total of 12 objectives under 8 themes. Each objective has examples as to how the objective could be met. The objectives are the same as in the Sustainability Appraisal framework and are shown in the table below:

[Note for this version of the Plan going through CCC / PCC democratic processes: the objectives listed below reflect the objectives as set out in the published 'Draft Sustainability Appraisal Scoping Report - January 2018'. That Report, as is legally required, is being consulted upon with statutory bodies during January and February 2018. Any changes arising as a result of that consultation will consequently likely result in changes to the Objectives listed below, prior to the Preliminary Plan being published for consultation . This Note will be removed in the version of the Plan to be consulted upon]

Headline Objective		Criteria to help determine whether objective is/could be met.
Sustainable mineral development		
1	Ensure a steady and adequate supply of minerals to support growth whilst ensuring the best use of materials, and protection of land	<ul style="list-style-type: none"> A. determine applications for minerals development without delay B. prevent needless sterilisation of minerals resources through the use of mineral safeguarding areas C. safeguard existing minerals development D. make adequate provision in order to ensure continuity of supply of mineral for the plan area
Sustainable waste management		
2	Contribute positively to the sustainable management of waste	<ul style="list-style-type: none"> A. manage the waste arising in the plan area over the plan period, with appropriately located and distributed waste management facilities of a high quality in operation and in design B. move treatment of waste up the waste hierarchy C. achieve net waste self-sufficiency D. safeguard existing waste management facilities and infrastructure, including from incompatible development that may prejudice waste use E. promote / allow scope for new technology and innovation in waste management F. ensure that all major new developments undertake sustainable waste management practices (including, where appropriate, the provision of temporary waste management facilities throughout construction)
Resilience and restoration		
3	Support climate change	<ul style="list-style-type: none"> A. minimise greenhouse gas emissions

	mitigation and adaptation, and seek to build in resilience to the potential effects of climate change	<p>B. reduce the demand for energy and maximise the use of energy from renewable sources</p> <p>C. minimise the use of virgin mineral by encouraging the efficient use of materials (including the recycling and re-use of waste and the minimisation of construction waste)</p> <p>D. encourage operational practices and restoration proposals which minimise or help to address climate change</p>
4	Protect water resources, mitigate for flood risk from all sources and seek to achieve a reduction in overall flood risk	<p>A. ensure waste development and associated infrastructure are not at risk of flooding</p> <p>B. ensure infrastructure associated with minerals is not at risk of flooding</p> <p>C. ensure minerals and waste development will not affect water resource quantity and quality</p>
5	Safeguard productive land	<p>A. avoid the loss of the best and most versatile agricultural land for waste development and prioritise the location of waste development on previously developed sites over greenfield land</p> <p>B. minimise soil contamination and safeguard soil quality and quantity</p>
Employment and economy		
6	Support sustainable economic growth and the delivery of employment opportunities	<p>A. support the development and growth of sustainable communities and provision of infrastructure within the plan area</p> <p>B. provide training and employment opportunities</p> <p>C. maximise the sustainable economic benefits of minerals operations and waste management in the plan area</p> <p>D. ensure mineral supply for construction</p> <p>E. ensure effective and adequate waste infrastructure for existing and future development</p>
Infrastructure		
7	Reduce road traffic, congestion	<p>A. reduce the reliance on road freight movements of</p>

	and pollution; promote sustainable modes of movement and efficient movement patterns; and provide and maintain movement infrastructure	<p>minerals and waste and seek to increase the efficient use of other modes of movement</p> <p>B. where road transportation is necessary, minimise the total vehicle kilometres travelled and encourage the use of low emission vehicles</p> <p>C. safeguard current and future infrastructure for minerals, waste, concrete batching, coated materials manufacturing, other concrete products and the handling, processing and distribution of aggregate material</p>
Natural environment		
8	Conserve and enhance the quality and distinctiveness of the landscape	<p>A. minimise adverse impacts to local amenity and overall landscape character</p> <p>B. protect designated assets such as designated nature sites, open spaces, parks, gardens, historic landscapes</p>
9	Protect and encourage biodiversity and geodiversity	<p>A. protect and enhance habitats of international, national or local importance</p> <p>B. maintain wildlife corridors and minimise fragmentation of green spaces</p> <p>C. utilise opportunities to enhance biodiversity and geodiversity and achieve net gains</p>
Built and historic environment		
10	Protect and where possible enhance the character, quality and distinctiveness of the built and historic environment	<p>A. retain and enhance the character, distinctiveness and accessibility of townscapes</p> <p>B. ensure minerals and waste development conserves, protects and enhances designated and undesignated heritage assets and their settings</p>
Health and wellbeing		
11	Protect and enhance the health and wellbeing of communities	<p>A. avoid adverse effects on human health and safety or minimise to acceptable levels</p> <p>B. safeguard the residential amenity of new and existing communities</p> <p>C. provide opportunities to improve health and amenity through the restoration and management of former</p>

		<p>minerals and waste sites</p> <p>D. encourage opportunities for education about minerals and waste</p>
12	Minimise noise, light and air pollution	<p>A. minimise noise and light pollution arising from activities associated with waste development, waste management, mineral extraction and mineral movement</p> <p>B. minimise air pollution</p>

Part Two: The Core Policies

Sustainable Development

The National Planning Policy Framework (NPPF) was introduced in 2012 and is based around five guiding principles of sustainable development, the presumption in favour of which should be seen as a golden thread running through plan making². The first half of this proposed Policy 1: Sustainable Development is a standard policy found in most Local Plans produced post 2012. It is not presently included in the adopted Minerals and Waste Local Plans. The second half is predominantly a carry-over of adopted policy CS22 Climate Change.

Policy 1: Sustainable Development

When considering Minerals and Waste development proposals, the councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will seek to work proactively with developers and investors to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in other Local Plans and Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Minerals and waste management development proposals, including operational practices and restoration proposals, must take account of climate change for the lifetime of the development. This will be through measures to minimise greenhouse gas emissions, and measures to ensure adaptation to future climate changes.

Proposals should, to the degree proportionate with the scale and nature of the scheme, set out how this will be achieved, such as:

- (a) broadly quantifying the reduction in carbon dioxide and other relevant greenhouse gases e.g. methane, that should be achieved as part of the proposal, and how this will be monitored and addressed in future;
- (b) demonstrating how the location, design, and transportation related to the development will limit greenhouse gas emissions; and take into account any significant impacts on human health and air quality;
- (c) where relevant, setting out how the proposal will make use of renewable energy including opportunities for generating energy from waste for use beyond the boundaries of the site itself, and the use of decentralised and renewable or low carbon energy.

² NPPF, March 2012, p4

Proposals should consider adopting emissions reduction measures based on the principles of the energy hierarchy. Proposals should also set out how they will be resilient to the changing climate, and may therefore include:

- (d) incorporation of sustainable drainage schemes to minimise flood impacts;
- (e) measures to manage water resources efficiently; and
- (f) measures to adapt to the potential impacts of excess heat and drought.

The Spatial Strategy for Minerals

Minerals are essential to support sustainable economic growth and our quality of life.

The new Local Plan needs to set out an overarching mineral spatial strategy. This is important in order to guide allocations to be made in the plan, and it would also help should proposals on non-allocated sites subsequently come forward as planning applications.

In developing a mineral spatial strategy, we think the following are key issues to consider:

- (a) whether new extraction should be focussed at existing sites (i.e. make extensions at these sites);
- (b) whether the plan should set out 'Areas of Search' within which there could be specific allocations but also to contain a policy steer to indicate that proposals on non-allocated sites should first look to within those identified Areas of Search;
- (c) to what degree should Heavy Commercial Vehicle (HCV) impacts be taken into consideration, and more generally, the degree to which existing infrastructure capacity is used to steer the spatial strategy;
- (d) to what degree, like the adopted Local Plans, should the potential for biodiversity enhancement steer the spatial strategy;
- (e) how the lack of a mineral (e.g. limestone) being available should steer the strategy;
- (f) the level of support, or not, for temporary workings / borrowpits.

To explain the above in more detail, the current adopted minerals and waste plans make allocations of a site specific nature, and these were generally extensions to existing sites. This approach provides more certainty for local communities. Extensions to existing sites normally also minimise the impact of new mineral working. However, extensions to existing quarries can result in amenity and environmental impacts, which can be cumulative in nature. Whilst the allocations that will be made will be influenced by the nature and number of sites which come forward for consideration through the plan making process, there is a need to consider if preference should be given to certain types (e.g. extensions) of allocations.

An additional or alternative approach could be to not be so site specific in terms of allocations, but include slightly broader areas of search where the principle of some mineral extraction is agreed, subject to the wider policy framework. This is a more flexible approach, but provides less certainty to both communities and the minerals industry.

In terms of HCVs, obviously minerals can only be worked where they occur, and as a result there is often a need to transport them by road. The transport of mineral can give rise to amenity issues if HCVs pass through local communities. The Councils have identified HCV routes and consideration could be given as to whether preference should be given to sites (and/or Areas of Search) which either avoid the use of road travel (e.g. are rail or conveyor based) or are well related to the HCV routes, in order to minimise impact on communities arising from the transport of mineral.

Historically sand and gravel extraction has been located in the Nene and Ouse River Valleys but the existing adopted Local Plans sought to move away from these areas as they are now the focus of other national planning policies which seek to protect and enhance their biodiversity. Sand and gravel extraction has therefore shifted to fen edge deposits where there are significant reserves and which give rise to the opportunity to enhance biodiversity through restoration on a landscape or a local scale. An example of this is Needingworth Quarry where a nationally significant reedbed is being created. Also, the allocation in the adopted Local Plan at Block Fen / Langwood Fen seeks to enhance the internationally important Ouse Washes through the creation of new lowland wet grassland. The question becomes, therefore, whether the spatial strategy should continue to focus extraction at fen edge deposits, and to give preference to potential sites where restoration could contribute to international and national biodiversity objectives.

Where the mineral is located in certain geographical areas the spatial options are more constrained. Some mineral is extracted on a larger industrial scale, such as the brickpits near Whittlesey, and others on a smaller scale such as the high quality industrial chalk at Steeple Morden. National policy requires mineral planning authorities to make provision for industrial and local mineral needs, although this could be achieved through allocations, a criteria based policy or a mixture of the two.

In the case of oolitic limestone, this is located in a small geographical area to the north west of Peterborough and is a diminishing resource. It was not possible to allocate any limestone sites through the current adopted Local Plan, and no sites have come forward through its criteria based policy since. It might therefore be necessary for the minerals spatial strategy to spell out clearly the limited scope for allocations for (or even the anticipated supply of) oolitic limestone.

Mineral (sand and gravel, and engineering clay) for infrastructure projects such as major road improvements could come from existing or allocated mineral workings; or it could come from dedicated mineral workings close to and specific to that project, and which would be temporary in nature. Such 'borrowpits' may reduce the impact of mineral working for those local communities on the routes from existing mineral sites and have a lower carbon impact (due to less mineral miles travelled); but there could also be an impact on communities, the landscape or other matters from borrowpits.

There may also be other issues / options which you think are relevant. Your views on the form of the spatial strategy for mineral development are invited.

Policy 2: The Spatial Strategy for Minerals

This policy will be developed for the Further Draft Local Plan consultation stage, taking account of views made at this Preliminary Plan stage on the issues discussed in the supporting paragraphs above.

Providing for Mineral Extraction

This policy intends to set out the overall scale of mineral extraction in the plan area. It is generally an amalgamation of the following adopted policies:

- CS4 The Scale and Location of Future Sand and Gravel Extraction
- CS6 The Scale and Location of Future Limestone Extraction
- CS8 The Scale and Location of Future Brickclay Extraction
- CS9 The Scale and Location of Future Chalk Marl Extraction
- CS10 The Scale and Location of Future Mineral Extraction for Specialist Uses

We presently intend to make provision for minerals plan wide, though if you have views as to whether the plan should provide a mechanism whereby mineral supply (or the lack of) in one Minerals Planning Authority Area does not prejudice planning decisions in the other, then please let us know. For example, if the supply of a particular mineral is not meeting the policy requirements in one administrative area, but is in the other, should the policy introduce a mechanism to deal with this, or should the plan be simply plan wide?

More detail regarding the principal minerals occurring in the plan area is as follows.

Sand and Gravel, and Limestone

Subject to consultation, the Councils intend to follow national planning policy in planning for a steady supply of sand and gravel and limestone i.e. the aggregates which occur in the plan area. This includes taking the advice of the East of England Aggregates Working Party which, in November 2017, agreed that, in the absence of updated national guidelines on aggregate provision, the methodology contained in the NPPF and Planning Practice Guidance (PPG) would be used for determining aggregate provision for Local Plans.

Therefore the key elements that we think should inform the level of provision for aggregates, and which are indicators of the security of supply and the additional provision that may need to be made, are:

- (a) the rolling average of the past 10 years of aggregate sales data;
- (b) the landbanks and other information contained in the Cambridgeshire and Peterborough Local Aggregates Assessment;
- (c) as assessment of other supply options i.e. the supply of secondary and recycled aggregates and marine dredged material;
- (d) matters relating to mineral supply raised through the duty to cooperate with other mineral planning authorities; and
- (e) local factors e.g. major potential infrastructure projects (such as the Oxford to Cambridge Rail Line); the geological extent of mineral; and any other relevant factors.

Your views are welcomed on the above and any other factors you think should be taken into account, particularly any additional local factors which you think are relevant.

National planning guidance requires a stock of sand and gravel reserves equivalent to at least 7 years supply. For sand and gravel the Local Aggregates Assessment (LAA) records that Cambridgeshire

and Peterborough, at the end of 2016, had permitted reserves of just under 44 million tonnes. The 10 year rolling average of sales was 2.91 tonnes per annum which, when applied to the reserves, would give a 'landbank' of approximately 15 years. Future supply in allocations made in the adopted plan could provide an estimated further 26 million tonnes. However, whether these allocations can and should be carried forward is a matter on which your views are sought through Part Six of this consultation document.

National planning guidance requires a stock of limestone reserves equivalent to at least 10 years supply. The LAA records only two limestone quarries which are currently active. However, only one of these provides material for aggregate use, but the other has been included to enable the release of some statistics. Bearing this in mind, the permitted reserves for both these quarries at the end of 2016 is 2.83 million tonnes; with the 10 year rolling average of sales being 0.29million tones; giving a stock of permitted reserves which results in a land bank of 9.7 years i.e. less than required.

Limestone in the plan area is limited to a small geographical area to the north west of Peterborough and is a diminishing resource. It was not possible to allocate any limestone sites through the currently adopted Local Plan, and no sites have come forward through its criteria based policy since. Given this, the question is raised as to whether it will be possible to maintain a supply of limestone, in line with national policy, through the plan period. Your views are invited; and we will also take into account any response made to the call for sites in Part Six of this document.

Brick Clay

National planning policy requires that a landbank of brick clay is maintain, in the order of 25 years of supply. There are extensive reserves of brick clay in the plan area, which are close to the Whittlesey brickworks complex. There is a current allocation to ensure the continuity of supply, located in the King's Delph area, which straddles the Peterborough - Cambridgeshire border. It is estimated that this could supply around 500,000 cubic metres of brick clay to the Kings Dyke brickworks for around 20 years, in addition to existing permitted reserves. You views on how to ensure the supply of brick clay are invited.

Other minerals

Other minerals which occur in the plan area do so to a lesser extent. For example, there are local deposits of high quality chalk used for industrial processes and clay for making handmade tiles i.e. for building restoration. The suggested approach to these minerals is set out in the draft policy below.

Policy 3: Providing for Mineral Extraction

Sand and Gravel, Limestone and Brick Clay

The Mineral Planning Authorities will facilitate a steady and adequate supply of the following minerals over the plan period (2016-2036) (*figures to be included at the next consultation stage in early 2019*):

	Plan Period 2016-36 (million tonnes)	Annual Average (million tonnes per annum)	Landbank, in years, intended to be maintained at all times
Sand and	Note: At this Preliminary Plan stage, we are not in a position to publish specific		

Gravel	figures. As an indication however, and based on the current ten year rolling averages, it is estimated that 55.29mt of sand and gravel will be required (current permitted reserves are 43.92mt leaving a requirement of 11.37mt) and 5.51mt of limestone (current permitted reserves are 2.83mt leaving a requirement of 2.68mt). How this requirement is met (through existing allocations and/or new sites) will be consulted upon at the Further Draft stage. Further information on brick clay will also be consulted upon at the next stage.
Limestone	
Brick Clay	

In principle, permissions will be granted so as to ensure the above provision can be secured.

Mineral Allocation sites to contribute to meeting the above provision are set out on the Policies Map, and site specific policy requirements are set out in Part Six of this Local Plan (*Note: such allocations/policies are not included at this Preliminary Plan stage*).

Permission for Sand and Gravel, Limestone and Brick Clay will only be granted on:

- (a) Mineral Allocation sites as identified on the Policies Map for that purpose, or
- (b) non-allocated sites (which includes extensions to existing or allocated sites) if the proposal meets all of the following:
 - (i) it does not conflict with the spatial strategy for mineral extraction; and
 - (ii) it is required to maintain a steady and adequate supply of minerals in accordance with the above provision rates and / or the maintenance of a landbank; and
 - (iii) it is required to meet a proven need for materials with particular specifications that cannot reasonably or would not otherwise be met from committed or allocated reserves; and
 - (iv) it will maximise the recovery of the particular reserve whilst minimising waste through operational techniques employed; and
 - (v) it promotes the most appropriate end-use of materials.

Other Minerals for Specialist Uses

For other types of minerals not covered by the above, no allocations are made. Any proposals to extract such other minerals will be determined on their merits, including consideration of evidence of a proven need for materials with particular specifications that cannot reasonably or would not otherwise be met from nearby committed or allocated reserves (with ‘nearby’ potentially including beyond the plan area).

The Spatial Strategy for Waste

The new Local Plan needs to set out an overarching waste spatial strategy. This is important in order to guide potential allocations to be made in the plan, and it would also help should proposals on non-allocated sites subsequently come forward as planning applications.

In developing a waste spatial strategy, we think the following are key issues to consider:

- (a) the degree of specificity in terms of a spatial strategy, such as focussing facilities only in described and limited geographical areas, or a more spreading of such facilities across the plan area;
- (b) the degree to which the plan should make specific allocations for waste management facilities, or broad locations for such facilities, or simply have criteria based (non-site specific) policies. Or perhaps a blend of all three approaches;
- (c) if allocations are made, the degree to which flexibility is given in terms of the type of waste management facility which will be permitted on each site;
- (d) the degree to which co-location of facilities is encouraged or insisted upon;
- (e) the degree to which facilities are directed to the urban area, or the rural area, or a mix of both;
- (f) whether 'employment allocations' (B-Class) as allocated in district Local Plans and/or other land currently under employment use should be generally acceptable for waste management facilities, or not, as a matter of principle. Or should only named employment allocations/existing employment sites be deemed suitable;
- (g) the degree to which any new settlements should/must incorporate permanent waste management facilities; and
- (h) the degree to which HCV impacts be taken into consideration, and more generally, the degree to which existing infrastructure capacity is used to steer the spatial strategy.

To explain some of the above points in more detail, the current adopted minerals and waste plans seek to establish a network of waste management facilities across the Plan area, and in doing so it includes a large number of allocations, though that strategy is not a particularly 'spatial' one. The current plan is also flexible about the nature of waste management development which could be brought forward on allocated sites. National planning guidance encourages such a flexible approach thereby avoiding a strategy which is too prescriptive and which could stifle waste management development.

The adopted plan provides a mix of allocations but encourages the co-location of facilities, including the establishment of waste management 'eco-parks' in order to capitalise on the synergies between different types of waste management technologies; and to provide an exemplar for such activities.

The adopted plan made sufficient allocations (large and small) in order to meet the level of provision that was identified at that time. However, for example, of the 34 non-landfill allocations only 10 have subsequently come forward and been permitted, whilst proposals have been approved on non-allocated sites. This raises the question of whether the plan should take the same approach again; or whether it should only allocate a few sites (likely strategic sites which are essential to achieving the strategic aims of the plan) and provide a criteria based policy for the consideration of other sites; or allocate no sites at all, and treat each proposal on its merits, using criteria-based policies.

The potential location of any future waste management allocations needs to be considered. Should such development be focused in urban areas (existing and planned); and should waste management development also take place in rural areas? This may be appropriate, for example, where there are synergies with agricultural operations, mineral operations or landfill operations.

Also would it be appropriate to identify existing and allocated general employment land as a suitable location for future waste management development, recognising that waste management development is now often located in buildings and can be indistinguishable from other industrial uses which operate alongside it. If so, this may have to be restricted to only certain types of employment

land (eg B2 or B8 locations), or perhaps even to named sites which have been checked as broadly suitable.

Even if this approach is adopted in some form, there is no guarantee waste management facilities will come forward on employment land because of viability or other locational specific reasons, or simply a lack of available land. For example, such a policy is less likely to work in the Cambridge / South Cambridgeshire area, due to the lack of available land at viable prices. Here, specific allocations are likely necessary or a more flexible approach for bringing facilities forward on other forms of land, otherwise waste management facilities for the whole plan area may cluster in the lower land value areas of the north and west of the plan area, resulting in insufficient facilities close to the locations where waste is generated (e.g. Cambridge).

The adopted plan also seeks to embed waste management facilities in new settlements. However, there has been only limited success in this area with temporary demolition and construction recycling being present through construction phases, but few permanent waste management facilities being located within new communities. This new plan could be an opportunity to enforce this current strategy more strongly.

The movement of waste can also give rise to amenity issues if HCVs pass through local communities. The Councils have identified HCV routes and consideration could be given as to whether preference should be given to sites which are well related to the HCV routes, in order to minimise impact arising from the transport of waste.

There may also be other issues / options which you think are relevant. Your views on the form of the spatial strategy for waste management development are invited.

Policy 4: The Spatial Strategy for Waste

This policy will be developed for the Further Draft Local Plan consultation stage, taking account of views made at this Preliminary Plan stage on the issues discussed in the supporting paragraphs above, as well as the findings of the Waste Needs Assessment.

Providing for Waste Management

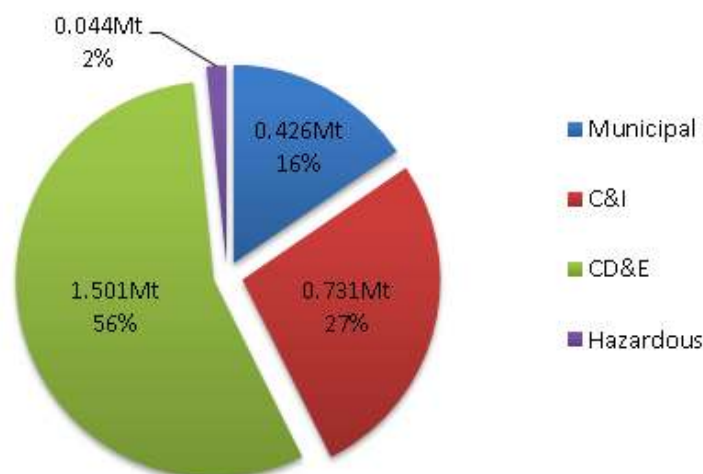
Most forms of development and activities create waste. In planning for sustainable communities it is important to ensure that these wastes are managed appropriately in order to avoid harm to human health and the environment and maximise resource recovery.

Waste Arising in Cambridgeshire and Peterborough

It is estimated that in 2016, waste arisings within the Plan area totalled around 2.702 million tonnes per annum (Mtpa) of various types of waste including municipal, commercial and industrial (C&I), construction, demolition and excavation (CD&E) and hazardous wastes (see figure below). The majority of this waste was recycled or otherwise recovered with disposal to landfill (non-hazardous and inert) accounting for around a third.

Of the total arisings, around half a million tonnes was exported to other authorities for management with less than a tenth disposed of to landfill (non-hazardous and inert). Waste forecasts indicate that waste arisings from within the Plan area could increase to 3.133Mtpa by the end of the plan period (2036). Low-level radioactive waste (LLW) from the nuclear industry is not produced from within the Plan area however a very small amount of LLW is produced from the non-nuclear industry.

Figure 1: Waste arisings for the Plan area (Cambridgeshire and Peterborough) 2016



Waste is also imported into the Plan area from other authority areas. In 2016 imports significantly outweighed exports (almost fourfold), with over half of waste imported from other authorities disposed of in landfill (non-hazardous and inert). This indicates that overall the Plan area is a net importer of waste. It also demonstrates that landfill void space within the Plan area serves a wider area and is therefore subject to external pressures.

Waste movements occur as a result of commercial, contractual and operational arrangements as well as geographical convenience. There is a national policy direction for WPAs to increase their waste management capacity to the extent of meeting the needs of their area (i.e. moving towards net self-sufficiency). As such cross-border movements should reduce in the future although some movements will still occur. This is because it is not possible for all waste to be managed within the boundary of the WPA from which it arises due to economies of scale and operational requirements.

In providing for waste management facilities the intention is to set out the identified needs of the Plan area in relation to waste management capacity in order to achieve net self-sufficiency whilst driving waste up the waste hierarchy. The present intent is for such need to be identified for the whole Plan area (i.e. not include a Cambridgeshire-Peterborough split). If the MWLP did drill-down to this level there may be a need to include some mechanism to address how waste management capacity is distributed across the Plan area. Forecast waste arisings are shown in the table below.

Duty to Co-operate and Waste Management (DtC)

Under the Localism Act 2011 and national planning policy, the Council's have a DtC. This duty requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in local plans, including waste management. When the local plan is examined by an independent inspector their role will be to assess whether the plan has been prepared in accordance with the DtC, legal and procedural requirements, and whether it is sound.

National policy requires the Plan to consider the need for additional waste management capacity of more than local significance. The adopted London Plan identifies household and commercial & industrial waste to be exported, and the East of England is specifically listed as the main destination for this waste partly owing to its proximity. Whilst some of London's waste is received at waste treatment facilities within the Plan area, at present the majority is disposed to non-hazardous landfill which is the matter with which the Plan is most concerned given the limited void space and pressures on such capacity.

The adopted London Plan sees household and commercial & industrial waste exports to the East of England reducing from 1.95 million tonnes in 2016, to 1.19 million tonnes by 2021, and ceasing completely in 2026. However, whilst London is moving towards net self-sufficiency in this respect, if the provisions of the adopted London Plan are not taken into account then the DtC would not have been met; and this local plan will most likely be found to be unsound. Thus it is being suggested that some provision for the landfill of some of London's household and commercial & industrial waste be made in the early plan period; albeit that in practice this may be waste which is displaced from other counties in the East of England which are closer to London and which may be the actual destination for London's residual waste.

Whether the Plan should make provision for the management of other areas wastes, in addition to London's waste and by accepting that waste movements will continue to occur in line with contractual and operational arrangements, is a key matter for consideration at this stage and your views are welcome on these points.

Waste Management Capacity

The Plan area benefits from an existing network of waste management facilities with this management capacity significantly contributing towards the identified need. The difference between the existing capacity and identified need is referred to as the capacity gap, or future need. Overall, the Plan area is quite well placed in terms of moving towards achieving net self-sufficiency. At the end of the first quarter of the plan period there is a need for additional non-hazardous recovery (treatment) capacity. There is also a potential need for hazardous waste management capacity, however these wastes tend to be generated in lower quantities and are managed at a wider scale to account for economies of scale and operational requirements.

The existing non-hazardous landfill void space is sufficient to accommodate the Plan areas disposal needs over the plan period with a (very small) surplus potentially to accommodate some of London's non-apportioned household and C&I waste (see above). Although disposal is the least desirable

option there is likely to be an ongoing need for such facilities (e.g. disposal of residues from treatment processes that cannot otherwise be recovered) and so it is one that must be provided for, either within the Plan area or at a wider scale. Close monitoring of this situation will be key in determining timing and quantum of future need.

There is sufficient inert landfill and recovery void space to accommodate the Plan areas needs over the plan period. In addition, some committed and allocated mineral extraction sites may require inert fill to achieve restoration outcomes and so this will create more inert landfill/recovery void space. As such no additional inert landfill or recovery void space is needed over the plan period.

Another key matter for consideration at this stage is how the future need, which can not be accommodated by existing capacity, is addressed through the plan. This could be through identifying site-specific allocations, areas of search and/or criteria based policies. Given that the future need within the whole Plan area is comparatively low and not immediate it may be prudent to take a more flexible approach to allow for emerging technologies to come forward and for changes in industry investment options/market drivers. This may mean identifying broad areas of focus or industrial area and other suitable locations (rather than specific sites) in order to allow for a wider scope of options over the plan period.

It is also important for the Plan to drive the development of a network of facilities with the aim of communities and businesses being more engaged with, and taking more responsibility for, their own waste. Government policy focuses the proximity principle more towards the disposal of waste and recovery of mixed municipal waste. For these, and other waste types, the intention is for the Plan to include the preference for waste development to support sustainable waste management principles, including the proximity principle. This also links through to supporting sustainable transport movements.

The Waste Needs Assessment (WNA) (February 2018) details the current estimated waste arisings, waste forecasts, existing capacity and other information from which the indicative capacity needs over the plan period were determined. The WNA is being consulted on alongside this Preliminary Plan, we welcome your views on the methodology applied.

The proposed policy is broadly an amalgamation of elements of the following adopted policies:

- CS14 The Scale of Waste Management Provision
- CS15 The Location of Future Waste Management Facilities
- CS16 Household Recycling Centres (if necessary)
- CS18 Waste Management Proposals Outside Allocated Areas
- CS19 The Location of Hazardous Waste Facilities – Resource Recovery and Landfill
- CS20 Inert Landfill
- CS21 Non-hazardous Landfill
- CS29 The Need for Waste Management Development and the Movement of Waste

Policy 5: Providing for Waste Management

The Waste Planning Authorities will seek to achieve net self-sufficiency in relation to the management of wastes arising from within the whole of the Plan area. In addition support will also be given to the provision of additional waste management capacity of more than local significance,

specifically regarding London's non-apportioned household and commercial and industrial waste for export as identified in the MWLP (below), in line with the London Plan.

Proposals for waste development that facilitate delivery of the indicative capacity needs, as set out below, over the plan period will be supported where in compliance with relevant MWLP policies.

			Indicative total waste management capacity needs and future needs (capacity gap), million tonnes				
			2016	2021	2026	2031	2036
Non-hazardous waste management							
Preparing for re-use and recycling	Materials recycling	Mixed - Municipal, C&I	0.582	0.634	0.685	0.732	0.776
	Composting	Mixed - Municipal, C&I	0.171	0.181	0.199	0.213	0.223
	Inert recycling	CD&E	0.106	0.108	0.110	0.110	0.110
Other recovery	Treatment and energy recovery processes	Mixed - Municipal, C&I	0.204	(-0.021)	(-0.113)	(-0.197)	(-0.226)
	Soil treatment	CD&E	0.071	0.073	0.074	0.075	0.075
	Inert recovery (fill)	CD&E	0.725	0.735	0.740	0.742	0.747
Disposal	Inert landfill	CD&E	0.207	0.209	0.209	0.209	0.211
	Non-hazardous landfill*	Mixed - Municipal, C&I	0.592	0.543	0.485	0.430	0.439

Figures in brackets and red (-x.xxx) indicate where there is a future need for capacity – i.e. a capacity gap to be met over the plan period.

The indicative total waste management capacity need is to be delivered through existing commitments, extensions to existing commitments and new facilities in line with the spatial strategy for waste development and other relevant MWLP policies.

The development of new facilities should be focussed at existing commitments or sites/locations allocated/designated for such use, as set out in Part Six of this Local Plan and identified on the Policies Map.

Waste Management Facilities on Non-Allocated Sites

In addition to the allocated sites, planning applications for waste development may come forward on sites that have not been identified in this Plan. Where this occurs, applicants should demonstrate that their proposals will neither undermine the waste planning strategy nor prejudice movement up the waste hierarchy.

This proposed policy is influenced by Policy CS18 in the adopted plan.

Policy 6: Waste Management Facilities on Non-Allocated Sites

Proposals for waste management facilities on land not specifically allocated for such purposes will be supported, in principle, where it is consistent with the principles established in Policies 1, 4 and 5 and meets (a), (b) and (c) below:

- (a) The Proposal will demonstrably contribute towards sustainable waste management, by moving waste up the waste hierarchy.
- (b) The proposal meets at least one of the following:
 - (i) It is ancillary to and compatible with both the main use of the site and its surrounding neighbourhood; or
 - (ii) If it is not ancillary development, the proposal must demonstrate the quantitative and market need/demand for the development.
- (c) The proposal meets at least one of the following:
 - (i) it is in a suitable location within the urban footprint of a settlement (defined by a 'settlement boundary' or similar, should it exist in the development plan for that location); or
 - (ii) it is located on a farm holding, and the proposal is to facilitate agricultural waste recycling or recovery generated by that farm holding; or
 - (iii) it is located on a medical or research site, and the proposal is to facilitate the suitable management of waste generated by that site; or
 - (iv) it is located on a site allocated for, or in current use as, industrial land (B2 or B8 uses); or
 - (v) it is located on a site which generates waste, and such waste is able to be managed on-site; or
 - (vi) is co-located with an existing complementary activity, such as an existing waste management site.

Part Three: Minerals Development Specific Policy

Introduction to Allocations, Safeguarding and Consultation Areas

The adopted Minerals and Waste Local Plan has a number of consultation and safeguarding areas identified, as well as 'Transport Zones'. For example, Mineral Consultation Areas (MCAs) have been defined as a buffer (typically 250 metres) around the edge of all existing sites and associated permitted reserves, unimplemented permitted reserves and site specific allocations. Similarly, Waste Consultation Areas (WCAs) currently normally cover and extend for 250 metres beyond each key waste management site, and Transport Safeguarding Areas (TSA) are defined to cover and extend 250 metres beyond an designated Transport Zone boundary. Waste Water Treatment Works³ (WWTW) Safeguarding Areas are currently slightly bigger, extending to around 400m beyond the WWTW boundary. Mineral Safeguarding Areas (MSAs) are slightly different again, and are not necessarily linked to a specific allocation or operational site, but are areas with minerals resources of local and national importance.

In all of these cases, the broad purpose is to ensure new development in, or near to, an important site (existing or proposed) or reserve does not prejudice the ongoing or potential operation of that site, sterilize a reserve and/or does not result in amenity issues for occupiers of the new development.

Whilst, in principle, it is proposed that the various Consultation / Safeguarding Areas are retained in the new Minerals and Waste Local Plan (MWLP), we are proposing (subject to your views) the following slightly different approach:

- (a) introducing a single policy for each applicable matter, namely, one each for Minerals, Waste, Water Recycling and Transport.
- (b) within that single policy it will refer to 'Allocation Areas' and 'Consultation Areas'. The meaning of 'Allocation Area' will cover existing operations, sites with planning permission and new allocations i.e. even existing operations will be 'allocated' for that use. The 'Consultation Area' is then around the 'Allocation Area' in each case.
- (c) the term 'Safeguarding Area' will be dropped, except for MSAs. The term is currently used on a confusing and inconsistent basis in the current adopted Plan, sometimes referring to a specific facility, sometimes land around a facility, and different again when relating to minerals.
- (d) MSAs will continue as per the current adopted Plan, which is in line with national understanding of what a Mineral Safeguarding Area is, i.e. known locations of specific mineral resources of local and/or national importance, but not necessarily connected in any way to an allocation, nor to any expectation the mineral will be worked from such areas.
- (e) MCAs, as identified in the adopted Plan, relate to existing operations, sites with planning permission and allocated sites ('Allocation Areas'). The NPPF however refers to MCAs in the context of MSAs only. For the purposes of this Plan therefore, MCAs (as per the NPPF) will be deemed to be coterminous with MSAs and will not relate to 'Allocation Areas'. In respect of minerals, the corresponding 'Consultation Areas' will be called 'Mineral Allocation Consultation Areas' (MACAs).

³ The term Waste Water Treatment Works (used in the current adopted Plan) has been superseded by the term Water Recycling Centre (WRC)

- (f) The term 'Transport Zone' will be dropped, to be replaced by the above terminology (i.e. Transport Infrastructure Allocation Area and Transport Infrastructure Consultation Area).
- (g) We will likely retain the same standard 250m/400m extent of buffer Consultation Areas around the (now termed) Allocation Areas, unless you have views as to why those distances are no longer suitable.
- (h) As at present, only facilities or reserves which make a significant contribution to minerals or waste management in the plan area will have an Allocation or Consultation Area ascribed.
- (i) As well as renaming them, we will review, on a proportionate and evidence led basis, all presently identified boundaries of safeguarding / consultation / transport zone areas to determine whether any should be amended or deleted, or whether new Allocation/Consultation Areas should be identified. However, the presumption will be to retain all Areas unless evidence presents itself to the contrary.

Your views on the above principles, and on the boundaries of any specific existing Safeguarding/Consultation Areas would be most welcome.

The Minerals related policy is below, whilst similar policies for Waste, Waste Water and Transport Infrastructure can be found later in the plan.

Mineral Allocation Areas (MAAs), Mineral Allocation Consultation Areas (MACAs) and Mineral Safeguarding Areas (MSAs)

Mineral Allocation Areas (MAAs) are specific sites identified on the Policies Map. They include existing operational sites, consented sites and land not yet consented but allocated in this plan for future extraction of minerals.

They also will include for the first time existing, planned and potential sites for:

- (a) concrete batching, the manufacture of other coated materials, other concrete products; and
- (b) the handling, processing and distribution of substitute, recycled and secondary aggregate material.

If you have any sites (both existing sites which you think you should be safeguarded and candidate new sites) which currently or will make a significant contribution to either category, and which you therefore think should be allocated on the policies map, please let us know.

Policy 3 sets the policy framework for MAAs.

MACAs are a buffer (currently typically 250 metres) around the edge of MAAs. In defining MACAs, each site is considered individually, and if circumstances suggest the 250 metre 'buffer' from the edge of any site should be varied (e.g. due to mitigation proposals) then this is taken into account.

MSAs are not linked to either MAAs or MACAs. They are identified in order that known locations of specific mineral resources of local and/or national importance are not needlessly sterilised by non-mineral development. The purpose of MSAs is to make sure that mineral resources are adequately taken into account in all land use planning decisions. They do not automatically preclude

other forms of development taking place, but flag up the presence of important mineral so that it is considered, and not unknowingly or needlessly sterilised.

Extensive MSAs are already identified on the Policies Map. It is proposed to retain all such areas, unless evidence arises to delete, amend or add a new MSA. This matter will also be considered in the light of the Methodology for Identifying MSAs (May 2018) which is available as a separate document for comment. Your views on this methodology, and any existing or new MSAs are welcome.

The proposed policy below is a substitute for policies CS26 and CS27 in the adopted plan, though in broad terms it generally contains similar criteria.

Policy 7: Mineral Allocation Areas, Mineral Allocation Consultation Areas and Mineral Safeguarding Areas

Mineral Allocation Areas (MAAs) are defined on the Policies Map. Within a MAA, only development for which it is allocated for (including, where relevant, its restoration) will be permitted.

Mineral Allocation Consultation Areas (MACAs) are identified on the Policies Map, as a buffer around MAAs. The Mineral Planning Authority must be consulted on all planning applications within MACAs except:

- (a) householder applications (minor development works relating to existing property); and
- (b) advertisements.

Development within a MACA will only be permitted where it is demonstrated that the development will:

- (c) not prejudice the existing or future use of the MAA for which the MCA has been designated; and
- (d) not result in unacceptable amenity issues for the occupiers or users of such new development, due to the ongoing or future use of the MAA.

Mineral Safeguarding Areas (MSAs) are identified on the Policies Map for mineral resources of local and/or national importance. The Mineral Planning Authority must be consulted on all development proposals in these areas except:

- (e) development which is consistent with an allocation in an adopted Local Plan; and
- (f) minor householder development within the immediate curtilage of an existing residential building; and
- (g) demolition or replacement of residential buildings; and
- (h) temporary structures; and
- (i) advertisements; and
- (j) listed building consent; and
- (k) works to trees or removal of hedgerows.

Development within MSAs which is not covered by the above exceptions will only be permitted where it has been demonstrated that:

- (l) the mineral can be extracted where practicable prior to development taking place; or
- (m) the mineral concerned is demonstrated to not be of current or future value; or
- (n) the development will not prejudice future extraction of the mineral; or
- (o) there is an overriding need for the development (where prior extraction is not feasible).

Borrowpits

In construction and civil engineering, a borrowpit is an area where material (usually soil, gravel and/or sand) has been dug for use at another location nearby. Borrowpits can be found close to many major construction projects.

This proposed policy is generally a carry over and merge of policies CS11 Sand and Gravel Borrowpits and CS12 Engineering Clay. The borrowpit policy in the current adopted plan also addressed the need for borrowpits for the A14 upgrade. Although the borrowpits required have planning permission under the development consent order for the A14 upgrade, it is expected that other infrastructure schemes could come forward over the plan period, thereby necessitating the retention of a similar policy.

Policy 8: Borrowpits

Mineral extraction from a borrowpit will only be considered where all of the following are met:

- (a) There is a demonstrated need for the mineral to be extracted from the borrowpit; and
- (b) It will serve a named project only, and it is well related geographically* to that project; and
- (c) The site will be restored within the same timescale as the project to which it relates; and
- (d) Material will not be imported to the borrowpit other than from the project itself, unless such material is required to achieve beneficial restoration; and
- (e) The quantity of material and timescale for extraction from the borrowpit will not significantly harm existing operational quarries and local markets.

*in order to pass the 'well related geographically' test, the borrowpit must be significantly geographically better located, when taken as a whole, compared with all other relevant allocated or existing operational sites from which the mineral could otherwise be drawn. Factors taken into account to determine this will include, but not necessarily exhausted by, the following: lorry distance travelled and the associated carbon emission of such travel; amenity impact of lorries on local communities; and impact of lorries on the highway network more generally, such as increasing/decreasing congestion or safety. A borrowpit simply being physically nearer the named project, compared with an existing operational or allocated site, will not in itself pass the test.

Recycled and Secondary Aggregates

The processing of secondary and recycled aggregates (including inert recycling) represents a potentially major source of materials for construction, helping to conserve primary materials and minimising waste. Sites for the handling, storage and processing of recycled and secondary

aggregates (including recycled inert waste) are therefore required to ensure provision of 'alternative materials'.

This proposed policy replaces policy CS7 in the adopted plan. It carries forward the reference to the priority of recycled and secondary aggregate over landwon aggregate. The current policy CS7 includes reference to Block Fen / Langwood Fen. The continued allocation of that site (or not) will be a matter considered as part of the preparation of the Further Draft Local Plan.

Policy 9: Recycled and Secondary Aggregates

In principle, the authorities will support proposals which assist in the production and supply of recycled / secondary aggregates, particularly where it would assist in reducing the use of land won aggregates.

Specific sites or areas to facilitate a network of permanent and long term temporary recycling facilities across the plan area are identified in the site allocations part of this Local Plan (*please note that such facilities will be identified in the Further Draft Local Plan*).

Proposals outside of the identified areas, for shorter term temporary recycling facilities, are likely to be suitable on:

- (a) Operational, committed and allocated mineral sites; and
- (b) strategic development sites (during the construction phase).

Reservoirs and Other Incidental Mineral Extraction

Reservoirs and other other forms of development can also give rise to incidental mineral extraction. In these cases the MPAs will be the determining authority for a planning application if the proposal involves taking the extracted mineral off site. Applicants will be required to provide a sound justification for the proposal. When determining any of the above proposals the MPAs will be concerned to ensure that the mineral extracted is used in a sustainable manner. In the case of sand and gravel, for example, this could be achieved by processing the mineral on site or exporting it to a nearby processing plant. Clay, if extracted, could be used for nearby engineering projects

This proposed policy is generally a carry over of adopted policy CS42 Agricultural Reservoirs, Potable Water Reservoirs and Incidental Mineral Extraction with only minor rewording.

Policy 10: Reservoirs and Other Incidental Mineral Extraction

Proposals for new or extensions to existing reservoirs, or other development involving the incidental extraction and off site removal of mineral (such as lakes, boating marinas or, commercial fish ponds), will only be permitted where it can be demonstrated that:

- (a) there is a proven need for the proposal; and
- (b) any mineral extracted will be used in a sustainable manner; and

- (c) where the proposal relates to a reservoir, the design minimises its surface area by maximising its depth; and
- (d) the minimum amount of mineral is to be extracted consistent with the purpose of the development; and
- (e) the phasing and duration of development adequately reflects the importance of the early delivery of water resources or other approved development

Part Four: Waste Management Specific Policies

Waste Allocation Areas (WAAs) and Waste Allocation Consultation Areas (WACAs)

Waste Allocation Areas (WAAs) are specific sites identified on the Policies Map for waste management facilities. It includes existing operational sites (which make a significant contribution to managing any waste stream), committed sites and land not yet with planning permission but identified in the plan for future waste management purposes. Policy 5 sets the policy framework for WAAs.

Waste Allocation Consultation Areas (WACAs) are designated around WAAs to ensure that such sites are protected from development that would prejudice a waste management use or that would be adversely affected by such a use (for example residential development being located close to a waste site and suffering amenity issues).

In line with current policy, it is proposed that WACAs normally extend for 250 metres beyond the WAA. Each site is considered individually, and if circumstances suggest that the 250 metre WACA buffer from the edge of the site should be varied e.g. due to mitigation measures, then this will be taken into account. The WACA is designed to alert prospective developers (and decision takers) to the WAA to ensure adjacent new development is an appropriate neighbouring use. New neighbouring development can impact on waste management sites and make it problematical for them to continue to deliver their important function.

Your views on any existing or the need for new WACAs are welcome.

The proposed policy below is a substitute for Policy CS30 in the adopted plan, though in broad terms it generally contains similar criteria.

Policy 11: Waste Allocation Areas and Waste Allocation Consultation Areas

Waste Allocation Areas (WAAs) are defined on the Policies Map. Within a WAA, development for which it is not allocated for will not be permitted, other than for ancillary development meeting Policy 6.

Waste Allocation Consultation Areas (WACAs) are identified on the Policies Map, as a buffer around WAAs. The Waste Planning Authority must be consulted on all planning applications within WACAs except:

- (a) householder applications (minor development works relating to existing property); and
- (b) advertisements.

Development within a WACA will only be permitted where it is demonstrated that the development will:

- (c) Not prejudice the existing or future use of the WAA for which the WACA has been designated; and
- (d) Not result in unacceptable amenity issues for the occupiers or users of such new development, due to the ongoing or future use of the WAA.

In instances where a waste management facility of significance is approved on a non-allocated site, and such a facility will make a significant contribution to managing any waste stream, then the policy principle of a WACA 250m around such a facility is deemed to automatically apply, despite such a WACA for it not being identified on the Policies Map.

Water Recycling Allocation Areas (WRAAs) and Water Recycling Consultation Areas (WRCA)

It is essential that adequate sewage and waste water infrastructure is in place prior to development taking place in order to avoid unacceptable impacts on the environment, such as sewage flooding residential or commercial properties, or the pollution of land and watercourses. It is also important that the operation of existing facilities can be maintained. As such, all existing Water Recycling Centres (WRCs) with a capacity exceeding 2,000 population equivalent are proposed to be given a Water Recycling Allocation Area (WRAA) in this plan. Any new centres which are allocated in this plan will similarly get such status.

In order to ensure that dwellings, offices and other development, the future occupants of which are likely to be sensitive to odours, are not developed in locations which could be affected by odour nuisance, and to ensure that existing water recycling plants can continue to fully function, Water Recycling Consultation Areas (WRCA) (currently referred to as Safeguarding Areas in the adopted plan) around all WRAAs will continue to apply, in line with existing policy.

The WRCA extends to 400 metres around the boundary of a site. Within these areas there will be a presumption against allowing any new development which is potentially odour sensitive. Odour sensitive development includes buildings normally occupied by people and would include houses, offices, industrial units, sport and recreational buildings.

This policy is generally a carry over of adopted policy CS17 Waste Water Treatment Works and Policy CS31 Waste Water Treatment Safeguarding Areas. The adopted policies makes reference to a new Water Recycling Centre north of Ely. Whether that allocation is carried forward into this new plan will be a matter consulted upon at the Further Draft stage (though comments on this site and on the inclusion of other potential sites would be welcome at this stage).

Cambridge City Council and South Cambridgeshire District Council are preparing an Area Action Plan for the Cambridge Northern Fringe East, which will provide a more detailed policy framework for development in this area. Various policy options are being considered, one of which includes the potential relocation of the Cambridge Water Recycling Centre.

In the event that the relocation of the Cambridge Water Recycling Centre is pursued the adopted Cambridgeshire and Peterborough Minerals and Waste Development Plan provides the statutory local waste policy framework under which any proposals would be considered.

Policy 12: Water Recycling Allocation Areas and Water Recycling Consultation Areas

Water Recycling Centres (WRCs) are essential infrastructure, and those of significance are allocated on the Policies Map as Water Recycling Allocation Areas (WRAAs).

New water recycling capacity, whether on WRAAs or elsewhere, including the improvement or extension to existing works, will be supported in principle, particularly where it is required to meet wider growth proposals identified in the Development Plan. Proposals for such development must demonstrate that:

- (a) there is a suitable water course to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to others; and
- (b) there is a ready access to the sewer infrastructure or area to be served; and
- (c) if a new site or an extension to an existing site is less than 400 metres from existing buildings normally occupied by people, an odour assessment demonstrating that the proposal is acceptable will be required, together with appropriate mitigation measures; and
- (d) adequate mitigation measures will address any unacceptable adverse environmental and amenity issues raised by the proposal, which may include the enclosure of odorous processes.

Water Recycling Consultation Areas (WRCA) are identified on the Policies Map around Water Recycling Allocation sites (a 400m buffer) to prevent the encroachment of sensitive development which would give rise to future amenity issues and impose additional constraints on the operation of the allocated site.

The Waste Planning Authority must be consulted on any planning proposal within a WRCA except:

- (e) householder applications (minor development works relating to existing property); and
- (f) advertisements.

Within the WRCA there is a presumption against allowing development which would:

- (g) be buildings regularly occupied by people; or
- (h) be land which is set aside for regular community use (such as open space facilities designed to attract recreational users, but excluding, for example, habitat creation which is not designed to attract recreational users).

Where such development is proposed within a WRCA the application must be accompanied by an odour assessment report. The assessment must consider existing odour emissions of the WRC at different times of the year and in a range of different weather conditions. Planning permission will only be granted when it has been demonstrated that the proposed development would not be adversely affected by the continued operation (or future planned operation) of the WRC.

Where small scale WRCs exist, but are not designated as a WRAA on the policies map, then a proportionate application of the principles in this policy will apply.

Landfill and Land Raising

This proposed policy covers a variety of matters relating to landfill and land raising, and broadly incorporates the elements from the following adopted policies:

- CS19 The Location of Hazardous Waste Facilities - Resource Recovery and Landfill (the landfill element)
- CS20 Inert Landfill
- CS21 Non-hazardous Landfill
- CS45 Landraising

Policy 13: Landfill and Land Raising

Inert Waste

Proposals for the deposit of inert waste to land will only be permitted where required to fulfil a restoration scheme at a mineral extraction site.

Stable Non-Reactive Hazardous Waste

Proposals for the disposal of Stable Non-Reactive Hazardous Waste for landfill will only be permitted at those sites identified as such on the Policies Map.

Non-Hazardous Waste

Proposals for non-hazardous waste for landfill on non-allocated sites will not normally be permitted unless:

- (a) supplementary landfill engineering is required for reasons of stability or to address existing / potential pollution risk; or
- (b) complementary landfill is required to maintain the long term viability of a Stable Non-Reactive Hazardous Waste facility.

Hazardous Waste

Note at this Preliminary Plan Stage the authorities are currently assessing the need (or not) for facilities to deal with hazardous waste. A draft policy position will be set out by the time of the Further Draft Local Plan consultation stage.

Landraising

Landraising will only be permitted in exceptional circumstances where there is a need for a waste disposal facility to accommodate waste arising that cannot be accommodated by any other means or where it forms an essential part of an agreed site restoration scheme.

Radioactive and Nuclear Waste

The relatively soft, sedimentary nature of the geology of the Plan area is not considered suitable to allow the construction of appropriate structures for the long term storage and disposal of intermediate and higher activity radioactive wastes.

Controlled disposal of low level radioactive waste takes place at authorised landfill sites where limitations are placed on the type of container, the maximum activity per waste container, and the depth of burial below earth or ordinary waste. Limited disposal also takes place at Addenbrookes hospital via incineration.

This proposed policy is a combination of adopted policies CS43 Nuclear Waste and CS44 Low Level Radioactive Waste.

Policy 14: Radioactive and Nuclear Waste

Whilst no sites are intended at this stage to be identified for such use in this Local Plan, where there is a demonstrated need for low level radioactive waste management facilities, such proposals will be considered on their merits, including demonstration that it represents the most appropriate management option.

Proposals for the treatment, storage or disposal of intermediate or higher activity radioactive and nuclear waste will not be permitted.

Landfill Mining and Reclamation

This proposed policy is generally a carry over of adopted policy CS46 Mining of Landfill Waste but now includes reference to reclamation. It may be viable and beneficial to allow for the reclamation of such sites to enable re-use of land. However, excavating a landfill site close to residential properties may not be acceptable due to amenity issues.

Policy 15: Landfill Mining and Reclamation

The mining or excavation of landfill waste will only be supported where it can be demonstrated that:

- (a) without the excavation of waste, the site is posing an unacceptable risk to human health, safety or to the environment; or
- (b) removal is required to facilitate other development, provided such other development is in the public interest and the removal would not significantly adversely harm the amenities, temporarily or permanently, of nearby residents or other neighbours.

It must be demonstrated that any waste can be handled without posing additional risk to human health, safety or to the environment.

Waste Management Needs arising from Residential and Commercial Development

The councils will endeavour to ensure that the implications for waste management arising directly from non minerals and waste management development are adequately and appropriately addressed.

This approach is currently taken forward through the Cambridgeshire and Peterborough Waste Partnership (RECAP), and is reflected in the adopted RECAP Waste Management Design Guide Supplementary Planning Document (SPD) (2012). This Guide sets out practical information on the provision of waste storage, waste collection and recycling in residential and commercial developments. It also includes a Toolkit which developers of such proposals are required to complete and submit as part of their planning application. This enables the developer and planners to assess compliance with the SPD; and also to consider what, if any, developer contributions may be required for the provision of bring sites and / or contribution to the Household Recycling Centre service.

In Cambridgeshire the RECAP Guide serves a valuable purpose, and therefore it is proposed that key elements of the Guide, including the Toolkit, will be retained and set out in an Appendix.

In Peterborough separate guidance is now in place, so the following proposed policy will not apply to such development in this area.

Your views on the proposed approach and policy are welcomed. The policy below draws partly on the approach of current policies:

- CS16 Household Recycling Centres
- CS28 Waste Minimisation, Re-use, and Resource Recovery

Policy 16: Waste Management Needs arising from Residential and Commercial Development

In Cambridgeshire residential and commercial planning applications must be accompanied by a completed RECAP Waste Management Guide Toolkit, consistent with the guidance set out in Appendix X (*this will be available for consultation at the Further Draft consultation stage*).

Where appropriate, and as determined through an assessment of the RECAP Toolkit submission, such new development will contribute to the provision of bring sites and / or the Household Recycling Centre service.

Part Five: Policies for Minerals and Waste Management Proposals

Transport Infrastructure Allocation Areas (TIAAs) and Transport Infrastructure Consultation Areas (TICAs)

Transport Infrastructure Allocation Areas (TIAAs) (currently known as Transport Zones in the adopted plan) will continue to be defined for existing / planned areas where sustainable transport of minerals and / or waste management is, or will be, taking place. This may include railheads, wharves and ancillary facilities.

Transport Infrastructure Consultation Areas (TICAs) (currently known as Safeguarding Areas in the adopted plan) will, it is proposed, continue to be defined to cover and extend 250 metres beyond the TIAA boundary. Within a TICA, the Mineral Planning Authority (MPA) / Waste Planning Authority (WPA) must be consulted on all planning applications with the exception of minor householder applications or advertisement proposals. This is because proposed development in, on the edge of, or in close proximity to a transport facility can prejudice existing or future transport operations.

The following proposed policy also provides, in principle, support for new proposals which contribute to the sustainable transport of materials.

This proposed policy is generally a carry over of adopted policy CS23 Sustainable Transport of Minerals and Waste, though it presently omits reference to Chesterton Sidings, which may or may not be re-included in the Plan following consultation and consideration of all site allocations.

Please also see Policy 25 for wider transport and highway related policy requirements relating to matters such as traffic, highways, Heavy Commercial Vehicles (HCVs) and Public Rights of Way.

Policy 17: Transport Infrastructure Allocation Areas (TIAAs) and Transport Infrastructure Consultation Areas (TICAs)

Certain types of transport infrastructure are essential in order to help facilitate more sustainable transportation of minerals and waste. Those of significance (including future proposals) are allocated on the Policies Map as Transport Infrastructure Allocation Areas (TIAAs). Development which would result in the loss of or reduced capacity of such an Allocation will not be permitted unless it can be demonstrated that either:

- (a) the loss or reduced capacity will have no impact on the ability of minerals or waste to be transported by sustainable means, both now and for accommodating future planned growth; or
- (b) alternative, suitable and sufficient capacity is to be developed elsewhere (and in which case is likely to be required to be implemented before the loss or reduced capacity has occurred).

New relevant transport infrastructure capacity (such as wharves, railheads, conveyor, pipeline and other forms of sustainable transport), whether on TIAAs or elsewhere, including the improvement or extension to existing sites, will be supported in principle, particularly where it is required to meet wider growth proposals identified in a Development Plan.

Transport Infrastructure Consultation Areas (TICA) are identified on the Policies Map as a buffer (generally 250m) around TIAAs. The Mineral / Waste Planning Authority must be consulted on any planning proposal within a TICA except:

- (a) householder applications (minor development works relating to existing property); and
- (b) advertisements

Development within a TICA will only be permitted where it is demonstrated that the development will:

- (c) not prejudice the existing or future use of the TIAA for which the TICA has been designated; and
- (d) not result in unacceptable amenity issues or adverse impacts to human health for the occupiers or users of such new development, due to the ongoing or future use of the TIA site.

In instances where a transport infrastructure facility of significance is approved on a non-allocated site, and such a facility will make a significant contribution to the sustainable transport of minerals and/or waste, then the policy principle of a TICA 250m around such a facility is deemed to automatically apply, despite such a TICA for it not being identified on the Policies Map.

Design

The following policy is primarily associated with waste management facilities, because such facilities normally includes an element of permanent new build development. Such development must be of a high quality design. Minerals related proposals often do not include new development, or at least not development which is intended to be of permanent use. Nevertheless, should a minerals proposal include some form of built development, then the following proposed policy would apply.

The current 'The Location and Design of Waste Management Facilities' Supplementary Planning Document (SPD) (2011) provides specific guidance on the design of waste management facilities, and has been used to inform the design of waste management facilities in the Plan area. The proposal is to either keep the SPD or for key elements of it to be incorporated into the new Local Plan, as an Appendix. A further alternative would be to revoke the SPD, and rely solely on the proposed design policy below. Your views on this approach would be welcomed.

Policy 18: Design

All waste management development, and where relevant minerals development, should secure high quality design and a good standard of amenity for all existing and future occupants of land and

buildings. The design of built development and the restoration of sites should where appropriate complement and enhance local distinctiveness and character.

New minerals and waste management development should, where appropriate:

- (a) Make effective and efficient use of land and buildings, through the design, layout and orientation of buildings on site and through the prioritising of previously developed land;
- (b) Be durable, flexible and adaptable over its planned lifespan, taking into account potential future social, economic, technological and environmental needs through the structure, layout and design of buildings and places;
- (c) Provide a high standard of amenity for users of new buildings and maintain or enhance the existing amenity of neighbours;
- (d) Be designed to reduce crime, minimise fire risk, create safe environments, and provide satisfactory access for emergency vehicles;
- (e) Create visual richness through building type, height, layout, scale, form, density, massing, materials and colour and through landscape design;
- (f) Retain or enhance important features and assets within the landscape, treescape or townscape and conserve or create key views;
- (g) Provide well designed boundary treatments (including security features) that reflect the function and character of the development and its surroundings;
- (h) Take account of any relevant landscape character assessments and be supported by a landscape enhancement scheme; and
- (i) Provide attractive, accessible and integrated vehicle and cycle parking which also satisfies any parking standard in adopted Local Plans and, unless impractical, incorporates facilities for electric plug-in and other ultra-low emission vehicles.

Further Guidance

For detailed design guidance relating to waste management proposals, please refer to *The Location and Design of Waste Management Facilities' SPD (2011)* (or in *Appendix X*, if it is determined to remove the SPD and bring elements into the Local Plan)

Amenity Considerations

Minerals and waste management development can have the capacity to adversely impact on the amenity of local residents, business and other users of land. This could be in the immediate vicinity of the development, or for example along transportation routes associated with the development.

Development should aim to ensure that a high standard of amenity is retained and, where possible, enhanced, for all existing and future users of land and buildings which may be affected.

Policy 19: Amenity Considerations

New development should not result in an unacceptable impact on the amenity of existing occupiers of any land or property, including:

- (a) harm to human health or safety;

- (b) ability of the neighbouring use (or planned neighbouring use) to remain an ongoing operation;
- (c) privacy for the occupiers of any nearby property;
- (d) noise and/or vibration levels resulting in disturbance for the occupiers or users of any nearby property or land;
- (e) loss of light to and/or overshadowing of any nearby property;
- (f) air quality from odour, fumes, dust, smoke or other sources;
- (g) light pollution from artificial light or glare;
- (h) litter; and
- (i) flies, vermin and birds.

Where there is the potential for any of the above impacts to occur, an assessment appropriate to the nature of that potential impact should be carried out, and submitted as part of the proposal, in order to establish, where appropriate, the need for any mitigation.

Restoration and Aftercare

Most mineral development is of a temporary nature, as is some waste development, notably that related to landfill. Development that is temporary in nature should always have an approved scheme for restoration and an end date by which this will have been implemented.

Achieving the satisfactory restoration of minerals sites and former waste management sites is of paramount importance. Restoration of minerals and waste sites must be done progressively, with sections of the site worked and then restored at the earliest opportunity. It is acknowledged however that the particular after-use of a site should be a matter for discussion on a case by case basis, so the policy should not seek to be too prescriptive, providing instead more general requirements. This proposed policy therefore is generally a carry over of adopted Policy CS25 Restoration and Aftercare of Mineral and Waste Management Sites, with only slight rewording, plus a small element taken from adopted Policy CS22 Climate Change is included.

Policy 20: Restoration and Aftercare

The restoration of mineral workings and waste management sites will be phased to achieve a beneficial after-use, along with appropriate aftercare arrangements. Such proposals must, where appropriate:

- (a) reflect strategic and local objectives for countryside enhancement and green infrastructure, including those set out in relevant Local Plans and Green Infrastructure Strategies;
- (b) contribute to identified water storage needs and / or water supply objectives and incorporate these within the restoration scheme;
- (c) achieve or assist in achieving the creation of priority habitats and / or Plan area Biodiversity Action Plan targets, incorporating the relevant biodiversity after-use within the restoration scheme;
- (d) protect geodiversity and improve educational opportunities by incorporating this element within the restoration scheme, by leaving important geological faces exposed and retaining access to them;

- (e) restore the land back to high grade agricultural use but only if it is clearly demonstrated to be the most suitable after-use (based on the principles of sustainable development); and
- (f) incorporate within the restoration scheme amenity uses, such as formal and informal sport, navigation, and recreation uses.

In the case of mineral workings, restoration schemes which will contribute to addressing or adapting to climate change will, in principle, be supported e.g. through flood water storage, and biodiversity proposals which create habitats which act as wildlife corridors and living carbon sinks. Any site specific restoration and after-care requirements will be set out in the site allocation section of this Local Plan.

Mitigation Measures

Sometimes, proposals can result in some form of harm, but that harm could be suitably mitigated against. The following proposed policy captures this point, by making it clear when mitigation measures would be suitable and necessary. More specific mitigation measures are also included in other policies, such as Policy 22: Biodiversity and Geodiversity.

This proposed policy is a new one, not currently present in the adopted Minerals and Waste Plan.

Policy 21: Mitigation measures

Where harm is identified, but such harm could not be avoided and/or minimised to an acceptable level, then appropriate mitigation measures will be required.

Any mitigation measures must:

- (a) reduce the impact to an acceptable level; and
- (b) be visually acceptable; and
- (c) have an appropriate maintenance regime agreed; and
- (d) not have an excessive carbon cost, either to implement or to maintain (for example, mechanical ventilation of homes will not be approved as a mitigation measure, except in very exceptional circumstances).

Legal agreements may be required in order to ensure delivery and maintenance of any agreed mitigation measures.

Biodiversity and Geodiversity

Cambridgeshire and Peterborough have a range of sites recognised for their environmental quality, a number of which have international status. It is considered appropriate to include a comprehensive policy within this Minerals and Waste Local Plan which reflects the authorities proposed approach to biodiversity and geodiversity. This is to, through the development management processes, management agreements and other positive initiatives:

- (a) aid the management, protection, enhancement and creation of priority habitats, including limestone grasslands, woodlands and hedgerows, wet woodlands, rivers and flood meadows;
- (b) promote the creation of an effective, functioning ecological network throughout the plan area, consisting of core sites, buffers, wildlife corridors and stepping stones that link to green infrastructure across the plan area (or potentially in adjoining local authority areas) and to respond to and adapt to climate change;
- (c) safeguard the value of previously developed land where it is of significant importance for biodiversity and/or geodiversity; and
- (d) work with developers and Natural England to identify a strategic approach to great crested newt mitigation, where this is required, on major sites and other areas of key significance for this species.

As such, your views are invited on the proposed approach and the following policy.

Policy 22: Biodiversity and Geodiversity

International Sites

The highest level of protection will be afforded to international sites designated for their nature conservation or geological importance. Proposals having an adverse impact on the integrity of such areas, that cannot be avoided or adequately mitigated to remove any adverse effect, will not be permitted other than in exceptional circumstances. These circumstances will only apply where:

- (a) there are no suitable alternatives; and
- (b) there are imperative reasons of overriding public interest; and
- (c) necessary compensatory provision can be secured.

Development proposals that are likely to have an adverse effect, either alone or in-combination, on European designated sites must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified. Mitigation may involve providing or contributing towards one or more of the following measures:

- (d) Access and visitor management measures within the international site;
- (e) Improvement of existing greenspace and recreational routes;
- (f) Provision of alternative natural greenspace and recreational routes;
- (g) Monitoring of the impacts of new development on international designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures;
- (h) Other potential mitigation measures to address air pollution impacts e.g. emission reduction measures, on site management measures.

National Sites

Development proposals within or outside a Site of Special Scientific Interest (SSSI), likely to have an adverse effect on a SSSI (either individually or in combination with other developments), will not normally be permitted unless the benefits of the development, at this site, clearly outweigh both the adverse impacts on the features of the site and any adverse impacts on the wider network of SSSIs.

Local Sites

Development likely to have an adverse effect on locally designated sites, their features or their function as part of the ecological network, including County Wildlife Sites, Local Geological Sites and sites supporting Biodiversity Action Plan habitats and species, will only be permitted where the need and benefits of the development clearly outweigh the loss and the coherence of the local ecological network is maintained.

Habitats and Species of Principal Importance

Where adverse impacts are likely on the protection and recovery of priority species and habitats, development will only be permitted where the need for and benefits of the development clearly outweigh these impacts. In such cases, appropriate mitigation or compensatory measures will be required.

Biodiversity and Geodiversity in Development

All development proposals should:

- (i) Conserve and enhance the network of habitats, species and sites (both statutory and non-statutory) of international, national and local importance commensurate with their status and give appropriate weight to their importance;
- (j) Avoid negative impacts on biodiversity and geodiversity;
- (k) Deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species;
- (l) Where necessary, protect and enhance the aquatic environment within or adjoining the site, including water quality and habitat. For riverside development, this includes the need to consider options for riverbank naturalisation. In all cases regard should be had to the Cambridgeshire Flood and Water SPD or Peterborough Flood and Water SPD (or their successors).

Minerals and Waste Management proposals must be accompanied by a completed biodiversity checklist (see respective planning authority website for details) and must identify features of value on and adjoining the site and to provide an audit of losses and gains in existing and proposed habitat. Where there is the potential for the presence of protected species and/or habitats, a relevant ecological survey(s) must be undertaken by a suitably qualified ecologist. The development proposals must be informed by the results of both the checklist and survey.

Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact on existing biodiversity and geodiversity features as a first principle. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort where there is no alternative.

Heritage Assets

The Minerals and Waste Planning Authorities recognise that the historic environment plays an important role in the quality of life experienced by local communities and the proposed approach is to protect, conserve and seek opportunities to enhance the local area's rich and diverse heritage assets

and their settings, for the enjoyment of current and future generations.

Nationally designated heritage assets within the plan area include Scheduled Monuments, Listed Buildings, Conservation Areas and Registered Parks and Gardens. The designation of heritage assets has largely focused on more tangible or visible interest, and as such there are many areas of archaeological interest which are of national importance that are not scheduled. Designated sites receive statutory protection under heritage protection legislation. However, others that are considered locally significant (such as ridge and furrow) or, that may not yet be identified (such as in the case of archaeological interests), do not. Such assets may present an important resource in terms of place-making and developing an understanding of our history, which if not addressed early may be lost.

Minerals development, more so than waste, is generally quite an intensive activity in relation to potential impacts on the historic environment due to its extractive nature. However, it is acknowledged that both minerals and waste development have the potential to affect different types of heritage assets and their setting.

For this reason, it is important that adequate information and evidence is available to inform the decision making process, ensuring that the potential impact of the proposal on the historic environment and the significance of heritage assets (including undesignated assets) and their setting is understood. In the case of archaeology, such interests are often not identified until the process of assessment or evaluation has begun. Where there is thought to be a risk of such interests being present a phased approach for assessing the significance of heritage assets involving desk-based assessments and / or field evaluations may be required.

It is considered appropriate to include a comprehensive policy within this Minerals and Waste Local Plan. As such, the following is a proposed policy. This proposed policy is a replacement for adopted policy CS36 Archaeology and the Historic Environment.

Policy 23: Heritage Assets

The Councils recognise: the desirability of sustaining and enhancing the significance of heritage assets; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and the opportunities to draw on the contribution made by the historic environment to the character of a place.

As such, all minerals and waste management proposals will be subject to the policy requirements set out in the NPPF.

To assist decision makers, all development proposals that would directly affect any heritage asset and its setting (whether designated or non-designated), will need to be accompanied by a Heritage Statement which, as a minimum, should:

- (a) describe and assess the significance of the asset and/or its setting to determine its architectural, historic, artistic or archaeological interest; and
- (b) identify the impact of the development on the special character of the asset (including any cumulative impacts); and

- (c) provide a clear justification for the works, especially if harm would be caused to the significance of the asset or its setting, so that the harm can be mitigated and weighed against public benefits.

The level of detail in the Statement should be proportionate to the asset's significance and sufficient to understand the potential impact of the proposal on its significance and/or setting.

Where appropriate, and particularly for minerals development proposals, the Statement must also consider the hydrological management of the site and the potential effects that variations in the water table may have on known archaeological remains. This assessment may be required to address an area beyond the planning application boundary.

Water Resources

This policy is generally a carry over of adopted policy CS39 Water Resources and Water Pollution Prevention. Please note that the Cambridgeshire Flood and Water SPD and Peterborough Flood and Water Management SPD referred in the policy below was not formally adopted by the County Council but rather by each individual district council within Cambridgeshire. The County Council has, however, endorsed its contents.

Policy 24: Water Resources

Minerals and waste management development will only be permitted where it can be demonstrated that there would be no significant adverse impact on:

- (a) the quantity or quality of surface or groundwater resources; and
- (b) the quantity or quality of water abstraction currently enjoyed by abstractors unless acceptable alternative provision is made; and
- (c) the flow of groundwater at or in the vicinity of the site; and
- (d) increased flood risk, both on-site and off-site.

All proposed development will be required to incorporate adequate water pollution control and monitoring measures.

Proposals should also have due regard to the latest policies and guidance in the Cambridgeshire Flood and Water SPD and the Peterborough Flood and Water Management SPD (or their successors).

Traffic, Highways and Rights of Way

This policy is generally a combination of adopted policies CS32 Traffic and Highways and CS37 Public Rights of Way.

In addition to the policy below, site specific policies found in the site allocations of this plan will, where appropriate, set out any known Traffic, Highways and Rights of Way specific matters that will need to be addressed for that particular site.

Policy 25: Traffic, Highways and Rights of Way

Mineral and waste management development will only be permitted where:

- (a) it is demonstrated that opportunities for the use of alternative methods of transport have been evaluated and the most appropriate pursued;
- (b) access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and / or the nature of the traffic associated with the development;
- (c) any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity; and
- (d) binding agreements covering lorry backloading, routing arrangements and Heavy Commercial Vehicle (HCV) signage for mineral and waste traffic are agreed.

Use of HCV Route Network

Where minerals and/or waste is to be taken on or off a site by the highway network, then all proposals must demonstrate how any identified HCV Route Network is, where reasonable and practical to do so, to be utilised (including robust arrangements to ensure that the use of the HCV Route Network takes place and is enforceable). Any non-allocated minerals and waste management facility which would require significant use of the highway must be well related to the HCV Route Network and put in place robust measures to ensure it is used in an enforceable way.

Public Rights of Way

Proposals must make provision for the enhancement of the public rights of way network where practicable, with a view to providing new routes and links between existing routes. Priority should be given to meeting the objectives of any Rights of Way Improvement Plans. Where development would adversely affect the permanent use of public rights of way (including temporary diversions) planning permission will only be granted where alternative routes are provided that are of equivalent convenience, quality and interest.

Sustainable Use of Soils

Agricultural land is an important national resource, and together Cambridgeshire and Peterborough have a larger proportion of high quality agricultural land than any other area in England.

This proposed policy is a carry over of adopted policy CS38 Sustainable Use of Soils with only minor rewording.

Policy 26: Sustainable Use of Soils

Minerals or Waste development which affects best and most versatile agricultural land will only be permitted where it can be shown:

- (a) it incorporates proposals for the sustainable use of soils; and
- (b) the proposed restoration can be shown to positively contribute to the long term conservation of soils; and
- (c) (for non-allocated sites) there is a need for the development and an absence of suitable alternative sites using lower grade land has been demonstrated

Aerodrome Safeguarding

The main hazard arising from mineral and waste development which is located close to airports, aerodromes or their flight paths is bird strike. Whilst it would be impossible for all proposals to demonstrate no increase in hazard to air traffic, the word significant in the policy should be interpreted carefully, and it may mean only a slight potential increase in the hazard would constitute a 'significant' occurrence, due to the consequence of the hazard should it materialise.

This proposed policy is a carry over of policy CS40 Airport Safeguarding in the adopted Core Strategy with only minor rewording.

Policy 27: Aerodrome Safeguarding

Mineral and Waste management development within aerodrome safeguarding areas will only be permitted where it can be clearly demonstrated that the development would not constitute a significant hazard to air traffic. Where it cannot be demonstrated, or where the significance of any hazard is uncertain, the proposal will be refused. The preparation and implementation of an approved Bird Management Plan may be required.

Other Developments Requiring Importation of Materials

Some forms of development might not be primarily minerals and waste management related, but may result in the importation of minerals or inert waste as part of the proposals.

Policy 28: Other Developments Requiring Importation of Materials

Proposals for developments (including golf courses and any other significant outdoor recreation facilities) which require the importation of significant quantities of minerals and/or inert waste, will only be permitted where it can be demonstrated that:

- (a) the proposal does not prejudice the restoration of mineral extraction sites, and
- (b) there is a proven need for the material to be imported; and
- (c) any mineral or waste imported will be used in a sustainable manner; and
- (d) the minimum amount of material is imported, consistent with the purpose of the development.

The determination of planning applications will have regard to the objectives of the mineral and waste spatial strategies in this Plan.

Part Six: Site Allocations and ‘Call for Sites’

As part of the new Minerals and Waste Local Plan, sites for mineral workings and waste management facilities will be identified on the Policies Map, along with other information, such as safeguarding and consultation areas. At this stage of the plan, however, no site allocations are proposed nor any other changes to the Policies Map.

As part of this Preliminary Plan consultation⁴, the councils are asking landowners, their agents and developers to submit sites for future minerals and / or waste management development. This includes existing allocated sites for which planning permission has not yet been granted. No allocation will be automatically taken forward. All sites submitted should complete a site submission form in full, complete with all of the mandatory supporting information.

The existing Core Strategy made three strategic allocations, two of which relate to the Block Fen / Langwood Fen area, in Cambridgeshire. The Block Fen / Langwood Fen allocations seek to take forward a long term vision which extends to around 2050, i.e. beyond the existing plan period and the plan period of the new Local Plan. The allocations are for the extraction of 24 million tonnes of sand and gravel, and for 14 million m³ of inert landfill.

These exceptional allocations were made having regard to the unique opportunity of the site to contribute, through mineral extraction and restoration, to the creation of around 480 hectares of lowland wet grassland habitat which will enhance the internationally important (but declining) Ouse Washes. The site, as set out in the adopted Plan, also offers the opportunity for the creation of 10 million m³ of water storage contributing to the delivery of the Environment Agency’s Cranbrook / Counter Drain Strategy. The allocation is also supported by a supplementary planning document which sets out in more detail how the allocations should be delivered.

However, since the allocations were made progress has been less than anticipated (partly due to the economic downturn); and the question of whether the allocations are deliverable in part, or in their entirety, has been raised. This preliminary consultation gives the councils an opportunity to consider if the strategy in the Block Fen / Langwood Fen area should or can be carried forward in the new Plan. This is a significant issue as it will influence the mineral and waste spatial strategies in the new Plan, and the level of provision which is made elsewhere in the Plan area if the allocations are carried forward.

Your views on whether Block Fen / Langwood Fen allocations should be carried forward, in part or in their entirety, would be most welcome, as well as your views as to whether the policy requirements for those allocations also need amending. Please provide evidence to support your view, if at all possible. However, for the avoidance of doubt, all non-consented allocations will be reviewed, not just these strategic allocations, so your views on any site (including its policy requirements) would be welcome.

Site suggestion forms are located at the end of this document (Appendix 1 for Minerals and Appendix 2 for Waste Management) and should be returned to us no later than **midnight xx June 2018**.

⁴ this stage satisfies Regulation 18 of the The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Site Assessment Methodology

In order to facilitate delivery of the identified provision rate (for minerals) and capacity needs (for waste management) the plan is likely to need to identify allocations for mineral extraction and may need to identify allocations or areas of search for development of waste management facilities. Such elements that are to be taken forward through the plan-making process should be based upon a robust and credible assessment of deliverability, the suitability of the land and surrounding environment to accommodate the proposed development, as well as the potential contribution towards sustainable development.

In order to ascertain potential impacts arising from the implementation of minerals and waste development (and subsequently those sites/areas that are appropriate to take forward to facilitate delivery of aggregates or waste management capacity and contribute towards the development of sustainable communities) a more focussed assessment method is needed. The site assessment process plugs into both the plan-making and Sustainability Appraisal (SA) processes as it uses key elements of both of these. The key decision making criteria for the Site Assessment Methodology have been derived from a review of the planning policy context, the plan and SA objectives as well as local considerations. In this manner the site assessment process acts as a decision-making tool for the plan-making process and a direct extension of the SA process.

The purpose of the Site Assessment Methodology is to ensure consistency, maintain transparency and provide a sound basis for site assessment and the selection of the preferred options, or potential allocations and designations. The findings of the site assessment process and SA, coupled with consultation throughout the plan-making process, will assist in identifying sites that are appropriate to take forward as allocations/designations.

A review of the policy context will be undertaken to identify the key criteria used to determine site suitability and potential impacts on the receiving environment (site sensitivity). The SA objectives form the base for the development of the assessment criteria.

The site assessment process is not intended to provide an exhaustive listing of decision-making criteria, or to replace the development assessment process. It is also important to note that the level of assessment should be proportionate with respect to the plan-making process. Rather, it seeks to identify those factors that will enable meaningful comparison of site suitability, sensitivity and potential impacts. The cumulative impact of development on the well-being of the local community will be taken into consideration, including any significant adverse economic, social and environmental impacts.

Three levels of assessment are proposed which will complement the plan making and SA processes, these are detailed below:

- **Level 1** will involve an initial screening of the sites/areas in order to determine compliance with key policy considerations, including submission of all mandatory site information, as well as identifying any 'red flags' that may significantly affect site suitability. All sites put forward through the call for sites, including existing allocations not yet permitted, will be subject to this Level 1 assessment.
- **Level 2** will involve a desktop assessment of the sites/areas against the assessment criteria in order to provide an overview of features, constraints, potential impacts and capacity for

avoidance and/or mitigation measures. Only sites determined to be in general compliance with Level 1 criteria will be subject to Level 2 assessment.

- **Level 3** will involve a detailed assessment of specific constraints/issues, this level of assessments will only be undertaken where significant constraints/issues are highlighted through previous levels of assessment and where such assessment is proportionate and will add value to the process. This will assist in determining if the constraints/issues identified could reasonably be expected to be avoided and/or minimised to acceptable levels.

It should be noted that in assessing broader areas for development of waste management facilities the criteria will be applied at a landscape (broader) level as it may not be practical to assess larger general areas in the same amount of detail as individual sites.

The preferred site allocations or broad areas for development will be put forward for consultation at the Further Draft Local Plan stage early next year. At this time we will also publish a Sites Evidence Report which will detail the full site assessment undertaken and state the full reasons for the proposed inclusion of a site or not.

Further details on the Site Assessment Methodology are set out in the separate 'Site Assessment Proposed Methodology - May 2018' report. Views on the methodology are welcomed, and if appropriate, amendments to it will be made following a reviews of any comments submitted.

Appendix 1 - Call for Minerals sites

The Cambridgeshire and Peterborough Local Aggregates Assessment (LAA December 2017) identifies a landbank of 15.09 years for sand and gravel and 9.7 years for crushed rock. The base date for the LAA is December 2016.

The plan period for the new Minerals and Waste Local Plan runs to 2036, meaning that at the current 10 year sales average of 2.91mtpa for sand and gravel, the authorities will need to identify reserves of at least 55.29mt. The LAA puts current permitted reserves at 43.92mt. The plan places a requirement to identify deliverable reserves of 11.37mt⁵. The current adopted plan has allocations of 27.8mt which are not yet permitted, however there is no guarantee that these sites will be submitted again or be deliverable.

Permitted reserves of crushed rock are 2.83mt, not even sufficient for the minimum 10 year landbank required by the NPPF. The authorities would need to identify reserves of at least 2.68mt⁶ to meet the requirements over the plan period. Policies in this plan will support planning applications should any sites come forward, however it is unlikely that new reserves will be identified and allocated, due to the poor quality of this limited resource.

To ensure that the most suitable and deliverable sites are included in the plan, we are asking interested parties to submit land for mineral extraction, including those sites allocated in the adopted plan but which do not have a planning permission, as it is important that we confirm if there is still industry interest in these sites and that they remain deliverable. For your site to be included we will need the following mandatory information to be submitted using the Form 1 below (please use a separate form for each site).

The NPPF requires MPAs to also safeguard existing, planned and potential sites for:

- (a) concrete batching, the manufacture of other coated materials, other concrete products; and
- (b) the handling, processing and distribution of substitute, recycled and secondary aggregate material.

If you have any such sites (both existing sites which you think you should be safeguarded and candidate new sites) which currently or will make a significant contribution to either category, and which you therefore think should be allocated on the policies map, please let us know.

Mandatory information

- (a) type of mineral development proposed (extraction / processing) and mineral type;
- (b) start date;
- (c) operation life;
- (d) annual production;
- (e) total yield;

⁵ This is calculated as follows: 2.91 (10 year annual sales average) x 19 (years in plan period) - 43.92 (permitted reserves)

⁶ This is calculated as follows: 0.29 (10 year annual sales average) x 19 (years in plan period) - 2.83 (permitted reserves)

- (f) OS map base showing the site boundary in red and other land ownership boundary in blue;
- (g) geological evidence to support the reserve;
- (h) If the site is an extension to or otherwise related to an existing site;
- (i) highways access points;
- (j) location of processing plant;
- (k) details of phasing;
- (l) environmental mitigation; and
- (m) restoration scheme details.

In addition to the above, it would greatly assist in helping us to select the most suitable sites for allocation if you could provide the additional supporting information:

Additional supporting information

- (n) proposed working hours;
- (o) details of lorry movements and routes;
- (p) likely number of employees;
- (q) intended use for reject materials include stone, sand and slit; and
- (r) an estimate of the area of best and most versatile agricultural land before and after development.

Form 1: Suggested Minerals Site (May 2018)

Contact Details:	
Name: Phone number: Email address:	Postal address:
Please indicate your relationship to the site? If you are not the landowner please provide information to support deliverability. For example, is there an agreement / lease to use the land, etc?	<input type="checkbox"/> landowner <input type="checkbox"/> agent <input type="checkbox"/> operator <input type="checkbox"/> other
Site Information:	
Site name / location: OS reference:	Site address:
Type of mineral development proposed: Please also state type of mineral.	<input type="checkbox"/> Extraction..... <input type="checkbox"/> Processing..... <input type="checkbox"/> Other.....
Is the site adjacent to an existing operational or allocated site?	<input type="checkbox"/> Yes (details):..... <input type="checkbox"/> No:
Site operational details: Please provide your best estimate for the information opposite.	<ul style="list-style-type: none"> ● Start date:..... ● Operational life (y):..... ● Annual production (t):..... ● Total yield (t):.....
Has the site previously been submitted in previous plans or as a planning application?	<input type="checkbox"/> Yes (details):..... <input type="checkbox"/> No:
Please include with your site submission the mandatory information listed opposite: Please tick the boxes opposite to indicate that you have attached the requested information for consideration	<input type="checkbox"/> OS map base showing site boundary in red and other land in / or likely to be under applicants control, in blue <input type="checkbox"/> geological evidence to support the reserve <input type="checkbox"/> highways access points <input type="checkbox"/> location of processing plant <input type="checkbox"/> environmental mitigation measures <input type="checkbox"/> restoration scheme details
It would assist us in determining the deliverability of your site if you could also include the additional information listed opposite: Please tick which additional information you have provided	<input type="checkbox"/> proposed working hours <input type="checkbox"/> details of lorry movements and routes <input type="checkbox"/> details of phasing <input type="checkbox"/> likely number of employees <input type="checkbox"/> intended use for reject materials including stone, sand and slit <input type="checkbox"/> estimated area of best and most versatile agricultural land before and after development

Appendix 2 - Call for Waste Management Sites

The Plan aims to identify a network of suitable waste management facilities to meet net waste arisings in the Plan area up to 2036 and beyond. Many allocated waste sites in the current adopted Plan have not come forward as anticipated. Furthermore, waste management sites have come forward on unallocated land.

At the time of writing, the councils are in the process of producing an up to date Waste Needs Assessment (WNA). This will be published alongside this Preliminary Plan for consultation. We encourage you to refer to and comment on the latest figures in the published WNA and the methodology used to derive them.

To ensure that the most suitable and deliverable waste management sites are included in the plan, we are asking interested parties to submit land for possible waste management sites. This includes current allocated sites which do not yet have planning permission. For your site to be included we will need the following mandatory information to be submitted using the Form 2 below.

Mandatory Information

- (a) type of waste development proposed (i.e. facility type(s));
- (b) waste types;
- (c) start date;
- (d) operational life;
- (e) throughput for each facility intended to be located on the site;
- (f) input from the Plan area;
- (g) OS map showing site boundary in red and other land ownership boundary in blue;
- (h) location of buildings / processing plant (temporary and permanent);
- (i) highways access points;
- (j) details of phasing;
- (k) environmental mitigation measures; and
- (l) restoration scheme details if appropriate.

In addition to the above, it would greatly assist in helping us to select the most suitable sites for allocation if you could provide the additional supporting information:

Additional information

- (m) proposed working hours;
- (n) details of lorry movements and routes;
- (o) likely number of employees; and
- (p) an estimate of the area of best and most versatile agricultural land before and after development.

The Waste Needs Assessment will determine what sites if any we will need to allocate for waste management provision.

Form 2: Suggested Waste Management Site (May 2018)

Contact Details:	
Name: Phone number: Email address:	Postal address:
Please indicate your relationship to the site? If you are not the landowner please provide information to support deliverability. For example, is there an agreement / lease to use the land, etc?	<input type="checkbox"/> landowner <input type="checkbox"/> agent <input type="checkbox"/> operator <input type="checkbox"/> other
Site Information:	
Site name / location: OS reference:	Site address:
Type of waste development proposed: Include the type of waste management (e.g. transfer, landfill, AD, etc.) as well as the type of waste proposed to be handled (e.g. non-haz, inert, etc.)
Is the site adjacent to an existing operational or allocated site?	<input type="checkbox"/> Yes (details):..... <input type="checkbox"/> No:
Site operational details: Please provide your best estimate for the information opposite.	<ul style="list-style-type: none"> ● Start date:..... ● Operational life (y):..... ● Throughput of site (tpa):..... ● Input from Plan area (%):.....
Has the site previously been submitted in previous plans or as a planning application?	<input type="checkbox"/> Yes (details):..... <input type="checkbox"/> No:
Please include with your site submission the mandatory information listed opposite: Please tick the boxes opposite to indicate that you have attached the requested information for consideration	<input type="checkbox"/> OS map base showing site boundary in red and other land in / likely to be under applicants control, in blue <input type="checkbox"/> location of buildings / processing plant (temporary and permanent) <input type="checkbox"/> highways access points <input type="checkbox"/> environmental mitigation measures <input type="checkbox"/> restoration scheme details if appropriate
It would assist us in determining the deliverability of your site if you could also include the additional information listed opposite: Please tick which additional information you have provided	<input type="checkbox"/> proposed working hours <input type="checkbox"/> details of lorry movements and routes <input type="checkbox"/> likely number of employees <input type="checkbox"/> details of phasing <input type="checkbox"/> estimated area of best and most versatile agricultural land before and after development.

List of Acronyms

AWP - Aggregate Working Party
C&I Waste - Commercial & Industrial
CD&E - Construction, Demolition & Excavation
DPD - Development Plan Document
DtC - Duty to Cooperate
HRC - Household Recycling Centre
LAA - Local Aggregates Assessment
LDS - Local Development Scheme
LLW - Low-level Radioactive Waste
MAA - Minerals Allocation Area
MACA - Minerals Allocation Consultation Area
MCA - Minerals Consultation Area
MPA - Mineral Planning Authority
MSA - Minerals Safeguarding Area
Mtpa - Million tonnes per annum
MWLP - Minerals and Waste Local Plan
NPPF - National Planning Policy Framework
PPG - Planning Practice Guidance
RECAP - Cambridgeshire and Peterborough Waste Partnership
SA - Sustainability Appraisal
SCI - Statement of Community Involvement
SPD - Supplementary Planning Document
SSSI - Site of Special Scientific Interest
TIAA - Transport Infrastructure Allocation Area
TICA - Transport Infrastructure Consultation Area
WAA - Waste Allocation Area
WACA - Waste Allocation Consultation Area
WNA - Waste Needs Assessment
WPA - Waste Planning Authority
WRAA - Water Recycling Allocation Area
WRC - Water Recycling Centre
WRCA - Water Recycling Consultation Area
WTAB - Waste Technical Advisory Body
WWTW - Waste Water Treatment Works