

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 24 APRIL 2018
1.30 PM**

Council Chamber - 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 3 April 2018 **5 - 10**

5. Development Control and Enforcement Matters

5.1 17/02443/REM - Tranche TC23, Eagle Way, Hampton Centre, Peterborough **11 - 34**

5.2 17/01448/OUT - Land To The West Of 85 West Street, Helpston, Peterborough **35 - 60**

5.3 17/02464/FUL - Land At Guilsborough Road, Eye Green, Peterborough **61 - 90**



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|-----|---|------------------|
| 5.4 | 16/02447/MMFUL - Pode Hole Quarry, The Causeway, Thorney, Peterborough | 91 - 118 |
| 5.5 | 17/01707/WCMM - Pode Hole Quarry, The Causeway, Thorney, Peterborough | 119 - 130 |

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Committee Members:

Councillors: G Casey (Vice Chairman), L Serluca, C Harper (Chairman), Bull, P Hiller, J Stokes, S Martin, Clark, Iqbal, Bond 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 and 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, Head of Planning and/or Development Management Manager as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 3 APRIL 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

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

68. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bull and Serluca. Councillor Over attended as substitute.

69. DECLARATIONS OF INTEREST

Councillor Bond declared a personal interest in item 5.2 by virtue of having previously spoken on the application at a previous meeting.

70. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

None were received.

71. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 30 JANUARY 2018

The minutes of the meeting held on 13 March 2018 were agreed as a true and accurate record.

Save for altering the application details under item 67.2 to read 17/01087/FUL - Land to the West of, Uffington Road, Barnack, Stamford

With regards to item 67.2 to alter from Mr Harry Bressey to Mr Harry Brassey

72.1 17/02375/FUL - MORRISONS LINCOLN ROAD, PETERBOROUGH, PE4 6WS

The Planning and Environmental Protection Committee received a report in relation to seeking planning permission for the construction of a two-storey restaurant with associated drive-thru, car parking, landscaping and associated works, two customer order displays and canopies.

The Head of Planning introduced the report and update report. Highways had identified restricted hours of servicing for when the junctions were not being heavily used.

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

- Given the location of the facility it was in the interests of motorists that heavy goods vehicles (HGV's) were not allowed into the car park. This was the reason for the layby location.
- Highways accepted the restricting of the servicing hours reducing any disruption.
- The site enjoyed good public transport links and a number of regular bus services past the site.
- HGV's had the facility to turnaround in the Morrison's service area.
- The addition of fast-food services was generally welcomed by the public.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (9 For, 1 Abstention) to **GRANT** the planning permission subject to relevant conditions delegated to officers.

REASON 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 proposal has demonstrated that it would be suitably connected to the City Centre by a range of public transport means and that there are no sequentially preferable sites which are currently available that could accommodate the proposed development. As such the proposal is considered to accord with Policies CS15 of the Peterborough Core Strategy DPD (2011), PP9 of the Peterborough Policies DPD (2012) and Paragraph 24 of the NPPF (2012);
- The proposed development would not have an unacceptably harmful impact on the character or appearance of the area, and would therefore accord with Policies CS16 of the Peterborough Core Strategy DPD (2011), Policies PP2 of the Peterborough Policies DPD (2012);
- The proposed development would not unacceptably harm the amenity of adjoining neighbours, and would not exacerbate issues of crime and anti-social behaviour within the area, and would therefore accord with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (2012); and
- The proposal would not result in a highway safety hazard and sufficient car parking can be provided to serve the existing and proposed development, thereby according with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 and PP13 of the Peterborough Policies DPD (2012).

1.50pm - At this point Councillor Bond withdrew from the meeting due to having a declared an interest in the item below.

72.2 18/00092/HHFUL - 8 BORROWDALE CLOSE, GUNTHORPE, PETERBOROUGH, PE4 7YA

The Planning and Environmental Protection Committee received a report in relation to planning permission being sought for the construction of a single storey extension to the rear of the property. The proposal would project 4.4 metres in depth and would measure 5 metres in width. The extension would include a flat roof set 2.9 metres high from ground level. In addition to the flat roof, a pitched roof light would be fitted on top of the flat roof, which would measure 3.6 metres high from ground level.

Two ground floor windows are also proposed to the side elevation of the dwellinghouse. One window would be fitted to the original house and would serve a dining room. The second window would be fitted to the side elevation of the proposed extension serving the kitchen.

The Head of Planning introduced the report and update report. This had previously been considered at an earlier committee where it was refused due to the large scale of the extension.

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

- This application was not in keeping with Peterborough Planning Policy 3 (PP3) as this application was not in keeping with existing and surrounding areas.
- The Committee needed to take into account the design and impact on the character of neighbouring properties.
- Local residents felt strongly that this application should be refused due to the extension not being in keeping with the local area.
- This extension would impact negatively on next doors property and would cause overshadowing with the size of the extension.
- The domed roof was not in keeping with the properties in the area and would stand out over and above the extension.
- Neighbours to the rear of the property would suffer an impact as there would be windows to the rear of the extension overlooking the back garden.

Claire Jackson, a local resident, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There had been discrepancies with the original plans which had made it difficult to understand the overall scale of the proposed development.
- The extension was not in keeping with the local area. The domed roof was an eyesore and would extend out above the roof line.
- The 2.9 m extension was too long and would cause overshadowing with neighbouring properties and result in less light being emitted onto those properties directly affected.
- This was a dominating extension and would have a detrimental impact on neighbouring properties.

Mrs Terri Kitoto Luhata and Sajan Varghese, agent and applicant, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The only issue was the impact and scale of the extension, however this was within the permitted and legal limit.
- The extension was 18m away from the back neighbours back wall.

- There was an extension already constructed on a property just a few doors down which had not caused any issues.
- The garden was East facing and therefore only some light would be lost in the morning on the neighbours property.
- From the proposed drawing there would be a small gap between the neighbouring boundary.
- A 4.4m extension out the back of the property was a standard size extension.

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

- The regulations allowed for a permitted development of 3m tall and 3m long extension from the rear of a semi-detached property. In this instance it was only 1.4m longer in length.
- There was a degree of shadowing that might take place but this was likely to be negligible.
- The new design was much more in keeping than the previous application. This one storey extension was not detrimental to neighbouring properties.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **APPROVE** the application. The Committee **RESOLVED** (Unanimous) 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 character and appearance of the application and the surrounding area would not be unacceptably affected by the proposed development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The proposal would not significantly harm the amenity of surrounding residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- On-site parking provision would not be unacceptably affected by the proposed development, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012).

2.35pm - At this point Councillor Bond returned to the meeting.

72.3 17/00157/ENFCOU - 89 FENGATE, PETERBOROUGH, PE1 5BA

The Planning and Environmental Protection Committee received a report in relation to ensuring that the Committee supports the delegated decision to serve an enforcement notice.

The Head of Planning introduced the report and update report.

Usman Sully, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- It had been unfair the number of times enforcement officers had visited the site.
- The property on site was a family home and if the enforcement notice was carried out there would be no place for the family to go.
- There were cars being sold on the site but this had stopped a number of years ago.
- The electricity connection in the rear garden was only used for a night light and no other purpose.
- There was currently an appeal against an enforcement notice in place.
- There had been no assistance from Ward Councillors.

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

- There had been previous enforcement notices that had not been complied with.
- A previous appeal against an enforcement notice had been dismissed by the courts.
- The location was a concern for any residential development and was not in a position to change at the current time.

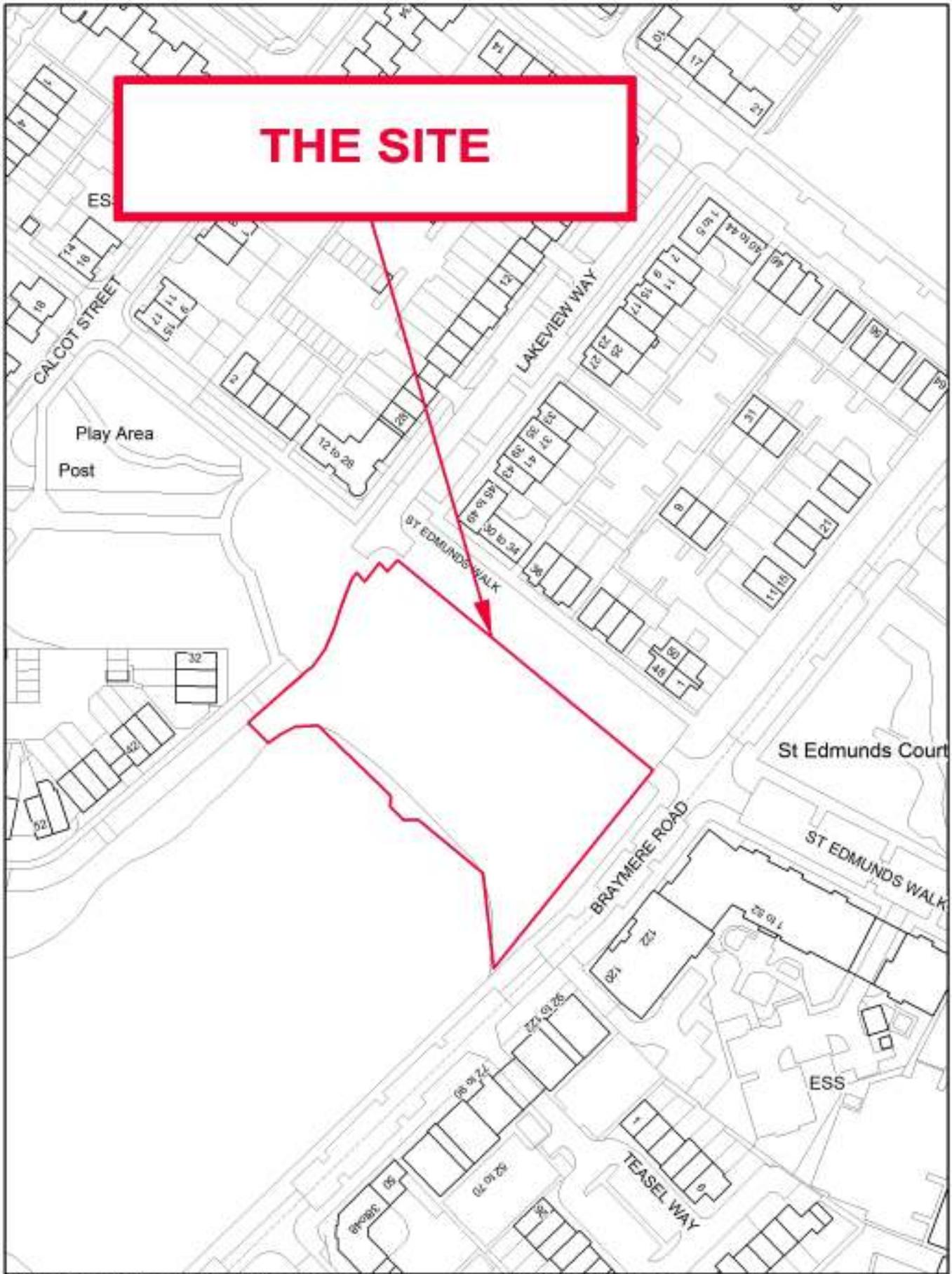
The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to continue with the enforcement notice served. The Committee **RESOLVED** (9 for 1 against) to not withdraw the enforcement notice

REASONS FOR THE DECISION:

For the reasons set out in the officer delegated report in Appendix 1, officers consider that residential use of the property is inappropriate and therefore that the Enforcement Notice should not be withdrawn.

Chairman
1.30pm – 2.50pm

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Title: Committee Location Plan **17/02443/REM**

Site Address: Tranche TC23 Eagle Way, Hampton Centre, Peterborough

Scale: NTS **Date: 28th March 2018** **Created by: LMG**

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Application Ref: 17/02443/REM

Proposal: Reserved matters approval relating to access, appearance, landscaping, layout and scale for the construction of 75 apartments and retail units (A3/A4 restaurant, cafe and public house) with associated parking, manoeuvring and landscaped areas, pursuant to 91/P0556

Site: Tranche TC23, Eagle Way, Hampton Centre, Peterborough

Applicant: O & H Properties Ltd and Hampton Lakeview Ltd

Agent: Mr J S Dadge
Barker Storey Matthews

Referred by: Hampton Parish Council

Reason: The proposal does not provide adequate parking

Site visit: 31.01.2018

Case officer: Mrs J MacLennan

Telephone No. 01733 454438

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

Recommendation: **Grant** subject to conditions

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

Site and surroundings:

The application site is located within the Hampton Development area, an urban extension which when complete will comprise housing, employment land along with retail, community, education and leisure facilities with associated open space, roads and infrastructure. The majority of the land is brownfield land associated with several former brickworks sites.

The application site is approximately 0.44 ha and is located at the northern end of Serpentine Lake. It is bounded by Braymere Road to the south east, St Edmunds Walk to the north east and Lakeview Way to the north west. The surrounding character is predominantly residential with three storey apartments to the north west and north east, to the south east are four storey apartments in a single block with commercial units on the ground floor. To the west are three storey apartments and three storey houses which are separated by an area of public open space.

The site is approximately 250m from the Hampton District Centre and 60m from a Local Centre to the north east.

The site itself slopes down from St Edmunds Walk to Serpentine Lake and falling approximately 5m from the north east (Braymere Road) to the south west corner next to the Serpentine Lake. The surrounding development also slopes with the topography.

Proposal

The application seeks approval of matters reserved under the outline planning consent ref. 91/P0556 for access, appearance, landscaping, layout and scale. The development comprises the construction of 75 no. apartments, 54 one bed and 21 two bed units in the form of two blocks and an A3/A4 restaurant, café and public house with 712m² of internal floor space. The application is a re-submission of a former approved scheme.

Block A would have 40 units over 5 floors and Block B would have 35 units. The 2 apartment blocks are located at the west and east ends of the site and arranged on a north/south axis. The 2 apartment blocks are both 5 storeys in height with the fifth floor (roof) set in from the building envelope, however the fall in levels across the site means that Block B (west) sits approx. 4m lower than Block A (east).

Block A also has a 2 level restaurant/café below it in the form of a podium block which provides a lower mass in the centre of the site. The café/restaurant would have a glazed lakeside frontage, with a café at the lower/boardwalk level and restaurant on the floor above. This element also includes an external balcony/seating area for customers.

The scheme includes a terraced garden area in the heart of the site providing a seating area with views over the lake.

A boardwalk and pathways that link across the site from east to west.

Car parking for both the apartments and staff parking for the café/restaurant would be located towards the rear of the site and partly below the rear sections of Blocks A and B. A total of 105 parking spaces would be provided; one parking space for the one bed apartments and two spaces for the two bed apartments, including 2 no disabled parking spaces and 9 staff parking spaces for the commercial unit.

The application currently under consideration is a revision to a former approved scheme (ref. 17/00152/FUL) which was determined under delegated powers. The former scheme proposed 62 no. units in the form of 29 one bed and 33 two bed units. There are minor changes to the external appearance of the apartments as a result of the increase in the number of one bed units although the buildings remain the same in relation to their overall form, scale and size.

The car parking has been reconfigured from the original scheme in order to meet the requirements for the increase in one bed units; some of which would be located outside the building along St Edmunds Walk, however still within the demise of the site. One additional parking space has been provided under the revised scheme.

The current scheme also proposes an electricity sub-station to the north east (St Edmunds Walk).

Subsequent to the approval of the original scheme a non-material amendment application was approved (ref. 17/01777/NONMAT). The changes approved were minor including the reduction to the number of balconies and alteration in their design and the use of alternative materials.

Revisions have also been made to this application following receipt of amended plans; these changes are very minor and include the addition of a fire exit for the commercial unit, addition of ventilation grills to the car park and commercial unit, the addition of an access and lobby to the commercial unit (south- east elevation), pairing of the parking spaces for the 2-bed units, change in layout to the cycle/bin store. The most noticeable change is the re-orientation of the roof, however this would not result in an increase to the roof height. Due to the non-material nature of the changes a further re-consultation has not been undertaken.

2 Planning History

Reference	Proposal	Decision	Date
17/00152/REM	Reserved matters approval relating to access, appearance, landscaping, layout and scale for the construction of 62 apartments and retail units (A3/A4 restaurant, cafe and public house) with associated parking, manoeuvring and landscaped areas, pursuant to 91/P0556	Permitted	30/06/2017
17/01777/NONMAT	Non-Material Amendment (Design Change and Materials) of planning permission 17/00152/REM	Determined	06/10/2017

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 6 - Presumption in Favour of Sustainable Development

Paragraph 14 sets out that development proposals that accord with the development plan should be approved without delay and that where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Section 7 - Good Design

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

Section 11 - Noise

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

Peterborough Core Strategy DPD (2011)

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.

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP19 - Habitats and Species of Principal Importance

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

Peterborough Local Plan 2016 to 2036 (Submission)

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

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 this 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.

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered.

Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

PCC S106 Planning Obligations Officer - The proposal is not CIL Liabe and the S106 requirements were determined in relation to 91/P0556 with subsequent variations and modifications to the original Agreement.

Archaeological Officer - No objections. The proposed reserved matters have no archaeological implications.

Building Control Manager - Building regulations approval is required.

PCC Pollution Team - No objections. All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment shall be secured by condition.

The section recommends that before the development commences a scheme should be agreed which specifies the provisions to be made for the control of noise emanating from the site. These provisions could include physical and/or administrative measures. In the absence of Sound Power Levels and frequency spectrum information for plant, background noise levels and operating hours the following noise limits are recommended.

In addition a scheme should be agreed for protecting the proposed residential development from noise from the A3/A4 use has been submitted to and approved by the local planning authority; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

The potential for disturbance upon local residents during unsociable hours requires consideration. Restriction of access to external areas by clientele after 23:00 is recommended. It is suggested that any application for extended hours is given temporary permission to be able to establish that operations can be conducted without unacceptable impact.

PCC Peterborough Highways Services - Previous discussions and principles have been agreed by the LHA with regard to the Transport Statement through the application 17/00152/REM and through the revised submitted Transport Statement for this application the LHA are content that they have been modified to form an acceptable application.

The proposed parking layout has been modified from the previous application to include a new parking area in a basement area adjacent to the commercial unit. Track was requested to demonstrate that cars can park in these parking spaces. Tracking has been provided and this is acceptable.

Residential parking bays 1-13 are accessed off St Edmunds Walk, which would not be suitable for the residents as they would have to park their vehicle in its allocated space and then walk nearly 70m around the secure enclosed car park just to get in the residential block. This in turn may encourage on street parking nearer to the entrance to the buildings. These 13 spaces should be in groups of no more than 4 parking bays with a 2.7m gap between the groups of 4 parking bays.

Although the LHA would have preferred the residents parking bays 1 – 13 not to be accessed directly off St Edmunds Walk this is not of sufficient merit for the Local Highways Authority to object to this application. The spacing between the blocks of 4 parking spaces has been amended.

A suitable amount of residential and commercial allocated parking has been provided by the applicant to accord with Peterborough City Council DPD PP13. The applicant through surveys of the surrounding 'on street unallocated parking provision' has demonstrated an amount of parking availability that could be used by users of the commercial units.

Although the applicant has not complied with the cycle parking provision as detailed within with DPD PP13 the LHA appreciate that the applicant has provided a significant amount of secure residential and public cycle parking and therefore is content that the amount of parking is acceptable.

PCC Strategic Housing - Affordable housing element has been secured elsewhere. No further comments.

PCC Wildlife Officer – No objection - No ecological assessment appears to have been submitted as part of this application, however the Officer is aware that adequate surveys were carried out in relation to planning ref. 17/00152/REM.

The Officer is satisfied that there was no evidence of water voles found during the recent survey and that no further action is required in this respect.

The water body and surrounding habitats are likely to be used by bats for foraging purposes. The Officer raises concern that the proposed lighting scheme described as "feature lighting" designed to illuminate the lake may negatively impact bats. The lighting scheme should be revised to achieve a reduction/ minimise light spillage over the lake. Full lighting details including LUX levels should be provided by the applicant which would be acceptable via a suitably worded condition.

The lake edge vegetation was found to support nesting birds. A standard bird nesting information is recommended. To mitigate for the loss of nesting habitat, a range of nesting boxes should be installed. The details could be secured by condition.

Lead Local Drainage Authority – No objection – Recommends a condition requiring the details of the surface water management system.

Police Architectural Liaison Officer (PALO) – No objections. Crime in the area over the last 6 months are moderate to high. The proposed layout and design should mitigate against crime and disorder. The Officer would welcome discussion regarding vulnerable areas i.e. car park, access control, post, delivery, cycle storage etc. Would welcome a secured by design application.

Anglian Water Services Ltd – No objections. The foul drainage from this development is in the catchment of Flag Fen Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent.

The Wildlife Trusts (Cambridgeshire) - No comments received

Hampton Parish Council – Objects to the proposal. At the Full Council meeting, all members of Hampton Parish Council voted unanimously to object to this planning application and ask that this be called in under the premise that this application does not offer adequate parking.

Local Residents/Interested Parties

Initial consultations: 572
Total number of responses: 18
Total number of objections: 16
Total number in support: 2

16 no letters of objection have been received raising the following issues:

Accessibility

- The designers are still totally ignoring disability accessibility - briefly mentioned in the new revised document
- None of the apartments seem to be to at least BS Part M4 (2) standard, there is a national shortage of wheelchair accessible accommodation
- Wheelchair Access to ALL of the site has not been designed in, lots of steps without access, that does not involve long detours.

Highway implications

- The level of parking is completely inadequate.
- Concern regarding increase in apartments with no extra parking
- The new parking spaces created on St Edmunds walk are quite often full up and along Lakeview Way....where are all visitors to the retail/restaurant going to park
- I have allocated parking at the rear of my house and my neighbours and I have had to put signage up because people use our spaces.
- Parking is already an issue in Hampton from previous poor planning so don't compound the situation.
- There is a large care home opposite the site where there are ambulances almost daily outside. If parking becomes like the flats at Hampton Vale shops there will be problems for emergency vehicles.
- There are already plans for restaurants and expansion to the rear of Tescos on Silver Hill so again parking MUST take into account those plans that are already going ahead.
- St Edmunds Walk has opened up as a thorough road and is barely wide enough for one car let alone another 75
- The road is used by hundreds of children and families going to school and the extra traffic will cause concern to safety
- The extra traffic will have an adverse effect on air quality
- The roads are already unable to cope with the amount of traffic

Residential Amenity

- St Edmunds Court is misnamed as St Edmunds House, just exemplifies the contempt this developer holds for the elderly residents of its neighbouring development.
- When will we find out whether the restricted hours of construction will be accepted as per document submitted previously.
- Concern about the rise in noise levels the café/restaurant/pub will bring to the area
- The disruption to the elderly surely must be taken into account with any licensed establishment that is built on the site.
- The shops and public house will be right next to a sheltered scheme for the elderly
- There is already a new pub/restaurant not far from Tesco and the lake and they have already had numerous issues however lakeside development would be right amongst residents and the elderly.
- The area is quiet and peaceful and ideal for residents many who are disabled
- The development will block out light
- There will be an increase in anti-social behaviour and littering.
- The pub is inappropriate for this location
- The height of the building blocking the houses on St Edmunds Walk, Braymere and Silver Hill.
- Overlooking our gardens.
- The view Residents on St Edmunds Walk and Lakeside will suffer the largest impact but Braymere and Silver Hill will also lose out.
- The building works will cause disruption, noise etc,
- A public house surrounded by residents with young families is not acceptable
- The new plans seem to be higher opposite my house than on the original plans
- Disturbance of late opening hours and early morning deliveries

Visual Amenity

- The proposed 7 storey buildings are total out of keeping with the current attractive look of the lake.
- There are other places to build these blocks of flats instead of spoiling the end of the lake.
- I am very surprised that the Council intends to approve this building.
- The main objection is the scale of the development
- The size of the development will dwarf surrounding development
- Over development of the site
- It will have a detrimental effect on the beautiful environment
- I'm not opposed to any development opposite the lake but they should be in keeping with the lake and not ruining it. Single storey buildings at most, landscaping, something that will benefit the elderly.
- Why are we trying to cram everything into this small space that is already established when there are vast tracts of land and possibilities to get planning and parking right at Hampton Gardens/Leys?
- The lake is a very peaceful area and this will be totally spoilt by the development suggested.
- I would only support purely housing with enough car parking spaces.
- Where would landscaping come into this project
- The site would make an ideal park
- O&H have made the rest of the Serpentine Lake very attractive with landscaped gardens, trees, benches etc. It is one the nicest spots in Hampton.

Wildlife

- There is no mention of the pair of red kites that are in the area and the many geese which continue to use the area
- Newts, swans and ducks will be pushed out of their natural habitat creating issues for local residents
- This development will have a detrimental effect on our wonderful wildlife and the extra pollution from more vehicles, more people, more rubbish will also not help.
- There is no mention to protected species and there are Great Crested Newts in the lake

- Due to the gradient of the land the lake could become contaminated due to spillages
- I would like to see a comprehensive plan to prevent spillages

Misc

- The scale of the building will cause subsidence to the surrounding development
- I am opposed to the building of an electrical substation opposite the front of my home.
- My mother has had cancer and I do not believe this would be good for her health – could increase the risk of medical problems
- The plans could devalue our house
- Despite the level of objection to the former scheme it was approved
- where on earth is the extra supporting structure for an accessible health centre to sustain the already over stretched population....hundreds of houses have been added since I moved here in 2007 and not one expansion in the medical centre
- There are retail units in Braymere and the surrounding roads and none have been let
- We do not need anymore coffee shops
- The infrastructure for this type of development is not possible
- There is a large shopping development within 2 minute walk and 4 pubs and numerous eating facilities
- Money grabbing idea with no thought for people living nearby
- Not clear at all what has been amended in this update to the application. Applicant and council needs to be more open and honest re changes to this application as it is going to detrimentally affect the lives of its neighbours many of whom are already sick and elderly.

2 letters have been received supporting the application

- I am a Hampton resident and approve of the plan.
- The retail units will provide more jobs to residents and more housing for young people.
- Hampton residents have never been supported with pubs and restaurants
- The land has been an eyesore for 15 years
- More development is needed including the area behind the Rotunda and area to the north of Hampton Avenue, hotel, cinema etc.

5 Assessment of the planning issues

The Principle of Development

The site is located within the Hampton Urban Extension area, which is an allocated site. Outline planning permission was granted in 1993 for the development of a township to include approximately 5,200 houses together with community, education, social, industrial and commercial areas and associated open spaces, roads and service infrastructure (ref. 91/P0556 and 91/0815).

Conditions 1 and 3 of the outline permission require the submission of a development brief covering the respective areas of development. A Development Brief covering the site and surrounding area, known as the Hampton Centre (TC23) was approved by the Local Planning Authority in 2013. The Development Brief therefore provides guidance against which the proposal is assessed.

The Development Brief identifies Hampton Centre as the civic and commercial heart of Hampton where the delivery of a suitable mix of local land uses that animate the built form and generate a sense of vitality and activity within the public realm are to be encouraged and supported.

Residential development forms a significant proportion of the land use within the Hampton Centre. The development brief identified allowable land uses for TC23. An indicative quantum of development for the site was for residential development of 60 dph (22 dwellings) and an opportunity for A3/A4 uses. It was envisaged that these uses would provide a landmark development consistent with the surrounding character of Hampton Centre.

A scheme has recently been approved for 62 apartments (17/00152/FUL) and therefore the principle of development has been established. As with the former approved scheme the number of residential units proposed is significantly higher than the indicative number given in the development brief however the principle of the mixed use residential and commercial development is consistent with the development brief and is acceptable subject to meeting the requirements of other relevant planning policies and material considerations. The only issue for consideration therefore is whether the amendments/alterations made to this scheme are acceptable.

A number of comments have been made regarding the provision of more commercial units. The scheme would provide a restaurant, café and public house and it is considered this will complement the nearby Local Centre as well as enhancing the experience of the lakeside edge. This type of development was envisaged for the site.

The site is not currently accessible to the public and the proposal would provide a permeable and accessible development which would be available to the local community. The boardwalk and seating areas will encourage activity around the lakeside.

In terms of housing, whilst it is accepted that the number of units would increase to that of the former scheme providing more one bed units, the proposal would meet existing housing demand and would go some way to meeting the housing delivery targets for the city.

Design and Visual Amenity

The Development Brief envisaged a development that would address and enclose the street and one which would have active frontages. The development on the eastern side of Braymere Road is also a mixed development with commercial units at ground floor and the development would complement this adding to the existing townscape.

The height of Block A would be 19m however this is comparable to the development in Braymere Road. The buildings follow the topography of the site providing varied building heights that step down in height from east to west. The 2 apartment blocks are both 5 storeys in height with the fifth floor set back on the roof of both blocks, but the fall in levels across the site means that Block B (west) sits approx. 4m lower than Block A (east). There is no change to the roof height to that approved under the original application. Block A also has the 2 level restaurant/café below it in the form of a podium block which provides a lower mass in the centre of the site. A roof garden over the restaurant serving Block A was proposed under the former scheme; however this has been removed under the current application and would now be a Sedum roof.

The buildings would be in two blocks to the west and east of the site which would retain views of the lake from properties in St Edmunds walk, also reducing the bulk and mass of the development.

The development would have a contemporary design and would provide a landmark development providing a focal point and is of a scale and design which complement the nearby local centre as well as the existing surrounding development within the Hampton Centre area.

The café/restaurant/public house unit would have substantial glazing to the lakeside and the restaurant includes an external balcony/seating area for customers and there is a terraced garden at the heart of the site. This scheme does not fundamentally change the external appearance of the development and therefore remains acceptable.

The proposal would provide a modern attractive development which would respect the surrounding character. The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy and Policy PP2 of the Adopted Peterborough Planning Policies DPD.

Neighbouring Amenity

The site is situated between existing residential development to the west, north and east and as with the former scheme, there have been a number of objections from neighbouring properties.

Block A would provide a corner turn building to the east of the site and would enclose the street. The separation distances to the development on Braymere Road would be at least 22m and the separation distances to properties in St Edmunds Walk would be 23m. The relationship between the proposed development and the existing development would be 'street to street' where the level of amenity afforded to occupiers is less compared with a 'back to back' relationship where the level of amenity in term is overlooking and loss of privacy is given greater consideration. It is considered that given the context of the location and the density for the Hampton Centre the relationship with existing residential properties is considered to be acceptable. The separation distances have not changed from the original approval and therefore remains acceptable.

Block B would be positioned to the west to the site. The west elevation would overlook Lakeview Way and an area of open space. There would be no direct views towards dwellings in Lakeview Way.

A number of concerns have been raised regarding the noise implications during the construction period and in particular the impact on the occupiers of the nearby St Edmunds Court extra care facility. It has been stated that the noise from piling has a significant impact on people suffering from, for example, dementia. Construction work is a noisy activity however the impact on neighbouring properties would be managed as far as is practically possible. A Construction Management Plan would be secured by condition and this will include hours of operation (piling), hours of deliveries and temporary facilities for the parking of vehicles etc. to prevent lorries, cars idling near residential properties.

The above concerns were raised under the original scheme and it is acknowledged that there has been significant construction taking place within the area and the disturbance this activity causes to existing residential development. However, Hampton is a new Township where development has been ongoing and therefore residents should expect a certain degree of disturbance when moving to development areas.

There is also concerns regarding the A3/A4 use in terms of noise and disturbance. As with the previously approved scheme the opening hours will be agreed prior to the occupation of this unit along with measures that would be put in place to ensure noise is kept to a reasonable level.

It is not considered that the proposal would unduly impact upon the amenity of neighbouring occupiers and hence the proposal accords with policy PP3 of the Adopted Peterborough Planning Policies DPD and policy CS16 of the Adopted Peterborough Core Strategy DPD.

Residential Amenity

The development would provide a good level of amenity for the future occupiers. Many of the apartments would have balcony. It is unfortunate that the roof garden for Block A has been removed from this scheme, however, this change is not considered to make the proposal unacceptable.

All rooms would be served by natural lighting. Access to the apartments would also be provided by a lift.

As with the original scheme there is at least 21m separation distance between block A and block B which is acceptable in terms of amenity.

As this is a mixed use development a scheme shall be submitted and approved by the Local Planning Authority indicating how the residents of the development would be protected from noise emanating from the A3/A4 use.

Each apartment would have car parking provision; most would be located within the footprint of the building and entrance to these parking areas would be gated.

Secure cycle parking for 80 cycles would be provided within the building. In order to comply with policy PP13 of the Adopted Peterborough Planning Policies DPD, 96 secure parking spaces would be required however it is considered that the applicant has provided a significant amount of secure residential and public cycle parking and therefore is content that the amount of parking is acceptable.

Refuse bins will also be provided close to the respective Blocks.

As with the original scheme it is considered that the development would provide a good level of amenity for the future occupiers and hence the proposal accords with policy PP4 of the Adopted Peterborough Planning Policies DPD.

Highway Implications

Under the former approved scheme it was acknowledged that the site did not benefit by being in a particularly sustainable location which would justify a reduced amount of residential parking, due to the frequency of passenger transport services every 20 minutes.

The location of this site is not any more sustainable in terms of trips from residences to work than any other part of Hampton. It is acknowledged that there are existing problems where car parking has been provided at a ratio of 1.5 spaces per dwelling. Therefore the issues would be the same if this development were to provide insufficient parking.

Parking has been provided in accordance with the parking standards under policy PP13 of the Adopted Peterborough Planning Policies DPD. 54 no spaces for one bed apartments and 42 no for the two bed apartments, as proposed. In order to accommodate the parking a reconfiguration is proposed. The parking has been provided by using the topography of the site and the use of basement parking. The additional number of one bed apartments has required some of the parking to be outside the footprint of the building; still within the site area. The parking for the 2 bed flats can be accommodated by providing tandem parking bays however, this layout is not possible for one bed flats, where each parking space needs to be accessible. There is insufficient space under the buildings to provide for all the one bed flats, hence the 13 no. spaces along St Edmunds Walk which would be accessed from the street.

The scheme originally proposed did not provide the required spacing between the blocks of four bay parking spaces; this has now been amended and is acceptable to the Highways Officer.

It is noted that a number of objections have been received regarding the parking provision particularly as there are now more units with only one extra parking space provided. However the one bed units only required one parking space whereas the two bed units required two parking spaces. Therefore the parking can be accommodated in accordance with policy PP13. As such the application could not be resisted on this basis.

As with the former approved scheme, it is proposed that visitor and customer parking would be provided by the on street parking bays. In accordance with the parking standards under policy PP13 of the Adopted Peterborough Planning Policies DPD the commercial element would require 47 parking spaces to be provided. However in acknowledging the local context and the site proximity to the District and Local Centre and the immediate residential character it is considered that the location is sustainable in that the likely customer base would primarily be local to the site. Therefore it is considered that there would be capacity on the street for customer and visitor parking. There are a number of on-street parking spaces. The spaces are to be available for use by the development on each block as visitor parking and are not allocated parking spaces and therefore will be capable of being shared by different uses throughout the day.

The scheme provides 9 on site parking spaces for staff. This has not changed from the former approved scheme, as such the application could not be resisted on this basis.

A condition was appended to the original scheme requiring the A3/A4 unit to be occupied by one operator due to the lack of parking provision for the commercial use. This condition would be appended to the decision notice, if approved.

80 secure cycle parking spaces would be provided for the residents and staff for the commercial unit. In addition 11 cycle stands would be provided for visitors around the external areas. The cycle parking provision is slightly lower than the former approved scheme, however an adequate amount of covered parking spaces would be provided.

The applicant has demonstrated on drg. no. 104 through Track Plot that various car park spaces are accessible by cars. A delivery bay has been provided along St Edmonds Walk to service the commercial units.

Separate commercial and residential refuse bins are provided.

A footway is provided to the east of the site adjacent to Braymere Road. This will provide pedestrian access to Block A apartments and to the ground floor commercial unit.

The boundary treatment fronting St. Edmunds Walk will be a mixture of fencing/trelliswork to allow climbing plants to screen the parking area while maintaining security of the car park areas. The vehicle access to both car park areas is from Lakeview Way on the western side of the site.

It is considered that the proposal would provide appropriate levels of parking and would not result in any adverse impact on the adjacent public highway. Hence the proposal accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

Accessibility

Disabled access to the commercial unit is provided off the footway to the east of the site and also to the Boardwalk from the west of the site from Lakeview Way.

Accessibility to the apartments is provided by a lift. A lift will also be provided within the commercial unit to ensure disability access is available from the restaurant to the boardwalk.

Building regulations approval would be required which will cover part M – accessibility. In terms of ‘lifetime’ homes and ‘wheelchair housing’ this provision is met within other areas of the Hampton township development

The proposal would be accessible for people with disabilities and therefore accords with policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD.

Wildlife implications

The original scheme was supported with an Ecology Survey. The Wildlife Officer is content that adequate surveys were carried out and these do not need to be repeated for this application.

The survey concluded that there was no evidence of water voles using the lake and that no assessment is required.

There was evidence of breeding birds with Coot *Fulica atra* with a family and Reed Warbler *Acrocephalus scirpaceus* probable breeding. Mute Swan *Cygnus olor* was also recorded using the lake, but no evidence of breeding was recorded.

The report proposed recommendations to minimise the impact on breeding birds including any works should be carried out outside of the bird nesting season unless a qualified ecologists has inspected the site.

The Wildlife Officer agrees with the conclusion of the report, however, the officer considers that the water body and surrounding habitats are likely to be used by bats for foraging purposes, there is concern regarding the “feature lighting” designed to illuminate the lake and lighting should be reduced to minimise light spillage over the lake. This is considered to be a reasonable concern. A lighting scheme shall be secured by condition.

In addition and to mitigate for the loss of nesting habitat, the officer requests that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift, as well as bat roosting features. These details shall be secured by condition.

As with the original scheme it is considered that the amended proposal would not adversely impact on the biodiversity of the lake and surrounding area and the proposal accords with policies PP16 and PP19 of the Adopted Peterborough Planning Policies DPD.

Landscaping

A landscaping plan supports the application. The main landscaped area would be the terrace. The proposed plants include a mixture of grasses and bamboo which will link the outside space to the Lake with its grassy banks.

It is considered that the landscaping detail would enhance the visual quality of the development as well as providing for the biodiversity of the site and nearby lake and accords with CS21 of Peterborough Core Strategy and Policy PP16 of Peterborough Planning Policies DPD.

Flood Risk and Drainage

A Flood Risk Assessment and Sustainable Drainage Strategy supports the application. The site lies within flood risk zone 1 as defined on the Environment Agency Flood Risk Maps.

The main attenuation feature to be used for surface water from the site is the adjacent Serpentine Lake which has been designed to serve both the site and wider Hampton development area.

A Sustainable Urban Drainage system will be used within the site for surface water drainage. Permeable paving will be used on all vehicular access and parking areas along with pedestrian access areas through the development and the promenade area. Permeable paving is a SuDS technique that is appropriate for the development as it provides for flood reduction due to attenuation in the base as well as a pollution reduction benefit due to the filtration of water as it passes through the permeable surfacing.

There are also other options for the site including the Sedum roof, utilisation of grassed areas and grey water harvesting. The final drainage strategy for the site would be secured by condition.

Foul drainage from the development will be to manhole 6706 in St Edmunds Walk by gravity connection, which Anglian Water have confirmed has capacity to accept gravity flows from the proposed development.

As with the original scheme, it is not considered that the proposed development would result in flood risk outside of the site or for the future occupants of the development. Hence the proposal accords with policy CS22 of the Adopted Peterborough Core Strategy DPD.

Miscellaneous issues not covered above raised through representations

- The scale of the building will cause subsidence to the surrounding development – *Officer Response: The development is not dissimilar to surrounding development and the suitability of the foundations would be covered under the building regulations.*
- I am opposed to the building of an electrical substation opposite the front of my home. My mother has had cancer and I do not believe this would be good for her health – could increase the risk of medical problems. *Officer Response: This is not a material planning consideration. Sub-stations are a common feature of residential development.*

- The plans could devalue our house. *Officer Response: This is not a material planning consideration.*
- Despite the level of objection to the former scheme it was approved. *Officer Response: Despite the level of objection the application was approved because in planning terms it was acceptable.*
- Where on earth is the extra supporting structure for an accessible health centre to sustain the already over stretched population....hundreds of houses have been added since I moved here in 2007 and not one expansion in the medical centre. *Officer Response: It is accepted that more dwellings put pressure on services including medical services, however this has to be balanced with the need for additional housing development. The lack of medical services and the numbers of patients is a national problem.*
- The infrastructure for this type of development is not possible. *Officer Response: The scheme is supported with a Transport Statement which has demonstrated that the proposal would not result in any adverse highway implications. The site is located on an estate road which has been built to adoptable standards and capable serving the development.*
- Money grabbing idea with no thought for people living nearby. *Officer Response: The amenity of neighbouring occupiers is a material planning consideration and has been assessed as part the process of determining the application.*

6 Conclusions

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

- The site lies within the Hampton Development area where outline planning permission has been granted for the township development and a Development Brief has been approved
- This is a revised scheme to that previously approved. The principle of development is therefore acceptable
- The proposal would provide a modern, attractive landmark development which would respect the surrounding character
- The proposal would not unduly impact upon the amenity of neighbouring occupiers and measures will be agreed with the developer to minimise any noise implications resulting from the construction
- The proposal would provide a satisfactory level of accommodation for the further occupiers of the development
- The proposal would provide appropriate parking provision for residents and staff and it is not considered that the proposal would result in an adverse impact on the adjacent highway
- The development would be assessable
- The proposal would not impact on the biodiversity of the lake and the landscaping would enhance the visual amenity of the area
- The proposal would not result in flood risk outside of the site or for the future occupants of the development.

Hence the proposal accords with policies PP1, PP2, PP3, PP4, PP12, PP13, PP16 and PP19 of the Adopted Peterborough Planning Policies DPD, policies CS1 CS2, CS14, CS16, CS21 and CS22 of the Adopted Peterborough Core Strategy DPD, policy SA1 of the Adopted Peterborough Site Allocations DPD and sections 6, 7 and 11 of the National Planning Policy Framework.

7 Recommendation

The case officer recommends that Reserved Matters is approved subject to the following conditions:

- C 1 No development other than groundwork's and foundations shall take place until details of the materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. Samples of the materials shall be made available on site for inspection. 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 2 Before the building is occupied, visibility splays shall be provided on both sides of the vehicle access(es) from the car park and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2.0m x 2.0m measured from and along respectively the back edge of the edge of the highway boundary; and before the building is occupied, visibility splays shall be provided on both sides of the staff parking bays shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 1.5m x 1.5m measured from and along respectively the back edge of the edge of the highway boundary.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

- C 3 The parking spaces detailed on the approved plans shall be provided prior to the development being brought into use and shall thereafter be retained for the purpose of parking in association with the approved development.

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

- C 4 Notwithstanding the approved plans details of the proposed cycle stands shall be submitted to an approved in writing by the Local Planning Authority. No part of the development shall be occupied until space has been laid out within the site for bicycles to be parked in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In order to promote the use of sustainable modes of transport, Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

- C 5 Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- a noise management plan including a scheme for the monitoring of construction noise;
- a scheme for the control of dust arising from building and site works;
- a scheme of chassis and wheel cleaning for construction vehicles including contingency
- measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- a scheme of working hours for construction and other site works including piling;
- a scheme for construction access from the Parkway system, including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load and unload clear of the public highway and details of any haul routes across the site;
- a scheme for parking of contractors vehicles;

- a scheme for access and deliveries including hours.

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD. This is a pre-commencement condition as these details will need to be agreed prior to works commencing.

- C 6 No development shall take place until a detailed design and associated management and maintenance plan for the surface water drainage of the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage plan shall be implemented in accordance with the approved drainage design prior to any of the development being brought into use.

Reason: To ensure that the principles of sustainable drainage are incorporated into the development in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD. This is a pre-commencement condition as the details will need to be agreed prior to works commencing.

- C7 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority before installation and should be installed before the use of the premises commences.

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

- C8 Prior to the first occupation of the A3/A4 use hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the A3/A4 use. The provisions could include physical and/or administrative measures. The development thereafter, shall be implemented in accordance with the approved details and any physical measures implemented prior to the A3/A4 unit being brought in to use.

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

- C9 Prior to the first occupancy of the apartments a scheme for protecting the proposed residential development from noise from the A3/A4 use shall be submitted to and approved by the Local Planning Authority. All works which form part of the scheme should be completed before any part of the residential element is occupied and thereafter retained.

Reason: In the interests of amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policy DPD.

- C10 Prior to any installation of lighting, full lighting details including LUX levels shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of protecting biodiversity as the surrounding habitats are likely to be used by bats; and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD and policy PP19 of the Adopted Peterborough Planning Policies DPD.

C11 No development other than groundworks or foundations shall take place until a scheme of nesting boxes to cater for a number of different species such as House Sparrow, Starling & Swift, as well as bat roosting features shall be submitted to and approved in writing by the Local Planning Authority. Details such as numbers, designs and locations. The approved boxes shall be installed prior to the occupation of any part of the development.

Reason: To enhance the biodiversity of the site and in accordance with policies PP16 and of the Adopted Peterborough Planning Policies DPD.

C12 Notwithstanding the approved plans the A3/A4 commercial unit hereby approved shall be occupied by one operator and the unit shall not be subdivided.

Reason: To ensure adequate parking can be provided in the interests of highway safety and in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

C13 Prior to the A3/A4 unit being brought into use details of the opening hours shall be submitted to and approved in writing by the Local Planning Authority. The development shall be thereafter be operated in accordance with the approved opening times.

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

C14 Notwithstanding the plans hereby approved details of the means of accessibility from the commercial unit, by lift or other means, shall be provided prior to the commercial unit being brought into use and thereafter retained.

Reason: To ensure the site is accessible for all users and in accordance with policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD.

C15 The development shall be implemented in accordance with the following approved plans:

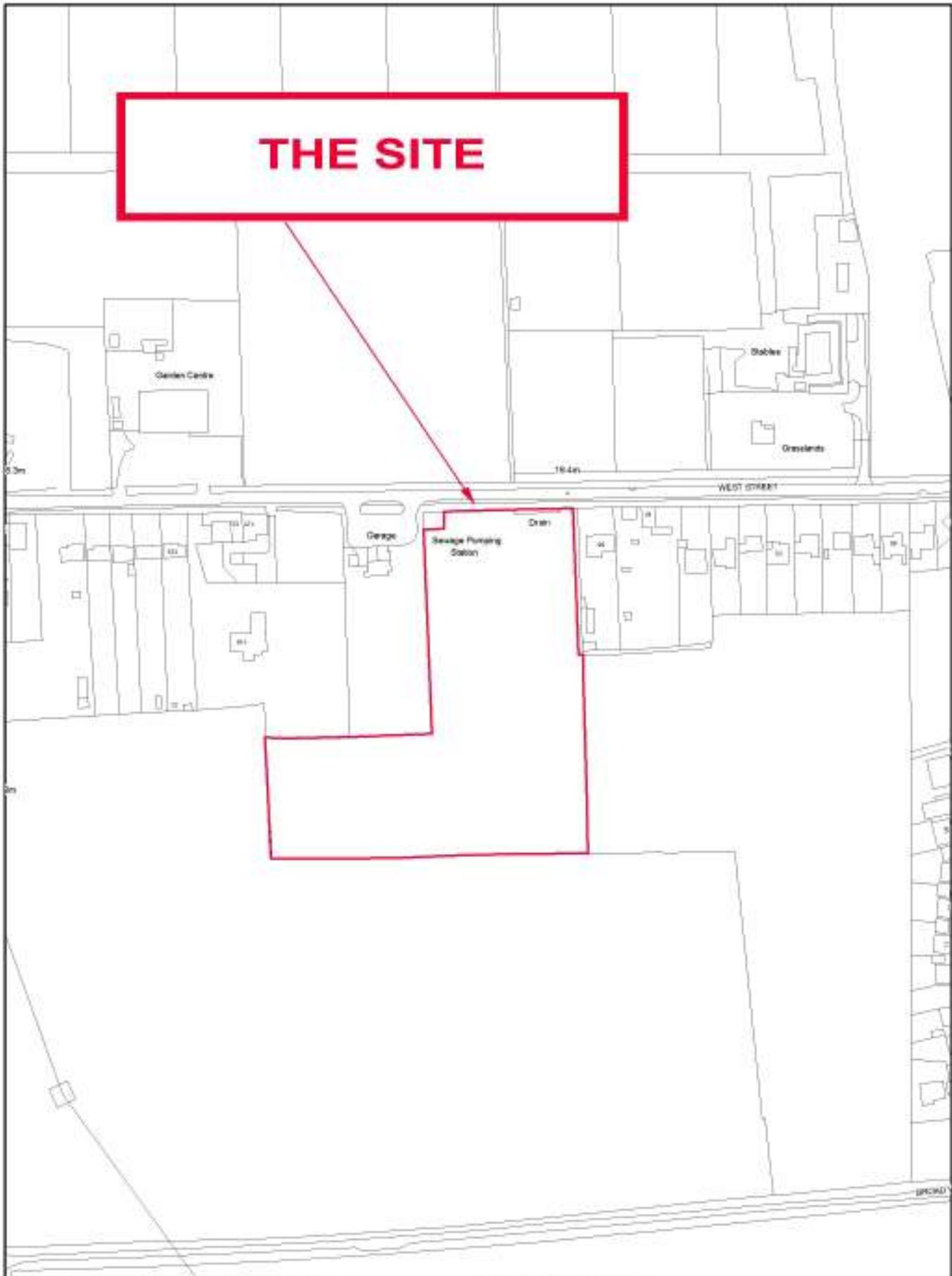
- Location Plan drg. no. AL0101 Rev P01
- Proposed site plan drg. no. AL0501 Rev P12
- Proposed site plan basement level drg. no. AL0500 P11
- Block A elevation 01 SE drg. no. AB0801 Rev P05
- Block A elevation 02 SW drg. no. AB0802 P05
- Block A elevation 03 NW drg. no. AB0803 Rev P05
- Block A elevation 04 NE drg. no. AB0804 Rev P05
- Block A basement plan drg. no. AB0201 Rev P04
- Block A ground floor plan drg. no. AB0202 Rev P04
- Block A 1st floor drg. no. AB0203 Rev P04
- Block A 2nd floor drg. no. AB0204 Rev P03
- Block A 3rd floor drg. no. AB0205 Rev P03
- Block A 4th floor drg. no. AB0206 Rev P03
- Block A 5th floor drg. no. AB0207 Rev P04
- Block A roof plan drg. no. AB0601 Rev P03
- Block B elevation 01 SE drg. no. AB0851 Rev P04
- Block B elevation 02 SW drg. No. AB0852 Rev P04
- Block B elevation 03 NW drg. no. AB0853 P04
- Block B elevation 04 NE drg. no. AB0854 Rev P05
- Block B basement plan drg. no. AB0251 Rev P04
- Block B ground floor drg. no. AB0252 Rev P04
- Block B 1st floor drg. no. AB0253 Rev P03
- Block B 2nd floor drg. no. AB0254 Rev P03
- Block B 3rd floor drg. no. AB0255 Rev P03
- Block B 4th floor plan drg. no. AB0256 Rev P03

- Block B roof plan drg. no. AB0651 Rev P03
- Proposed street scene drg. no. AB0875 Rev P04
- Site Sections A & B drg. no. AL0701 Rev P02
- Site Sections C & D drg. no. AL0702 Rev P02
- Site Sections E & F drg. no. AL0703 Rev P02
- Site Sections G & H drg. no. AL0704 Rev P02
- Vehicle tracking drg. no. 104
- Landscaping plan sheet 1 of 2 drg. no. 001D
- Landscape Sheet 2 of 2 drg. no. 002

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

Copies to: Cllrs: Howard Fuller, Janet Goodwin and Irene Walsh

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Title: Committee Location Plan **17/01448/OUT**

Site Address: Land To The West Of 85 West Street, Helpston, Peterborough

Scale: NTS **Date: 28th March 2018** **Created by: LMG**

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Application Ref: 17/01448/OUT

Proposal: Outline planning permission for the erection of up to 45 dwellings, road infrastructure and open space with all matters reserved

Site: Land To The West Of 85, West Street, Helpston, Peterborough
Applicant: Mr Unwin, Huntley Wood Investments Ltd.
Agent: Mr Barry Nicholls, Architectural and Surveying Services Ltd

Referred by: Director of Growth and Regeneration
Reason: Departure from adopted Local Plan
Site visit: 14.08.2017 and 28.03.2018

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

Recommendation: **REFUSE**

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

Site and Surroundings

The application site comprises an 'L-shaped' parcel of land situated to the south of West Street in Helpston. The land fronts onto the public highway and is sited between the single storey residential dwelling of No.85 West Street to the east, and the West Street Garage to the west. There is also a foul sewage pumping station situated immediately to the north-western corner of the site, owned and operated by Anglian Water Services Ltd. The remainder of the site is bound by the open countryside comprising arable fields and pasture land.

The site is located outside the identified settlement boundary of Helpston, a village which is defined as a 'Limited Growth Village' within Policy CS1 of the Peterborough Core Strategy DPD (2011). On this basis, the site is considered to be located within the open countryside.

The site is of relatively flat topography, with the Welland and Deepings Internal Drainage Board Ullettes Drain running partially along the northern and eastern boundaries of the site. To the southern boundary is a continuous mature hedgerow whilst to the eastern and western boundaries, the hedgerow is somewhat more sparse with large gaps. To the northern and eastern boundaries with the West Street Garage site, there are mature shrubs, hedgerow and trees.

Proposal

The application seeks outline planning permission for the erection of up to 45 dwellings along with associated infrastructure including roads, parking and public open space. At this time, all matters (access, appearance, landscaping, layout and scale) are reserved for future applications and consideration. Therefore, Members are being asked to consider only the principle of the proposed development.

It should be noted that the scheme has been revised from that which was originally submitted to reduce the number of proposed dwellings from up to 60 (reduced by 15no.).

2 Planning History

Reference	Proposal	Decision	Date
P1099/76	Outline application for four building plots	Refused	25/02/1977
94/P0337	Erection of 4 dwellings (outline)	Refused	25/08/1994

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 - Residential Development in the Open Countryside

Housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the open countryside should be resisted unless there are special circumstances.

Section 6 - Presumption in Favour of Sustainable Development

Paragraph 14 sets out that development proposals that accord with the development plan should be approved without delay and that where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Section 10 - Development and Flood Risk

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

Section 11 - Development on Agricultural Land

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

Section 11 - Biodiversity

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

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

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

Section 11 - Contamination

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

Section 12 - Development Affecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

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.

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.

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

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

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP17 - Heritage Assets

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

PP20 - Development on Land affected by Contamination

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

Peterborough Flood Water Management SPD (2012)**Peterborough Design and Development in Selected Villages SPD (2011)****Peterborough Local Plan 2016 to 2036 (Submission)**

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

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 this 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.

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP08 - Meeting Housing Needs

a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP13 - Transport

a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP14 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development. Developers will be expected to contribute toward the delivery of relevant infrastructure.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

PART A) Amenity of Existing Occupiers - 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.

PART B) Amenity of Future Occupiers - Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP21 - New Open Space, Sport and Recreation Facilities

Part A) New Open Space, Outdoor Sport and Recreation Facilities - Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on site provision.

LP28 - Biodiversity and Geological Conservation

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered. Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP41 - Medium Village Allocations

Identifies sites primarily for residential development in the medium villages.

4 Consultations/Representations

PCC Wildlife Officer (19.03.18)

Objection – The submitted ecology report identifies suitable habitat and features to be present on the site which have the potential to support protected species including great crested newts, reptiles, water voles and bats, and makes clear recommendations for further detailed survey work to be carried out. No such further work has been undertaken and therefore, using a precautionary approach, it is assumed that all of the above species and associated habitats may be directly impacted on by this proposal.

The proposed development is located in close proximity to Torpel Manor Field County Wildlife Site, however the proposal is unlikely to have an impact upon the features for which this site has been designated.

PCC Tree Officer (23.10.17)

No objections - There are no trees to note on the application site and trees are restricted to the boundaries with several offsite trees to the south west of the site. It is possible with sympathetic design to retain these offsite trees without detriment to their health. It is recommended that any future layout provides a buffer from the offsite trees. There is no arboricultural objection to the proposal as any potential impact appears minimal. A condition securing a tree protection plan at reserved matters stage is requested.

Archaeological Officer (19.03.18)

No objections – The development site is located in an area of high archaeological importance. The presence of ridge and furrow remains to the north and east of the proposed development site confirms that the area was part of the medieval open fields of the historic village of Helpston until enclosure. However, findings of early medieval pottery and the complex history of Torpel Manor to the west would indicate an earlier origin for the scheduled manorial site to the west. Although presently unknown, early medieval and medieval remains may extend further to the east to include the proposed development site. Given the presence of King Street, the presence of Roman remains should not be excluded. A programme of archaeological work, including geophysical survey and targeted trial trenching, should be secured by condition

Building Control Manager

No comments received.

Lead Local Drainage Authority (16.03.18)

Objection - The revised Flood Risk Assessment and Drainage Strategy detail how permeable paving and other vegetated features could be used to clean and store water, and reduce the pressure on the end of pipe basin to provide all the stormwater storage needs. The principle of this would be accepted if it could be delivered. However, no confirmation as to the agreed point of discharge has been provided, the proposal does not appear to include space to accommodate the necessary basin or Sustainable Drainage System (SuDS) features and comments regarding historic incidents of flooding have not been addressed.

PCC Strategic Housing (23.03.18)

Policy CS8 of the Peterborough Core Strategy DPD (2011) seeks the provision of 30% affordable housing on sites of 15 or more dwellings. Given the size of the proposed development, we would anticipate the provision of 14no. affordable dwellings with a tenure split of 70% affordable rented and 30% intermediate. As the housing mix has not yet been provided, it is requested that this is discussed prior to submission of a reserved matters application. In addition, 20% of the units (18no.) should be lifetime homes and 2% (2no.) should be wheelchair homes.

PCC Pollution Team

No comments received.

PCC Peterborough Highways Services (24.08.17 and

No objections – The anticipated car trip rates set out in the submitted Transport Assessment appear to be slightly lower than would be expected. However for this quantum of development, this does not alter the likely impacts to a great extent. As potential mitigation for the high reliance on private car, mitigation in the form of: a new/improved bus stop with shelter provision adjacent to the site in both directions; and improvements to the existing footway linking to the village should be secured.

The applicant will have to demonstrate at some point that a satisfactory access can be formed from the site onto West Street. Currently no details have been submitted as part of this outline application so the LHA cannot make any recommendations.

Reference is made to a connection to the public right of way to facilitate a connection to the primary school. This is supported but the details will need to be agreed including consent from the landowner to provide an improved route across arable land.

PCC Senior Recreation Officer (23.10.17)

Comments – In accordance with the Council's adopted public open space standards the proposal (60no. units) should make provision for 0.22 hectares of public open space and 0.15 hectares of natural greenspace, provide a LEAP (localised equipped area of play) and make a financial contribution towards allotment provision off-site.

PCC Travel Choice (20.03.18)

Whilst the proposal is not required to provide a Travel Plan, we would expect the Developer to provide Welcome Packs containing a range of information on sustainable travel options, bus routes, local walking and cycling maps etc. to each unit that is built. These packs can either be purchased from the Council or prepared by the Developer in conjunction with the Council.

The Woodland Trust

No comments received.

Forestry Commission (01.09.17)

No comments – This proposal is unlikely to have an impact on any Ancient or Semi Natural Woodland, therefore no comments to make. This does not imply support or objection to the application.

Environment Agency (05.03.18)

No comments – The proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee.

Welland & Deeping Internal Drainage Board (08.03.18)

Objection – The Board's Ullettes drain bounds the site to the north and partially to the east, and is protected by a 9 metre byelaw distance preventing new structures being constructed within it. This should be taken into account with any future layout. The revised Flood Risk Assessment/Drainage Strategy advises that if infiltration is not suitable as a means of disposing of surface water, overflow would be directed towards the Board's drain. Agreement for the point of discharge, flow rate and other technical details would be required along with the appropriate fee.

Anglian Water Services Ltd (21.03.18)

Comments – There is an Anglian Water sewage pumping station adjacent to the site. Dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire.

The foul drainage from this development is in the catchment of Peterborough Flag Fen Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.

The Wildlife Trusts (Cambridgeshire)

No comments received.

Historic England (02.11.17)

No comments.

Cambridgeshire Fire & Rescue Service (14.09.17)

Comments – Should the Local Planning Authority be minded to grant permission, request that adequate provision be made for fire hydrants.

Police Architectural Liaison Officer (PALO) (05.03.18)

No comments.

Waste Management (11.09.17)

No comments received.

Helpston Parish Council has raised objection to the proposal on the following grounds:

- Policy CS1 (under the current Local Plan) identifies Helpston as a Limited Growth Village. As such, new residential development of 10 or more dwellings was to be via the allocation of the Current Local Plan and was done so when site SA6.12 was included and then developed with 34 new dwellings. Helpston has thus taken its current Plan quota and should not be subject to further allocation via this application.
- Under paragraph 5.4.12, residential development was to be on a modest scale whilst maintaining sustainability and vibrancy. With many new houses erected in Helpston during the course of this Local Plan, we feel that it has fully taken its share of the growth target for Peterborough.
- The site proposed is outside the current Village Envelope (CAS1, SA4).
- The application does not satisfy Policy CS8 and identifies no housing need in this community. No justification whatsoever is given to prove housing need in Helpston.
- The Applicant shows no contributions to infrastructure provision to help the local community as required to Policy CS13. The John Clare School is oversubscribed and short of classrooms. Development projected under the proposed Local Plan will cut off land expansion of the school and further add to the oversubscription of school places.
- There is no new employment in Helpston available from local businesses nor any proposed by this development. Hence occupants of properties on this site will have to travel to work. This is contrary to CS14 which require the minimising of the need to travel.
- There is simply no way that the proposal could be said to contribute to the historic environment.
- This is an Open Space Area and development on it would be against Policy CS19.
- There is a huge risk of flooding on this site as evidence by photographs of flooded properties on West Street.

Local Residents/Interested Parties

Initial consultations: 39

Total number of responses: 26

Total number of objections: 26

Total number in support: 0

A total of 24 no. of objections have been received from local residents on the following grounds:

Principle of development

- Under Policy CS1 of the current Local Plan, Helpston is a Limited Growth Village. As such, any new residential development of 10 or more dwellings was to be via allocation. This was done when Site SA6.12 was included and has subsequently been developed with 34no. new dwellings. Therefore, Helpston has taken its current Plan quota and should not be subject to further housing development of this scale.
- Under paragraph 5.4.12 of the current Local Plan, in the rural area residential development was to be on a modest scale whilst maintaining sustainability and vibrancy. With the number of houses erected in Helpston we feel that it has fully taken its share of growth for Peterborough.
- The site proposed is outside the current village envelope.
- The proposal does not satisfy Policy CS8 of the current Local Plan and identified no housing need in this community. No justification whatsoever has been provided.
- The need for further housing is accepted however Helpston, designated a ‘Limited Growth Village’ has already seen a 44% increase in houses since 2001 without appropriate improvements in infrastructure. This does not include the current proposal or development proposed adjacent to the recent development off Broadwheel Road (Local Plan proposed allocation HEL006H). These plans could total a further 68 dwellings; 128 in total if the land next to 85 West Street is built on. All of these proposals fall outside the village envelope.

- The proposal seeks to pre-empt the emerging Local Plan and could prejudice the delivery of the Council's chosen site for allocation within the village. HEL006H is deliverable and sustainable, and represents a logical expansion of the recently completed development on Broadwheel Road. The Council should resist this speculative application which seeks to circumvent the plan process.
- Figures from Cambridge Research Group for local need in the Barnack Ward suggests the average age is 47, and only 100 homes will be needed to 2036 in the Ward. It is therefore unfair to expect Helpston to take all those houses (34 are already completed off Broadwheel Rd) when other villages and small scale developments and infill can do the same job without the devastating impact of an estate totalling up to 154 houses if this site and HEL006H are allowed bringing the growth figure to approximately 80% in the last few years.
- Alternative brownfield sites within the Peterborough area could be identified which are best placed for such development.

Infrastructure and facilities

- John Clare School is already oversubscribed and at present, it has a half-class intake (15 pupils). However, in September 2016, 19 children started in Reception and this increased to 21 by the end of the year as a result of families moving into the new homes built off Broadwheel Road.
- The school is probably of sufficient size at the moment however the development proposed will necessitate increasing the size of the school – possibly to a whole form intake.
- The Village hall is a very old, wooden structure; it is small, damp and too cold in winter for many uses. There is very little provision for young people in the village, with no play area at all for toddlers. It seems that Helpston has not benefited from developments in recent years and this should not be allowed to continue. A decent play area and new village hall would seem appropriate and should happen if this development proceeds.
- The Applicant shows no contributions to infrastructure provision to help the local community as required by Policy CS13 of the current Local Plan.
- There is now only one public house left in the village (The Exeter Arms having closed). There is no mains gas supply and car use is a necessity. I have to rely on bottled gas myself, for cooking and heating but unfortunately, I (resident of Maxey Road) find this an expensive source.
- Helpston has few facilities and councils have no money to improve them as evidenced by falling budgets.

Flood risk

- Our land (resident of West Street) is at a lower level than the application site and since we moved here (September 2011), it has flooded at least 4 times. The floods have come within 3 metres of our house.
- Drainage has been a particular issue with recent housing developments in Helpston and I am very concerned that if the land gets built on, surface water will increase and flooding will worsen.
- Following the recent heavy rainfall, I (resident of West Street) have further photographic evidence of flooding in my garden that I would like presented. These were taken on 10 March 2018 and, whilst the flooding was not as severe as in the past, I believe that they will help elucidate the problem. [These photographs are provided at Appendix A]
- Seriously concerned that flooding will worsen with extra surface run-off caused by building on the site.

Transport and traffic

- Helpston has poor traffic links, with only one bus per hour Monday to Saturday finishing at 6pm. Commuting to either Peterborough or Stamford by bus is not generally realistic. It is not possible to get to the local GP practice in Glinton via public transport. Improvements in transport links would be even more important with further housing development in the village.

- A further 60 houses would be likely to bring at least a further 120 cars to the village – many of which would be used to commute to work. The level crossings in the village already cause long delays, particularly during peak hours. Increased traffic would obviously bring further congestion and delays, in addition to the proposals for more trains on the East Coast Mainline.
- There are already major parking issues in the village and it is often chaotic along West Street at school drop-off/pick-up times. With increased traffic in the village and more children at the school, this can only worsen.
- Traffic is also increased with delivery companies (parcels and food).
- Due to increase traffic, drivers are becoming erratic and this problem would worsen.
- The quality of the roads is not suitable for increased traffic.
- Increased traffic would be a danger for children walking and cycling to school.
- There is no new employment available within Helpston and nor is any proposed. Therefore occupants of the proposed properties will have to travel to work which is contrary to Policy CS14 of the current Local Plan.
- The vehicular entrance to the site would be too close to existing chicanes.
- I (resident of West Street) am surprised that this development is being considered given the liability the Authority will have if a fatality occurs on the railway crossing. Recently, a consultation determined that a bridge should be built citing the health and safety issues of increased footfall on a manned crossing. Since then, financial backing has been withdrawn and it is no longer an option. Given that another route out of the village has since been closed and increased traffic would result, I am surprised that the Authority sees this as an ‘acceptable’ risk.

Amenity

- Concerned that our house and garden (resident of West Street) will be directly overlooked.
- The most recent development of 30+ houses in Broadwheel Road has only just been completed. This has resulted in a considerable amount of noise disturbance for householders in West Street for more than a year and we don’t think that this it is reasonable for these residents to be subjected to a further period of noise disturbance from construction traffic and the associated machinery and equipment which is used in house building projects.

Heritage

- There is no way that the proposal could be said to contribute towards the historic environment. At present the site is agricultural whereas the proposal is urban which are complete opposites.
- Helpston is described as an attractive historic rural village and the Local Plan recognises John Clare as a poet of international significance. Surely our historic village should now reflect this Heritage Asset and we should be conserving, rather than developing, every available parcel of agricultural land.
- The Motte and Bailey at Torpel Manor is growing in importance and this is located in close proximity to the site. Surely the special relationship between the settlement and its agricultural setting must not be undermined or destroyed by housing as proposed.

Other matters

- The proposal represents loss of open space, contrary to Policy CS19 of the current Local Plan.
- The proposal would change the character from diverse housing in West Street to a uniform type of housing and would change the nature of the village to a much larger community.
- The Applicant incorrectly states that the two houses recently developed in West Street were developments on agricultural land. These were replacements of existing dilapidated buildings.
- The Council have completely disregarded the depth of feeling against more development in this village.
- The Inspector’s decision concerning the Gladman site in Barnack means that the Council has achieved their housing target and so developing this site is unnecessary.
- The City Council’s Plan objectives are to ‘protect and enhance landscape’ and ‘promote the conservation and wide use of productive land’. If the proposed development were allowed to go ahead, there would be a loss of further productive agricultural land with it the wildlife habitat and hedgerow.

- The proposal would not reduce poverty and inequality as living in rural areas costs more, including transport.
- This outline plan has some smaller homes suggested but in the end it seems developers can change their plans as it goes along. There are no bungalows proposed for the ageing population and no amenities. The density is far too great and any developments need plenty of garden and open space. This is a rural village not a township.
- If any development were allowed on this site it should be small scale infill of stone colour bungalows and semi's (in keeping with the houses nearby on West Street.) along the road which does not have as much impact on nearby residents. There should be driveways and adequate parking to avoid parking along West Street.
- According to the HM Land Registry current Title Plan (CB335771), the Site incorporates (for more than a third of its length on the east) Ullette's Drain – a significant watercourse. It is understood that this comes under the remit of Welland and Deepings Internal Drainage Board, although does not appear to be in its legal ownership.
- The Applicant incorrectly states that the site has no material planning history in relation to planning applications. This is incorrect as application for 4no. dwellings was refused in 1994. The two reasons set out in the Refusal should be noted and taken into account in considering the present application. In particular, it was recognised that the Site lies within "the Area of Best Landscape" and that "the proposal will extend and consolidate existing ribbon development beyond the village envelope to the detriment of the rural appearance and character of the area."
- The proposed development represents new ribbon development (and infill) along the B1443, away from the centre of Helpston Village and will damage the present very pleasing western approach to the Village.
- Although still not properly recognised as such, Ullett's Drain is (in itself) a significant and historical watercourse, in this part of the village and an important corner boundary mark and feature of the landscape. It is long established (first shown on a plan on our house deeds in 1864). It is also important for wildlife and biodiversity. It forms a sensitive wildlife corridor here, which would be easily and fatally damaged by such a proposed executive housing development.
- There are a number of errors on the submitted application form.
- There are definitely great crested newts in this particular corner of Helpston, as well as other amphibians, bats, pheasants, starlings, deer, owls and etc. We (residents of West Street) have not seen any water voles but note that Ullett's Drain does eventually drain (as it runs north) into Ram Dyke, so who knows?
- There are a number of inconsistencies/errors with the submitted information which means it is not possible to make an informed assessment, making the application invalid and should therefore be rejected.

In addition, the **Campaign to Protect Rural England** has raised their objections to the proposal as follows:

- The site is outside the Village Envelope, as shown in both the PCC Core Strategy and the Draft Local Plan and this should be considered an area of open countryside.
- The Core Strategy does not allow developments such as this in the open countryside, unless an Exception Site which should be for social housing and not market housing as proposed.
- The site was put forward under the Site Allocation DPD 2012 and rejected in favour of the three identified sites. It was put forward yet again in 2016 and again rejected as there was a better alternative.
- Giving permission to this site now that the Five Year Housing Land Supply is secure would be contrary to the proposals put forward in the Draft Local Plan.

Peterborough Civic Society has also raised objections to the proposal on the following grounds:

- The site lies outside the Village Envelope of Helpston and is therefore contrary to the current policies set out within the adopted Development Plan Documents.

- We note that the Applicant claims that these policies are negated by the current situation regarding the five-year housing land supply, and that argument is for the City Council to counter. However the Civic Society asks that the Council pay full regard to the need to respect all policies that are not directly housing-need related and also argue that the current Local plan is in a fairly advanced stage of amendment.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Density, design and impact upon the character and appearance of the surrounding area
- Access and highway implications
- Neighbour amenity
- Ecology and trees
- Drainage
- Archaeology
- Infrastructure

a) Principle of development

Settlement hierarchy

As set out in Section 1 above, the application site is located outside the identified settlement boundary of Helpston and is therefore within the open countryside. Policy CS1 of the Peterborough Core Strategy DPD (2011) clearly states that development within the countryside will be restricted either: to that which is demonstrably essential to the effective operation of local agriculture (or other related uses/rural enterprises); or whereby it satisfies the 'exception' test set out in policy CS8 of the Core Strategy.

In this instance, the proposal seeks private open market dwellings which have no tie or relevance to existing local rural enterprises/agricultural etc. Accordingly, it fails the first relevant part of the above policy. In addition, the proposal does not meet the exception test of Policy CS8. This test would only be met if the site is otherwise suitable for residential development in the light of all other policies in the development plan; and a specific local need for affordable housing has been demonstrated, over and above that which could be met through the 30% normal requirement; and the proposed development would provide affordable housing of a number and type which meets (or contributes towards meeting) the local need. Whilst the Applicant has confirmed that they are prepared to meet the policy requirement in respect of affordable housing provision, they are not exceeding this requirement or solely proposing affordable units. Accordingly, the development in no way meets the exceptions test and fails the second relevant part of Policy CS1.

On this basis, the principle of residential development on this site is not considered to be acceptable and the proposal is contrary to Policies CS1 and CS8 of the Peterborough Core Strategy DPD (2011).

It is noted that the Applicant considers that part of the application site (i.e. that which fronts onto West Street and extends to the depth of the plots immediately to the east and west) represents natural infill of the streetscene and should be accepted in principle. However, Policy CS1 makes no provision for such consideration and it is not considered that this should be used as an argument for accepting part of the development proposed.

Emerging Local Plan

It is noted that part of the application site, excluding that area which is to the rear of the West Street Garage and No.119 West Street (the western most portion of the site), is proposed for allocation within the Peterborough Local Plan 2016 to 2036 (Submission Version) (emerging Policy LP41.5). The Applicant considers that this proposed allocation should be considered as a presumption in favour of establishing the principle of residential development on the site.

However, considerable objection has been raised to this allocation and as such, it must be fully considered through the public examination process by an independent Inspector appointed by the Secretary of State for Communities and Local Government,

On this basis, at the present time the proposed allocation is not guaranteed and therefore is not considered to hold sufficient weight in terms of decision-making. The proposed development is therefore considered to be premature and should be determined on the basis of the current adopted Local Plan at this time (as above).

Five year housing land supply

Under the provisions of paragraph 47 of the National Planning Policy Framework (2012), Local Planning Authorities are required to have, and be able to, demonstrate a five year supply of housing. As Members will recall, the Council's five year land supply was recently tested on appeal in relation to a proposal for 80 units on the edge of Barnack (application 15/01840/OUT). The Inspector in upholding this appeal and granting planning permission concluded, on the basis of the evidence presented to him, that the Council was, at that time, unable to robustly demonstrate a five year land supply (the supply available being somewhere between 3.80 years and 4.75 years). This current application has been submitted in the context of this appeal decision and further challenges the Council's five year housing land supply.

However, following the appeal decision, the Council has published an updated Five Year Housing Land Supply report (published 5 July 2017) based upon the Council's Housing Monitoring Report from March 2017 (which sets out all sites under construction, with full or outline planning permission at 31 March 2017) and also includes sites identified as proposed allocations in the Further Draft Local Plan.

This report identifies, that between 1 April 2017 and 31 March 2022 (the current five year period), there is a requirement for 5,241 new dwellings. From the evidence provided, the report sets out that the Council is able to demonstrate that 6,516 dwellings are capable of being delivered. Accordingly, 1,275 additional dwellings can be demonstrated over the five year period which equates to a housing land supply of 6.22 years, well in excess of the 5 year requirement under the NPPF.

Accordingly, for the purposes of determining this current application, the policies contained within the adopted Local Plan (i.e. CS1 and CS8 set out above) can be considered relevant and up-to-date.

Loss of agricultural land

Paragraph 112 of the National Planning Policy Framework highlights the need to take into account the economic and other benefits of the best and most versatile agricultural land, and direct significant development to land which is of poorer quality. Under Natural England's Agricultural Land Classification, the application site is deemed to be of 'good to moderate' quality (Grade 3) but this is not specified further. However, the area of land subject to the proposal is not considered to constitute 'significant' development and therefore the loss of agricultural land is not considered to be unacceptable in this instance.

b) Density, design and impact upon the character and appearance of the surrounding area

The application site extends to an area of just over 1.8 hectares and up to 45no. residential dwellings are proposed. This would equate to an overall development density of some 25 dwellings per hectare. Within the surrounding locality, development is predominantly ribbon in its form, following the line of West Street out from the village to the west. This is with the exception to the south-east of the site, whereby recent expansion of the village has taken place through the development of an allocated site – Cuckoo Close. For comparison, this nearby development site extended to an area of some 2 hectares and resulted in 34no. dwellings. This therefore has a development density of some 17 dwellings per hectare.

Taking into account this neighbouring and nearby development form, it is considered that the density of development proposed is wholly inappropriate. The number of dwellings proposed could only be achieved through a form and layout of development which appears wholly at odds and incongruous within its setting, and which fails to respect the edge of village location with open countryside beyond.

Furthermore, the proposal makes no consideration or provision for the essential on-site infrastructure/services and buffers which are necessary to address the various constraints and policy requirements of the development. This includes:

- i) Public open space – based upon the adopted standards set out within Policy PP14 of the Peterborough Planning Policies DPD (2012), a minimum of 0.3 hectares of on-site public open space is required to meet the needs of the development;
- ii) Surface water drainage – notwithstanding the comments set out below, an attenuation basin of some form would likely be required;
- iii) Ullettes Drain – The Welland and Deepings Internal Drainage Board (IDB) has a byelaw of 9 metres surrounding its drain which precludes any structures from being constructed within it;
- iv) Pumping station – Anglian Water has advised that a 15 metre off-set of any dwelling is required (cordon sanitaire) to their pumping station to the north-west of the site as dwellings within this area would be subject to unacceptable impacts arising from odour etc.;
- v) Ecology and trees – As set out below, buffers to features of ecology potential and trees surrounding the site would be required; and
- vi) Open countryside – To preserve the setting of the open countryside to the south of the site, and transition any development from this into the village, a suitable buffer would be required.

Officers consider that these constraints could further reduce the developable area of the site by up to 0.4 or 0.5 hectares. Therefore, to place up to 45no. dwellings within such an area would increase the density to somewhere in the region of 35 dwellings per hectare which is a density generally found within an urban setting, not the edge of a rural village.

On this basis, it is not considered that the Applicant has sufficiently demonstrated that up to 45no. residential dwellings could be acceptably accommodated within the site as such a form/density of development would result in unacceptable harm to the character, appearance and setting of the village and surrounding area. The proposal is therefore considered to be contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.

c) Access and highway implications

As detailed within Section 1 above, the proposal seeks outline permission with all matters reserved which includes vehicular and pedestrian access to the site, as well as the internal road and parking layout. As such, it should only be considered as to whether or not the proposal would have an unacceptable impact upon the surrounding public highway network in terms of traffic generation, would make adequate connections to the existing village, and can be safely accessed by both vehicles and pedestrians.

In terms of traffic generation, the application has been accompanied by a Transport Statement. Whilst this considers a far higher number of dwellings proposed (74no. in total), it has not been requested that this be revised as the impacts would be less from the reduction in dwellings proposed. Whilst the Local Highway Authority (LHA) considers that the modal share predictions for private car trips is lower than what would generally be expected from such a site, they do not consider that this would have a significant impact upon the likely impacts arising from the development and not to such a degree that they would be unacceptable. Accordingly, whilst the proposal would generate additional trips to/from the site it is considered that the surrounding public highway network could accommodate this.

It is noted that several local objectors have raised concern with regards to the capacity of West Street and the surrounding highway network, particularly in terms of queues at peak times, however as the LHA has raised no objections in this regard it is not considered that a reason for refusal on this basis could be sustained.

Notwithstanding this position, the LHA has requested that mitigation measures be secured to try and reduce the reliance of future occupants upon the private car. This mitigation would be in the form of new/upgraded bus stops outside the site, as well as improvements (in terms of width and surfacing) of the footway along the site frontage which links to the village to the east. Such measures could adequately be secured by a legal agreement which Officers have not entered into as the proposal is considered unacceptable in other respects.

With regards to the vehicular access to the site, it is proposed for this to be taken from West Street to the north of the site. Whilst no details have been provided indicatively at this stage, it is considered that safe and adequate access could be achieved.

Finally, it is noted that the Applicant proposes to provide a link to the public right of way which runs to the south-west/west of the site, through the arable field immediately adjacent and on to the Primary School. However, at no point does the application site directly connect to this right of way and therefore any connection would be reliant upon third party land which cannot be secured/guaranteed by the Applicant. As such, it cannot be considered that this link is feasible. Notwithstanding this, and whilst such a link would provide a more direct route for users to the existing village facility, safe and convenient pedestrian access to the village can readily be secured along West Street.

On this basis, it is considered that safe and convenient access for vehicles and pedestrians could be achieved and any increased traffic generation could be safely accommodated without detriment to the surrounding public highway network. Mitigation could be secured to try and reduce the reliance of future occupants upon trips by private car. Accordingly, it is considered that the proposal is in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policy PP12 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time.

d) Ecology and trees

As set out in Section 1 above, the majority of the site is presently part of a larger arable agricultural field which has been subject to intensive farming for a number of years. It is however bound in parts by mature hedgerow, trees and the Ulletts Drain.

Ecology

In terms of the ecological impacts arising from the development, the application has been accompanied by an Extended Phase 1 Survey and Preliminary Ecological Appraisal dated July 2017 and the City Council's Wildlife Officer has advised that the assessment and conclusions contained therein are accepted. This ecology report identifies suitable habitat and features to be present on the site which have the potential to support protected species including great crested newts, reptiles, water voles and bats, and it makes clear recommendations for further detailed survey work to be carried out (during autumn 2017 and spring 2018).

The Wildlife Officer requires that these assessments be undertaken before the current application is determined in order to determine whether the proposed level of development is acceptable. This is noted and the Applicant has requested that the determination of the application be delayed further to allow for the surveys to be carried out. However, Officers consider that a precautionary approach could be taken in this regard given that the current application reserves all matters for future consideration. The presence, or otherwise, of protected species would not be sufficient grounds on which to preclude development in its entirety, and further detailed ecology surveys could be a requirement of future reserved matters applications to ensure that the eventual layout of the development adequately mitigated and prevent harm to habitats/protected species. In addition, Officers have already permitted a considerable extension to the determination period of the application to allow the Applicant to revise the proposal, and to extend the period further would not be appropriate given the number of interested local residents.

On the basis of the above, the lack of further survey work is not considered to be a matter on which a reason for refusal could reasonably be sustained.

Trees

The application has been accompanied by an Arboricultural Survey and constraints assessment, the conclusions of which are accepted by the City Council's Tree Officer. There are no trees within the actual application site itself, albeit there are a number of trees to the site boundaries, the most notable of which are to the south-west. There is also another notable tree to the site frontage with West Street, an Ash. However, this tree has been assessed as being of poor quality with a limited life expectancy and should therefore be removed. The Tree Officer raises no objections to this.

It is considered that any future site layout could provide a suitable buffer to off-site trees such that no harm results. Similarly, any layout could also ensure that significant overshadowing, apprehension and leaf littering was minimised to prevent future pressure for pruning which may harm the integrity/structure of trees. To secure this, the Tree Officer requests that a detailed Arboricultural Protection Plan and Method Statement be required alongside future reserved matters applications. This is considered necessary to ensure that no loss of key features of landscape value result, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP29 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded only limited weight at this time.

e) Drainage and flood risk

Surface water drainage

As the proposal constitutes 'major' development, the provision of Sustainable Drainage Systems (SuDS) is a requirement to deal with the surface water drainage of the site. The application has been accompanied by a Drainage Strategy which sets out the different options for dealing with surface water drainage – either through infiltration or direct discharge into the Welland and Deepings Internal Drainage Board (IDB) Ullettes Drain. However, neither proposal has been investigated or designed to a sufficient degree that the principle can be accepted by the City Council's Drainage Engineer.

With regards to infiltration, there are outstanding issues with regards to whether this can be achieved. Whilst infiltration testing was undertaken to inform the Drainage Strategy, it was not undertaken to a depth sufficient to allay the concerns of the Drainage Engineer. In addition, by virtue of the adjacent West Street Garage, there is potential for ground contamination which may preclude infiltration owing to the risk to ground and controlled waters. In terms of connection to the Ullettes Drain, no confirmation that this is agreed by the IDB has been provided and as such, this cannot be considered as a potential measure at this time.

On this basis, the application has failed to demonstrate that surface water drainage from the site would be adequately managed so as to not pose an unacceptable flood risk either to the site itself or those which surround it. On this basis, the proposal is contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011), the Peterborough Flood Water Management SPD (2012) and emerging Policy LP32 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded only limited weight at this time.

Flood risk

The application site is located within Flood Zone 1 however, due to the size of the development it must be accompanied by a Flood Risk Assessment, the purpose of which is to ensure that the development does not increase flood risk elsewhere. It is noted that some of the objections received from local residents have raised issues of historic flooding to properties neighbouring the application site and concern that the proposal would worsen this situation. The City Council's Drainage Engineer requested that the FRA consider these historic incidents of flooding and investigate their cause to ensure that no worsening results from the development. However the submitted FRA has failed to address this and accordingly, the Drainage Engineer has raised objection.

ON this basis, there is concern that the proposal could worsen existing flooding issues surrounding the site which would be contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011) and paragraph 103 of the National Planning Policy Framework (2012).

Foul drainage

Anglian Water Services has confirmed that both the Waste Water Treatment works and sewage network which would accommodate this development have sufficient capacity.

f) Neighbour amenity

Given that the layout and appearance of the proposed dwellings are reserved at this time, it is not possible to undertake a comprehensive assessment of the impact upon neighbour amenity. However, the required easement to the Ulletts Drain required by the Welland and Deeping IDB abuts the shared boundary with No.85 West Street and this, along with a carefully designed layout would be sufficient to ensure that adequate levels of separation are provided to No.85 West Street. Similarly, any future layout could ensure that adequate separation is maintained to No.119 West Street. Such separation would ensure that no unacceptable levels of overshadowing, overbearing or overlooking impact.

It is therefore considered that the proposal would not result in unacceptable harm to the amenities of neighbouring occupants, and is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.

g) Archaeology

The City Council's Archaeologist has advised that the application site is likely to contain relatively undisturbed buried archaeology as it is located within an area of high archaeological importance. The presence of ridge and furrow remains to the north and east of the proposed development site confirms that the area was part of the medieval open fields of the historic village of Helpston until enclosure. However, findings of early medieval pottery and the complex history of Torpel Manor to the west would indicate an earlier origin for the scheduled manorial site to the west. Although presently unknown, early medieval and medieval remains may extend further to the east to include the proposed development site. In addition, given the presence of King Street (to the north), the presence of Roman remains should not be excluded.

Given the undeveloped nature of the site, any potential buried assets are expected to have survived in reasonably good conditions of preservation, notwithstanding some degree of truncation of upper deposits caused by farming from the medieval period. To ensure that no harm to, or loss of, these potential undiscovered buried heritage assets, the Archaeologist has requested that evaluation by geophysical survey and trial trenching be secured by condition. This is considered appropriate and necessary to ensure that the development accords with paragraph 128 of the NPPF, Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded only limited weight at this time.

h) Infrastructure

It is noted that a number of objections have raised concern with regards to the lack of infrastructure within Helpston and, in particular the lack of school place and open space.

The City Council has an adopted Community Infrastructure Levy (CIL) which is a fee chargeable upon all new residential floorspace above a certain threshold. The current proposal would fall under this levy and this would make financial provision to meet the infrastructure needs arising from the development, used to fund (amongst other matters: transport schemes; flood defences; schools; hospitals; and other health and social care facilities.

The only matters which fall outside the remit of CIL are development-specific off-site highway works (discussed above), public open space provision and affordable housing.

Turning first to affordable housing, the Applicant proposes to meet the Council's adopted policy requirement of 30% affordable housing as set out under Policy CS8 of the Peterborough Core Strategy DPD (2011).

With regards to public open space, no details as to the provision to be made on-site have been provided. However, under the Council's adopted open space standards (Policy PP14 of the Peterborough Planning Policies DPD (2012), provision of 0.3 hectares of on-site open space, which includes a localised equipped area of play (LEAP) would be required. In addition, an off-site financial contribution towards the Bainton allotments, of some £1,866 (plus 5 years maintenance costs) would be required.

Whilst the Applicant has not refused to make the above contributions, these would normally be secured by a Section 106 Legal Agreement. Officers have not undertaken to secure such an agreement as the development has been considered unacceptable in other respects. Whilst this is a decision taken by Officers, the failure to secure these contributions results in the development failing to accord with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP14 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time.

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 Director of Growth and Regeneration recommends that Outline Planning Permission is **REFUSED** for the following reasons:

- R1 The application site is located outside the identified settlement boundary of the Limited Growth Village of Helpston, and is therefore within the open countryside. The proposal seeks up to 45no. open market dwellings with only the policy requirement level of affordable housing provision as set out in Policy CS8 of the Peterborough Core Strategy DPD (2011). The proposal would therefore fail to meet with the exception provisions contained within Policy CS1 of the Peterborough Core Strategy DPD (2011), which strictly controls development within the open countryside, and is unacceptable in principle.
- R2 The proposal would represent a form of development which is considerably denser than the established built form of the surrounding area and wider village. Furthermore, the submission fails to adequately consider the space required for the necessary public open space and drainage infrastructure, as well as considering the required ecology, tree and open countryside buffers which are essential. Accordingly, the proposal would result in a form of development which appears wholly at odds, incongruous and unduly dominant to its surroundings and which causes unacceptable harm to the character, appearance and setting of the locality, contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version).
- R3 The proposal fails to demonstrate that surface water run-off arising from the development can be adequately managed so as to not pose an unacceptable risk of flooding either on the site or elsewhere. Furthermore, the proposal fails to take account of historic incidents of flooding within the immediate locality and demonstrate that the proposal would not worsen such flood risks. On this basis, the proposal is contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011), paragraph 103 of the National Planning Policy Framework (2012) and the Peterborough Flood Water Management SPD (2012).
- R4 The application proposal fails to make provision for additional infrastructure and community facilities in terms of securing affordable housing, off-site highway works and public open space, which are necessary as a direct consequence of development. The proposal is therefore contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), the Planning Obligations Implementation Scheme SPD (2010) and emerging Policy LP14 of the Peterborough Local Plan 2016-2036 (Submission Version).

Copy to cllr. David Over

Appendix A – Objector photographs



Photograph 1: *Flooding in the garden of 119 West Street, 10/07/2018*



Photograph 2: *The border between 119 West Street, Helpston and proposed area for development in 17/01448/OUT, showing flooding on the lower-level land of 119 West Street, 10/03/2018*



Photograph 3: *Further evidence of flooding at 119 West Street, Helpston on its border with the proposed area for development in 17/01448/OUT, 10/03/2018*

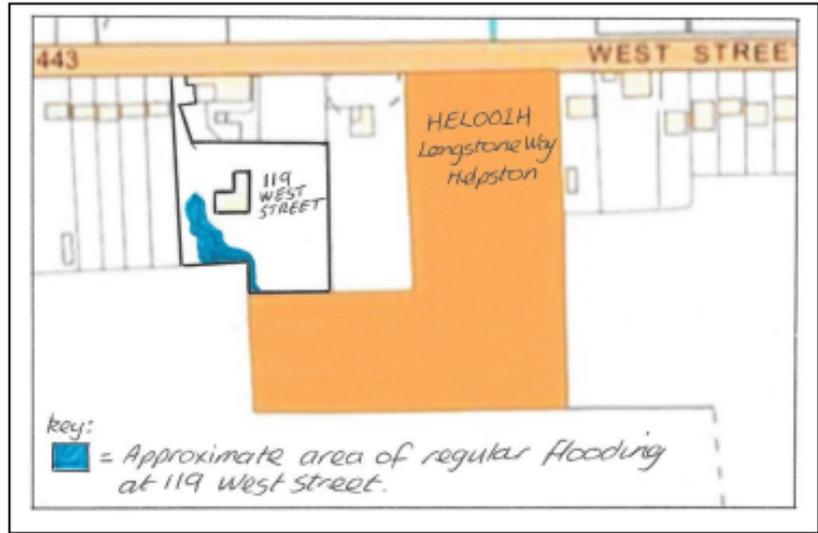


Figure 1: diagram to show approximate area of flooding at 119 West Street. HEL001H 'Longstone Way Helpston' is the area proposed for development in application 17/01448/OUT 'Land to the West of 85 West Street, Helpston.



Photo 1: 25/11/2012



Photo 2: 29/04/2012



Photo 3: 09/03/2016

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Application Ref: 17/02464/FUL

Proposal: Construction of 67 dwellings including access, open space and associated infrastructure

Site: Land At, Guilsborough Road, Eye Green, Peterborough
Applicant: Mr C Wickham, Westleigh Partnerships Ltd.
Agent: Mr Alan Hardwick, RG and P Ltd

Referred by: Eye Parish Council and Councillor Allen
Reason: Concerns of overdevelopment in relation to: traffic and highways impacts; harm to the Eye Green Nature Reserve; lack of village infrastructure; and drainage

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 parcel of vacant scrub land, formerly used as a brickworks albeit there is little or no indication of this previous use remaining above ground. Accordingly, the site represents previously developed 'brownfield land'. The site extends to an area of approximately 3.17 hectares and part is allocated for housing development under the provisions of Policy SA5.4 of the Peterborough Site Allocations DPD (2012). The site also benefits from outline planning permission for the construction of up to 55 dwellings, approved by an Inspector on appeal in July 2015.

The site is located in a prominent position to the east of the principal entrance to Eye Green, Crowland Road, and is bound to the south by the A47 and the north, in part, by Guilsborough Road and residential dwellings off Pershore Way. To the north and east of the site, is the Eye Green Local Nature Reserve (LNR) and Eye Green County Wildlife Site (CWS) which also extends into the eastern-most part of the application site.

Proposal

The application seeks full planning permission for the construction of 67no. residential dwellings with associated access (roads and footways), public open space and other infrastructure including drainage.

The application scheme has been amended slightly from that which was originally submitted, to address comments raised by Officers and the Local Highway Authority in respect of the layout, to make provision for an area to accommodate a Localised Equipped Area of Play (LEAP) and to address the concerns of the City Council's Drainage Engineer.

2 Planning History

Reference	Proposal	Decision	Date
13/00006/SCREEN	Request for EIA Screening opinion for the construction of up to 55 dwellings	Comments	03/09/2013
14/00857/R4OUT	Residential development for up to 55 dwellings, means of access, open space and associated works	Allowed at appeal	16/10/2014

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 - Economic Growth

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

Section 4 - Assessment of Transport Implications

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

Section 7 - Good Design

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

Section 11 - Re-use of Previously Developed Land

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

Section 11 - Biodiversity

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

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

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

Section 11 - Noise

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

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.

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.

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS19 - Open Space and Green Infrastructure

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Site Allocations DPD (2012)

SA04 - Village Envelopes

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

SA05 - Key Service Centres

Identifies the sites within the Key Service Centres which are allocated primarily for residential use.

Peterborough Planning Policies DPD (2012)

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP14 - Open Space Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP20 - Development on Land affected by Contamination

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

Peterborough Local Plan 2016 to 2036 (Submission)

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

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 this 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.

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP08 - Meeting Housing Needs

a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP13 - Transport

a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP14 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development. Developers will be expected to contribute toward the delivery of relevant infrastructure.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

a) Amenity of Existing Occupiers- 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.

b) Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP21 - New Open Space, Sport and Recreation Facilities

a) New Open Space, Outdoor Sport and Recreation Facilities- Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on site provision.

LP28 - Biodiversity and Geological Conservation

Part 1: Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP33 - Development on Land Affected by Contamination

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

LP39 - Large Village Allocations

Identifies the sites within the large villages which are allocated primarily for residential use.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and

- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

PCC Wildlife Officer (27.03.18)

No objections - The proposal would result in the loss of approximately 0.5 ha of Eye Green Gravel Pit County Wildlife Site (CWS) and can therefore be expected to have a direct negative impact upon features for which that site is designated. A scheme for compensatory habitat creation has taken place off-site to mitigate the impacts to the CWS and associated Open Mosaic Habitat (OMH) but there is also a requirement for the Developer to enhance the eastern area of the application site to the benefit of OMH plants and invertebrates (see previous outline permission). The proposed layout would appear adequate in principle to achieve this and would request a condition securing a detailed Ecological Landscape Management Plan.

The proposal would also likely result in negative impacts to the Eye Green Local Nature Reserve (LNR) which is located adjacent to the site. Adequate measures should be put in place to ensure no contamination occurs, such as those secured on the previous outline permission. It is also required that the financial contribution previously secured to be invested into the LNR be re-secured.

Previous investigations on the site identified that Great Crested Newts, Bats, Hedgehogs, nesting birds and Water Voles would be directly affected by the proposed development and therefore an Ecological Mitigation Strategy (as previously secured) is again required.

Other biodiversity enhancement measures such as bird nesting and bat roosting features are required and could be secured by condition.

In addition, whilst the loss of the car park to serve the nature reserve (previously secured by the outline permission) is understood, a layby providing some visitor parking should be provided.

PCC Landscape Technician (29.03.18)

Objection - Pleased to note the inclusion of an area for the creation of a Play Area (LEAP) within the development however the Council's adopted open space standards require the provision of 0.31ha of neighbourhood park and equipment for a LEAP. In addition, off-site financial contributions of £3,506.88 towards the Eye Green allotments and £23,892.96 towards the Eye Green Nature Reserve are requested.

The City Council does not wish for the creation of a car park facility for the Eye Green Nature Reserve, however a layby for the provision of 6 cars within the adoptable highway is requested.

Full and detailed landscape specification plans for the onsite public open space/amenity landscape areas, will need to be secured by condition.

Archaeological Officer (03.04.18)

No objections - Despite the presence of an Anglo-Saxon cemetery immediately to the north, given the expected degree of truncation caused by former mineral extraction associated with the Northam Brickworks, only archaeological monitoring of all groundwork is recommended.

PCC Pollution Team

No comments received.

PCC Peterborough Highways Services (10.04.18)

No objections – Concerns previously raised in respect of the submitted Transport Statement and layout have been addressed through the revised drawings/supplementary transport information. Request conditions requiring details/provision of the access from Guilsborough Road (similar to condition C8 of the earlier outline permission), provision of a cycle route to the existing overbridge which is part of the Green Wheel cycle network (as previously subject to condition C9 of the earlier outline permission), Construction Management Plan, highway connection before occupation, and parking/turning provision and retention.

Lead Local Drainage Authority (03.04.18)

No objections - Encouraged to see the use of SuDS to manage the quantity and quality of surface water onsite. Request that details be secured by condition to include: confirmation from the IDB regarding the rate of discharge into their system; overland flood flow and exceedance routes; conveyance routes to the swale; maintenance plan; ownership details of all assets; and technical details of all assets.

We note the concerns relating to flood risk in the village however surface water from the development is to be managed at greenfield rates and run away from Crowland Road. The Drainage Strategy shows foul water manholes to be located in private permeable paving. The Developer may wish to reconsider relocating these as they could become a maintenance liability in the future.

Waste Management (09.04.18 and 10.04.18)

No objections – The tracking information provided is acceptable and demonstrates that a PCC refuse vehicle could service the development. However, it is unclear as to whether the bin collection points are large enough to accommodate at least 2 bins and 1 food waste caddy per property.

PCC Minerals And Waste Officer (Policy) (24.01.18)

No objections - The proposal is adjacent to, but not within, a Minerals Safeguarding Area.

PCC Tree Officer

No comments received.

PCC Lifetime Homes

No comments received.

Building Control Manager

No comments received.

PCC Travel Choice

No comments received.

PCC Strategic Housing (29.03.18)

No objections - The proposal would provide an acceptable number of affordable dwellings to meet the 30% requirement of Policy CS8 of the Peterborough Core Strategy. In addition, the proposed tenure mix (12 x 2-bed and 9 x 3-bed dwellings) is a true reflection of the housing need in the area. This should be further broken down into a mix of 70% affordable rented dwellings and 30% intermediate tenure dwellings.

Please also be mindful that 20% of units should be to lifetime homes standard, and 2% should be wheelchair housing.

Highways England (02.02.18)

No objections.

North Level District Internal Drainage Board (06.02.18)

No objections - The SuDS proposed will require approval by Peterborough City Council and a development levy will be payable for dealing with any increase in run-off into the Board's Northolme Drain.

GeoPeterborough (Sites Of Interest)

No comments received.

Peterborough Cycling Forum (04.04.18)

Objection - The Cycle Forum believes that every effort should be made to encourage residents to access local facilities by cycle. This should include encouraging children to cycle from a young age. It is essential that the route must be convenient and safe. Wherever possible, the shortest and most direct possible route should be made to make travel by cycle quicker than by motor vehicle.

The Transport Statement notes a footbridge provides a safe and direct connection across the A47 to local services in Eye. However the plans include no direct access to this footbridge from within the development. The Forum therefore requests the provision of a shared use cycle/footpath across the green space at the north-western corner of the site to link to the footbridge.

There are also many facilities at the nearby service station and the Cycle Forum considers it highly desirable to install a pedestrian/cycle crossing on Crowland Road on the southern arm of the Crowland Road/Guilsborough Road roundabout. It is noted that Peterborough City Council does not want the proposed car park to be provided. Therefore the cost of this should be given over to provide/contribute towards this crossing.

Whilst installation of this crossing should be a priority, consideration should also be given to installing raised tables to provide traffic calming on the eastern and western arms of the roundabout to improve safety for pedestrians and cyclists.

Environment Agency (29.03.18)

No comments - The proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee.

Natural England (29.03.18)

No objections - The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

If the proposal is undertaken in strict accordance with the details submitted, it is not likely to have a significant effect on the interest features for which the Nene Washes Ramsar, SAC, SSSI and SPA have been classified.

The proposal is also within an area that Natural England considers could benefit from enhanced green infrastructure provision and would encourage incorporation of this into the development.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife. Such measures could be secured if the Local Planning Authority is minded to grant permission. In addition, the application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment through green space provision and access to/contact with nature.

Police Architectural Liaison Officer (PALO) (27.03.18)

No objections - Happy to support the development as the design and layout proposed should mitigate against vulnerability to crime. This area of Peterborough does suffer from burglary so we would welcome consultation with the Developer should approval be given. Consideration should also be given to the principles of Secured by Design as we believe the proposal could meet the requirements of Gold certification.

Cambridgeshire Fire & Rescue Service

No comments received.

Anglian Water Services Ltd (09.02.18)

No objections - The foul drainage from this development is within the catchment of Flag Fen Water Recycling Centre which does have capacity for these flows. Request a condition securing a foul water strategy to ensure no unacceptable risk from foul water flooding.

Local Residents/Interested Parties

Initial consultations: 59

Total number of responses: 12

Total number of objections: 12

Total number in support: 0

Two rounds of public consultation have taken place in respect of the proposal. During the **first round**, a total of 10no. objections were received from local residents on the following grounds:

Principle of development

- The size of the land is not large enough to accommodate the extra number of houses. It has already gone from 33 to 55, and now 67. The idea of 35 houses is good, 55 is a push and 67 is just ridiculous.
- If at all, the site is more suited to a small industrial use.

Ecology

- Looking at the map, the extra land required would eat into the nature reserve and the path that circles the lake. The reserve is a protected area, how is it protected if part of it is used for housing?
- The nature reserve would deteriorate more. As it is there are piles of rubbish and dog poop around the lake, not to mention the (unlicensed?) fishermen and the scorched earth where there have been barbecues. The additional housing would only increase this problem and deteriorate the reserve further, as well as increasing the carbon footprint around the lake.
- The wildlife within the nature reserve will move away.
- Many of the residents of Pershore Way have cats and they have devastated the rabbit and bird population in the reserve over the past 15 years.
- As owner of the adjoining land, I have been heavily involved in managed farm land for wildlife. In 2016, the RSPB carried out a survey across the farm and a turtle dove was recorded on the north side of the reserve. These birds are endangered and this habitat is valuable to them, along with many of our smaller birds. Whilst the value of the great crested newt etc. is appreciated, we should be looking at the greater picture.

Highways

- Guilsborough Road has only one entrance and exit which will not be large enough to accommodate the 134 additional vehicles. That is providing that every household has only two cars. That figure does not take into account the added number of visitors that come and park to walk around the lake. As it is, emergency services have had difficulty getting down Guilsborough Road and Pershore Way, so increasing the housing will only make matters worse.

- Assume you have chosen this plot of land for development as none of you live near this and don't have to try and negotiate the already overly busy and dangerous junction when trying to travel into/out of the village, crossing the A47.
- Goodness knows how many more cars will be added to the village. We are no longer safe on the roads as it is - people race through the High Street and speed bumps don't deter them.
- Concerned about congestion during the rush hour. I (resident of Pershore Way) already struggle in the morning with dog walkers parked on Guilsborough Road. With 67 new homes this will add significant traffic congestion in the area. Access from just Guilsborough Road is not sufficient for the new estate and additional access onto A47 is needed.
- The parking provision for the nature reserve is not sufficient as upwards of 20 cars are often parked in the road in the summer. This will become additional parking for the residents, and visitors to the reserve will park on Guilsborough Road and Pershore Way causing access problems.

Infrastructure

- Eye village does not have the infrastructure to accommodate the additional 67 houses and families along with the other planning permission to build an extra 200 plus houses at the other end of the village. The village itself has a few shops, one pub, a few restaurants, one doctor's surgery, one dentist and a small school that is close to over-capacity.
- The development will place additional pressure on the existing old sewage system.
- Please send details for the new doctor's surgery and school extension. Obviously you will have planned these already as no self-respecting Council would keep building more houses without these key infrastructure plans in place.

Other matters

- During the summer months the lake is an attraction to swimmers despite warning signs. There have already been a number of deaths related to swimming in the lake and it only goes with common sense that the additional families around the lake would mean that the probability of more swimming-related deaths occurring would increase.
- The additional number of cars in the area will harm air quality.

During the **second round** of consultation, two further objections have been received from local residents (both of whom had previously written in). Both objectors have reiterated previous objections and the following were raised additionally:

- Will local house prices decrease? Views we (resident of Pershore Way) have paid for will be lost.
- People already park outside our (Pershore Way) house and this may be associated with needles found within the lake area. Are we going to get residents only parking down Pershore Way due to Guilsborough Road now being used as access to the new housing?

N.B. At the time of preparing this report, the revised public consultation period has not ended and therefore any further objections will be presented to Members in the Briefing Update Report.

Councillor Allen has also raised objections to the proposal as follows (please note that these objections relate to the originally submitted scheme):

- The site has seen the original plans for 35 houses being increased to 55 and approved at appeal. Now the revised application shows a further increase to 67. I have well-founded concerns with regards to overdevelopment of the site.
- This is compounded by the incursion of the development into the adjoining Nature Reserve with the revised plans taking in land from the established buffer zone.
- The application shows no provision for a children's play area and appears to rely on the buffer zone being the only amenity green space allocation. It is important that the integrity of the established nature reserve is not in any way threatened by allowing the developers to suggest the green space is considered as a play area for the housing.

- Of further concern with the land grab is the heritage pond area being included in the intended development site. The pond is a habitat for great crested newts with a wall at the rear of the pond bearing a plaque recognising the location's connection with the former brick works on the site.
- -The additional traffic that will be decanted onto the A47 from the A1139 Crowland Road will see further gridlock for Eye residents. The roundabout is already under pressure from the current flow.
- Clearly at some stage in the near future the A47 Eye bypass must be widened. This will be essential in order to alleviate the increased traffic flow problems from the relentless demand of new housing developments in the area. Yet the proposed development fails to recognise the need for land to be allocated to allow for this; with no clear evidence of any buffer strip being in place between the location of the proposed houses and the existing road to allow for the widening.
- Eye is yet again finding itself with increased housing development without any apparent infrastructure upscale. Road improvements, school capacity and of course the availability of doctors need to be addressed. Although the latter is notionally outside the remit of planning decision, the issue must be a prime concern before this application can be approved.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Density, layout, design and impact upon the character and appearance of the surrounding area
- Ecology
- Access, parking and highway implications
- Amenity provision
- Drainage and flood risk
- Archaeology
- Public open space and infrastructure
- Contamination

a) Principle of development

As detailed in Section 1 above, part of the 3.17 hectares of the application site is allocated for residential development under the provisions of Policy SA5.4 of the Peterborough Site Allocations DPD (2012). As part of this allocation, the policy indicates that construction of 35 dwellings may be appropriate. Notwithstanding this allocation, the site benefits from outline planning permission for the construction of up to 55 dwellings which was allowed on appeal following refusal of application reference 14/00857/OUT. This permission is extant (i.e. live) and, subject to submission of a further reserved matters consent application, could be built out. It therefore constitutes the 'fall-back' position and is a material consideration in the determination of this application. It should be noted that, with the exception of a parcel of land to the far east of the site (running along the southern boundary of the lake), the red line boundary of this outline permission is the same as that currently proposed.

In addition, as detailed in Section 3 above, the emerging Peterborough Local Plan 2016-2036 has recently been submitted to the Secretary of State for consideration and may therefore, dependent upon a number of factors, be afforded weight in decision-making. Within this emerging plan, the application site in its entirety, is proposed for allocation under Policy LP39.3. Whilst this policy as a whole has received considerable objection, the proposed allocation itself has not and therefore may be afforded weight in assessing this proposal. This allocation, following the extant outline permission, indicates that the construction of 55 dwellings may be appropriate.

In light of the existing and emerging allocations, and the extant outline planning permission, it is considered that the principle of residential development on this site is acceptable. It is acknowledged that the proposal seeks a greater number of dwellings than the allocations indicate and permission allows for – 67no. residential dwellings which represents an increase of 12 from the fall-back position. This increase in dwelling numbers forms the basis of many of the reasons for objection raised by local residents. The impacts arising from the increase are the key issue in determining whether the proposal is acceptable in the planning balance, including the benefits arising through increased housing provision to meet the Council's target for new homes during the plan-period and economic growth through job creation.

b) Density, layout, design and impact upon the character and appearance of the surrounding area

It is acknowledged that the application site is located at the edge of the Eye Green, and occupies a prominent position at the entry to the village. In terms of the density of the development proposed, the proposal would represent a density of 21 dwellings per hectare. Whilst at the edge of the village, the site is bound by the relatively hard and urban form of the A47, with the built form of Eye to the opposite side of this trunk road. The submitted layout would provide for a more dense layout to the east of the site (abutting the existing built form of the village and the service station) with a mixture of semi-detached and terraced dwellings, whilst a less dense form with larger detached dwellings would be to the northern and western parts of the site (which abut the Eye Green Local Nature Reserve with the open countryside beyond). It is considered that this density spread adequately responds to the context of the site and its surroundings.

In terms of its layout and design of the proposal, it is considered that the proposal sufficiently responds to the constraints and shape of the site. The development would provide active frontages to the northern, eastern and southern site boundaries, and would integrate with the existing residential development off Guilsborough Road/Pershore Way. To Crowland Road, an area of landscaping would screen the development and introduce a soft verdant entrance to the village. The exact detail of this landscaping is unknown at this time however this could be secured by condition. Subject to appropriate and relatively dense planting, it is considered that this landscaping would frame the entrance to the village and represent a significant improvement upon the current appearance of the streetscene.

Turning to the design of the dwellings, these would be relatively standard to many new residential estates within the City. However the scheme does propose to include less suburban design touches including wooden porches, decorative soldier coursing, bay windows and decorative lintels. Whilst Eye Green itself does not have any particularly strong local vernacular, it is considered that this overall design appropriate is appropriate and would ensure that the development does not appear incongruous or alien within its setting.

Overall, it is considered that the density, layout and design of the proposal development is such that it would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area. Accordingly, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

c) Ecology

Designated sites

As detailed above, the application site abuts the Eye Green Local Nature Reserve (LNR) and incorporates part of the Eye Green Gravel Pit County Wildlife Site (CWS) which includes, in particular, an area of Open Mosaic Habitat (OMH) suitable to invertebrates. It is noted that a number of objections have been received in respect of loss of and harm to these ecology assets and this forms one of the key considerations of the proposal.

As with other material planning considerations, the fall-back position is of relevance to the impact of the proposal upon these designated sites, as the loss of part of the CWS and the OMH has previously been considered and found to be acceptable. In the granting of outline planning permission on the site (for the construction of up to 55 dwellings), the Inspector concluded that development in close proximity to the eastern site boundary was acceptable as the natural topography would allow for a narrow buffer (narrower than the current site allocation allows for) on part of the CWS which has limited value to the public enjoyment of nature conservation. In reaching this view, the Inspector gave considerable weight to the planning benefits proposed by the development which included the off-site creation of replacement OMH (of no less than 0.5 hectares), transfer of a pond and surrounding land adjacent to the lake to the Council for inclusion within the CWS and creation of a car park for use by visitors to the LNR which was to be transferred to the Council.

The current proposal seeks to maintain the eastern boundary of the site and would still provide for a narrow buffer to the lake despite additional dwellings being proposed. There would be no further encroachment upon the LNR/CWS and suitable landscaping could reasonably be secured by condition. With regards to the additional benefits/mitigation previously secured, it should be noted that the off-site OMH creation to off-set the loss of the CWS from the development has already been secured and partially implemented through the granting of planning permission 15/00901/FUL. In addition, the Applicant is maintaining the proposed transfer of the pond and surrounding land to the Council for inclusion within the CWS. However, the previously secured public car park is no longer proposed and instead, in its place, a layby within the adoptable highway for 4no. cars is proposed. [It should be noted that at the time of consulting the City Council's Wildlife Officer this layby was not shown however revised drawings have been received to show it.]

This change results from detailed discussions between Officers and the Applicant following issues regarding the transfer of the car park. Concerns were raised that the car park would likely result in increased crime and anti-social behaviour through lack of natural surveillance and lighting which would, over time, become a long-term liability for the Council and residents. As such, Officers consider that a layby within the adoptable highway, which would be maintained by the Local Highway Authority and fully lit, would be more appropriate and more usable in the long-term.

Notwithstanding this change, it is considered that the proposed enhancement/mitigation is sufficient to offset any harm resulting to the LNR/CWS and this view is shared by both the City Council's Wildlife Officer and Natural England, neither of whom have raised objections in relation to the designated sites.

Protected species

Turning next to protected species, the application has been accompanied by the ecological survey undertaken as part of application reference 14/00857/OUT (allowed at appeal) and an updated survey undertaken in December 2017. These reports identify that populations of Great Crested Newts, Bats, Hedgehogs, nesting birds and Water Voles (all of which are protected) would be directly affected by the proposed development of the site.

The Wildlife Officer has raised no objections to the proposed development despite the presence of these protected species, provided that mitigation and protection measures are secured by condition. The mitigation includes translocation of Great Crested Newts to newly created habitat within the CWS to the north of the lake; further Water Vole surveys and a mitigation strategy including enhancement measures; lighting details to ensure no harm to bat populations; protecting boundary fencing; pollution prevention measures; and biodiversity enhancement through bat roost and bird nest boxes. These measures have all previously been agreed by the Inspector in granting outline permission on the site.

It is noted that one objector has raised concerns with the proposed Great Crested New habitat creation owing to potential conflict with Turtle Doves (a UK Biodiversity Action Plan (BAP) priority species) within the locality. Any scheme for the translocation of the newts would be subject to detailed consultation with the Wildlife Officer who would ensure that any mitigation/protection for one species did not harm or prejudice populations of other protected species.

On this basis, it is considered that the biodiversity interests in and near to the site can be adequately conserved, mitigation or compensated for subject to the imposition of conditions and planning obligations. Accordingly, the proposal is in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), paragraph 118 of the National Planning Policy Framework (2012) and emerging Policy LP28 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

d) Access, parking and highway implications

Traffic generation and access

The application has been accompanied by a Transport Statement which sets out the likely traffic generation arising from the proposed development. The requirement for an assessment originally resulted from comments from Highways England during consideration of the extant outline planning permission (reference 14/00857/R4OUT) as they required assessment to consider the impacts of the traffic generation from the development and, in particular, whether it would cause queuing back onto the A47/Crowland Road roundabout.

The starting point in considering the impact arising from the current proposal in terms of traffic generation is this extant outline permission which allows for the construction of up to 55no. dwellings. During consideration of this earlier application, neither Highways England nor the Local Highway Authority raised objections as it was considered that the traffic generation arising from the proposed dwellings could be acceptably accommodated by the existing public highway network without undue harm. The current proposal seeks 12no. additional dwellings and the submitted Transport Statement indicates that this would generate a maximum trip generation (in the morning peak) of 34no. vehicular movements. The Statement also indicates that the majority of these movements (and those of the evening peak) would be to/from the A47 in a westwards direction towards the City. Whilst it is acknowledged that a significant number of the objectors have raised concerns with regards to the potential safety issues arising from these increased movements, Highways England has raised no objections and has not requested any conditions either. Therefore, it is concluded that the proposal would have no undue impact upon the A47 trunk road. In terms of the wider public highway network, the LHA are accepting of the traffic data provided and raised no objections in terms of impact upon the City Council's highway network.

With regards to the sustainability of the application site, it is acknowledged that the site is located more than 400 metres from the nearest bus stop which is further than the LHA would usually accept. However, this was previously not raised as an issue in granting outline permission on the site, or in its allocation. Whilst the proposal would result in more dwellings located this distance from the bus stop, it is not considered that 12no. dwellings in themselves triggers the need to create a new bus stop given that one was not sought as part of granting outline permission on the site.

In addition, it is noted that the Peterborough Cycle Forum have advised that the proposal should provide a cycle connection to the nearby/adjacent footbridge across the A47 trunk road, as well as provide a new dropped crossing to the southern arm of the Crowland Road/Guilsborough Road roundabout. With regards to the cycle connection, this request has also been made by the LHA to improve connectivity to the Green Wheel cycle network. This was a requirement of the extant outline scheme and therefore, Officers have sought revised drawings to show sufficient space for this cycle connection. Revised drawings are awaited and Officers will provide an update in this respect within the Briefing Update Report. Turning then to the dropped crossing, there are already crossings to the eastern and northern spurs of this roundabout which provide a safe route across to the nearby services. Therefore, it is not considered that a further crossing can be justified as being reasonably necessary to make the current development acceptable.

Parking and highway layout

The proposal, as with the extant outline permission, seeks to take access from Guilsborough Road and would maintain the current 5 metre wide carriageway and 2 metre wide footways to either side. It is noted that some residents have raised objections to this owing to additional congestion in the mornings and requested that an alternative access be taken from the A47 trunk road. However, the Local Highway Authority has raised no objections to this access location and it has already been secured as part of the extant outline permission.

The highway layout within the development maintains this carriageway and footway layout to all proposed adoptable roads which would all provide turning heads of sufficient size to accommodate refuse and service vehicles. The LHA has raised no objections to this layout and it is considered sufficient to meet the needs of the proposed development. From these adoptable roads, private driveways would serve the remainder of dwellings. Only one would be of a length which would pose issues in terms of refuse vehicle connections – serving Plots 13-16 – however the bin drag distance here would not be significantly exceeded for occupants and tracking has been provided to demonstrate that a service delivery vehicle/emergency vehicle could access and turn within the turning head proposed. It is noted that the Peterborough Cycle Forum has requested that raised tables be provided to the eastern and western arms of the Crowland Road roundabout to reduce vehicle speeds. However it is not considered that the proposed development would trigger such a need, given that the LHA are accepting of the level of traffic generation arising from the development.

With regards to the level of parking proposed to serve the development, each dwelling would be provided with at least 2no. allocated parking spaces and, in the case of the larger detached dwellings, the majority would be provided with 3 or more parking spaces. This accords with the Council's adopted minimum parking standards. With regards to visitor parking, the proposal does not seek to provide dedicated spaces off-road, however the LHA has confirmed that this is acceptable as the highway layout has sufficient capacity to safely accommodate on-street parking without posing an undue safety risk.

Turning to the parking associated with the LNR, it is noted that many people do not consider that the loss of the proposed car park (secured under the extant permission) is acceptable and any reduction would cause significant safety dangers on Guilsborough Road/Pershore Way owing to the number of visitors at peak times (i.e. summer months). These concerns are noted however at present the LNR has no formalised parking and the proposal would represent betterment in this regard, providing 4no. bays for use clear of the carriageway. Whilst it is agreed that there can be no mechanism to prevent residential visitors from using these bays, the provision of 4no. bays is nonetheless considered a betterment to the existing situation.

On the basis of the above, the proposal would provide adequate parking and turning to meet the needs of the development, and would not result in unacceptable impact to the surrounding public highway network. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are some unresolved objections relating to this policy albeit not to those parts which apply to this development).

e) Amenity provision

Existing occupants

With regards to the impact upon existing residential occupants, notwithstanding the traffic impacts set out above, the proposal would have the most impact upon those residential dwellings which back onto Guilsborough Road (Nos. 1, 3 and 5 Pershore Way). The proposal would introduce dwellings which front onto Guilsborough Road and face towards the rear of these neighbouring dwellings. The proposal would be set approximately 17 metres from the rear gardens of these dwellings and 29 metres from the nearest primary habitable windows. These separation distances are considered sufficient to ensure that no undue overlooking or loss of privacy results to occupants. Furthermore, whilst the proposed dwellings would be sited due south of the existing dwellings, this degree of separation would be sufficient to ensure no overshadowing or loss of natural daylight/direct sunlight results.

Future occupants

Turning first to the proposed layout, the proposal would ensure that adequate back-to-back and back-to-side separation distances are provided. This would ensure that no future occupant suffers from undue levels of overbearing, overshadowing or overlooking impact. Furthermore, each dwelling is considered to benefit from an outdoor amenity area of a size commensurate with the scale of the dwelling that it serves, and which is sufficiently private. Each of the dwellings proposed would provide adequate internal living space, and would be subject to sufficient natural daylight to ensure that they offer good standards of amenity and liveability. Furthermore, adequate refuse collection points within acceptable bin drag distance would be provided, and car parking spaces would be located in close usable proximity for occupants.

Notwithstanding the above, the main issue in relation to future occupant amenity relates to noise levels on the site which directly result from the site's proximity to the A47 trunk road. As part of the extant outline planning permission, a noise assessment was approved which detailed a host of mitigation measures that should be provided to ensure that both outdoor and indoor noise levels were within acceptable tolerances. These measures included provision of a 3 metre high acoustic fence to the south-eastern and south-western corners of the site, a 2 metre acoustic fence to the remaining southern boundary, a set-back distance of 45 metres from Crowland Road for any dwellings, and no outdoor amenity areas (gardens) facing towards the A47.

The current proposal has been accompanied by an updated noise assessment which sets out alternative noise modelling and mitigation measures. To date, the City Council's Pollution Control Team has not provided comment on this revised assessment or mitigation scheme and therefore Officers are unsure as to whether this is sufficient to ensure no undue noise levels will result to future occupants. This is particularly in relation to those plots which are closest to the A47 as there is no longer a proposal to erect acoustic fencing but instead, install standard glazing and acoustic trickle vents with some acoustic fencing as the garden boundaries, rather than a fence along the entire southern boundary. Owing to current resource issues, Officers are unsure as to whether comments will be received before the proposal is heard by Members at Committee however, it is considered that notwithstanding whether the current mitigation measures are acceptable, a scheme of mitigation could reasonably be secured and therefore Officers are seeking delegated authority to resolve this matter before a final decision is issued.

Subject to securing appropriate mitigation and receiving no unresolvable objection from the Council's Pollution Control Officer, Officers consider that the proposal would afford future occupants with an acceptable level of amenity and accordingly, the proposal is in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

f) Drainage and flood risk

The application site is located within Flood Zone 1, an area of low probability of flooding. A site-specific Flood Risk Assessment (FRA) has been submitted in support of the proposal which also includes an indicative surface water drainage strategy. The FRA highlights that the site is not at undue risk from flooding from any nearby sources, and as such, it is only those risks arising from surface water run-off from the development which must be managed.

The proposal seeks to restrict surface water discharge (into the watercourse to the east of the site as it presently does) to no greater than greenfield rates of 5 litres per second. During normal rainfall events, this will be achieved through sewers beneath the adoptable roads however attenuation is required for those incidents of high intensity rainfall. As such, the proposal seeks to attenuate surplus flows through the use of oversize pipes, voided stone tanks beneath permeable paving and a detention basin to the south-eastern corner of the site. All private driveways (both individual and shared) would be construction of porous block paving and to the north-eastern corner, water would be directed via a swale down to the attenuation basin. The City Council's Drainage Engineer (Lead Local Flood Authority) has raised no objections to this proposal subject to securing the detailed design by condition. In addition, the North Level Internal Drainage Board has agreed to accept the flows from the development subject to the Developer agreeing their standard levy charge.

On this basis, it is considered that surface water will be adequately managed so as to not pose an unacceptable flood risk either on-site or elsewhere. The proposal is therefore in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP32 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are some unresolved objections relating to this policy).

g) Archaeology

The application site is located within close proximity of an Anglo-Saxon cemetery (immediately to the north). Whilst the site is likely to have been heavily disturbed/truncated by virtue of the former brickworks, the City Council's Archaeologist considers that there may be some potential for undisturbed buried heritage assets. Therefore, a condition has been requested to secure the monitoring of all groundwork. Subject to this condition, it is considered that the proposal would not pose an unacceptable risk to undiscovered buried heritage assets and is therefore in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012), paragraph 128 of the National Planning Policy Framework (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are minor objections relating to this policy).

h) Infrastructure and developer contributions

Infrastructure

It is noted that nearly all objections received, including those from Councillor Allen and the Parish Council, have expressed significant concern regarding the lack of infrastructure capacity within Eye and its surroundings to accommodate the proposed additional dwellings. These concerns are noted however the development proposed is liable under the Council's adopted Community Infrastructure Levy (CIL). This levy is a fee charged for each square metre of floor area in the new development and is used to fund a wide variety of infrastructure including transport schemes, schools, hospitals and other health/social care facilities. Therefore, the development will secure a financial contribution towards the infrastructure demands that it generates and whilst this infrastructure may not be in place before the development takes place, this cannot be used as a reason for refusing the current proposal.

Affordable housing

With regards to other contributions, the proposal seeks to provide 30% of the dwellings (a total of 21 units) as affordable houses which is directly in line with the Council's policy requirement set out in Policy CS8 of the Peterborough Core Strategy DPD (2011). Of these units, it is proposed for a mix of 12no. 2-bed dwellings and 9no. 3-bed dwellings. The City Council's Strategic Housing Officer has confirmed that his mix is appropriate and a true reflection of housing need in the area. In addition, the proposed units should be split into a tenure mix of 70% affordable rented and 30% intermediate tenure (homes for sale and rent provided at a cost above social rent, but below market levels). The overall provision, including the tenure split is to be secured by way of a S106 legal agreement.

In addition to the above, Policy CS8 also requires that 20% of dwellings be to lifetime homes standard and 2% be wheelchair homes. This therefore requires that 14 dwellings be lifetime homes and 2 dwellings be wheelchair homes. The proposal seeks to meet with this requirement, and the specification of the dwellings is considered to meet the relevant parts of the Building Regulations.

Public open space

The City Council's Landscape Technician has provided detailed comment on the proposal and advised that, under the Council's adopted open space standards, on-site public open space comprising 0.31 hectares should be provided in addition to provision of a LEAP children's play area. Further to this, the Technician has advised that financial contributions towards allotment provision of some £3,506 and the Eye Green LNR of £23,892 are required.

The proposal seeks to provide a total of 0.575 hectares of public open space plus 400sqm of land for a LEAP. It is acknowledged that, in terms of the public open space area, represents a betterment upon the policy requirement. It is not proposed for the LEAP to be equipped through this proposal. This level of provision is considered to be appropriate to meet the needs of the development, particular in the context of the extant outline permission which did not secure provision of a LEAP. The additional 12 dwellings in themselves do not trigger the need for such an area, and the Developer is proposing the land only which would be transferred to the Council for equipping using CIL monies from other developments within the locality.

In terms of off-site public open space contributions, again the extant outline permission does not secure any (including to the LNR despite the comments made by the Council's Wildlife Officer) and therefore, it is only the impacts arising from the additional 12no. dwelling proposed which can be considered. In this instance, Officers do not consider that this number of dwellings results in significant pressure upon the nearby Eye Green allotments to such a degree that a financial contribution could be sought and as such, a contribution would not meet the relevant tests for being imposed. Furthermore, the Applicant is proposing to transfer additional land to the ownership of the Council for inclusion within the LNR (see above) which was previously accepted by the Inspector as being of significant benefit to ecology conservation and enjoyment. As such, this land transfer is considered sufficient in lieu of a financial contribution.

i) Contamination

Owing to the previous use of the site, there is the potential for contaminants to be present. To ensure that the land is appropriate for the intended use, and to prevent any undue risk to human health or controlled waters (including the LNR), it is considered appropriate to secure a scheme of contamination investigation and, where necessary, remediation by condition. This approach was also taken in respect of the extant outline permission. On this basis, the proposal is considered to be in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP33 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded weight at this time;

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 principle of residential development on the application site has already been established through the existing and emerging allocations within the Local Plan, and the granting of outline planning permission under application reference 14/00857/R4OUT, in accordance with Policy SA5.4 of the Peterborough Site Allocations DPD (2012) and emerging Policy LP39.3 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded some weight at this time;
- the layout, density and design of the proposal would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded some weight at this time;
- the biodiversity interests in and near to the site can be adequately conserved, mitigation or compensated for, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), paragraph 118 of the National Planning Policy Framework (2012) and emerging Policy LP28 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- the proposal would provide adequate parking provision, safe access/connectivity and would not result in undue harm to the surrounding public highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time;
- the proposed layout would not give rise to unacceptable harm to the amenities of neighbouring occupants and would provide an acceptable level of amenity for future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policies PP3 and PP4 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- adequate management of surface and foul water would be secured to ensure no increased flood risk either on the site or elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP32 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time;
- the proposal would ensure that no undue harm results to potential undiscovered buried heritage assets, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012), paragraph 128 of the National Planning Policy Framework (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time;
- financial and other contributions towards the infrastructure demands arising from the proposed development are to be secured, in accordance with Policy CS13 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP14 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time; and

- any contaminants present within the site can be adequately remediated to ensure that no undue risk is posed to human health or controlled waters, in accordance with POLICY PP20 of the Peterborough Planning Policies DPD (2012) and emerging POLICY LP33 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded weight at this time.

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** (to secure public open space, affordable housing and transfer of additional land to the LNR), to receipt of no unresolvable objections from the City Council's Pollution Control Officer in respect of noise impact upon the amenities of future occupants and any associated necessary small layout changes, and subject to the imposition of the following conditions:

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

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

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

- Location Plan (drawing number 40928 / 002 Revision A)
- Site Plan (drawing number 40928 / 004 Revision K)
- Technical Site Layout (drawing number 40928 / 031 Revision E)
- Plots 01-02 34-35 - Drayton/Derwent A0 - pair (drawing number 40928 / 005)
- Plots 03-04 09-10 42-43 51-52 - Epping A0 - pair (drawing number 40928 / 006 Revision A)
- Plots 05-06 - Mayne B0 - pair (drawing number 40928 / 007)
- Plots 07-08 - Mayne A0 - pair (drawing number 40928 / 008)
- Plots 11-12 60-61 - Thirlmere B0 - pair (drawing number 40928 / 009 Revision A)
- Plots 13-14-15 - 2b4p M4(2) (drawing number 40928 / 010 Revision A)
- Plots 16-17 - H74.2b4p.CT (drawing number 40928 / 011)
- Plots 18-19 - 2b4p M4(2) (drawing number 40928 / 012)
- Plots 20-21 28-29 - 3b5p M4(2) (drawing number 40928 / 013 Revision A)
- Plots 22-24 - 2b4p M4(2) H68.2b4p.KR (drawing number 40928 / 014 Revision A)
- Plots 25-27 - 3b5p M4(2) (drawing number 40928 / 015 Revision A)
- Plots 30-31 - H75.2b4p.SE H68.2b4p.KR (drawing number 40928 / 016 Revision A)
- Plots 32-33 - 3b5p M4(3) (drawing number 40928 / 017)
- Plots 36 37 53 54 63 - Earlswood A0 (drawing number 40928 / 018 Revision A)
- Plots 38 56 67 - Witton A0 (drawing number 40928 / 019 Revision A)
- Plots 39 59 - Derwent A0 - Handed (drawing number 40928 / 020 Revision A)
- Plots 44-45 65-66 - Bryce A0 and B0 (drawing number 40928 / 022 Revision A)
- Plots 46-48 - Mayne A0 (drawing number 40928 / 023 Revision A)
- Plots 40-41 49-50 - Mayne-Drayton A0 (drawing number 40928 / 024 Revision A)
- Plot 54 - Laneshaw - Handed (drawing number 40928 / 025 Revision A)
- Plots 57 - Buttermere A0 (drawing number 40928 / 026 Revision A)
- Plots 58 62 - Derwent A0 (drawing number 40928 / 027 Revision A)
- Plot 64 - Foxcote A0 (drawing number 40928 / 028 Revision A)
- Garages (drawing number 40928 / 029)
- Bin Store - Plots 13-14 (drawing number 40928 / 036)

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

- C 3 The materials to be used in the construction of the dwellings and garages hereby permitted shall accord with the details shown on drawing numbers 40928 / 033 Revision B 'Materials Distribution Plan' and 40928 / 034 Revision A 'External Materials'.

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

- C 4 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with 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 5 No development shall take place until details of the proposed finished ground and building slab levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved levels.

Reason: In the interests of the visual amenity of the locality and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition as details of the levels are required prior to any groundworks commencing.

- C 6 No development other than groundworks and foundations shall take place until details of the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping details shall include, but not limited to:

- Planting plans including retained trees, species, numbers, size and density of planting;
- An implementation programme for the planting to the public open space areas;
- Hard surfacing of all vehicular, parking, pedestrian and cycle areas (including demarcation of spaces where appropriate); and
- Refuse/bin collection points.

The hard landscaping (hard surfacing, external lighting and refuse/bin collection points) shall be provided in accordance with the approved details prior to first occupation of the dwelling to which they relate or first public use of the highway/driveway to which they relate, whichever is appropriate. The soft landscaping shall be provided in accordance with the approved details no later than the first planting season following occupation of the dwelling to which it relates or in accordance with the approved implementation programme in relation to the public open space, whichever is appropriate.

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

Reason: In the interests of the visual amenity of the locality, to provide usable public open space and to promote biodiversity, in accordance with Policies CS16, CS19 and CS22 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP14 and PP16 of the Peterborough Planning Policies DPD (2012).

C 7 Prior to first occupation of any dwelling hereby permitted, a Landscape Management Plan for the areas of public open space shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include the following details:

- Long term design objectives;
- Management responsibilities; and
- Maintenance schedules.

The management plan shall be implemented in accordance with a timetable contained therein and as approved.

Reason: In the interests of the visual amenity of the locality, to provide usable public open space and to promote biodiversity, in accordance with Policies CS16, CS19 and CS22 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP14 and PP16 of the Peterborough Planning Policies DPD (2012).

C 8 Prior to the commencement of any development, including ground clearance/enabling works, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to:

- Hours of working and deliveries, including hours of arrival by all contractors;
- Haul routes to and from the site;
- Parking, turning, loading and unloading areas for all delivery vehicles;
- Materials and equipment storage areas;
- Site compound and welfare facilities;
- Construction and contractor parking;
- Temporary protective fencing details;
- Wheel cleansing/washing facilities which all vehicles visiting the site must pass through before exiting onto the adopted public highway;
- Measures to control noise; and
- Measures to control the emission of dust.

The development shall be carried out in strict accordance with the approved CMP.

Reason: In the interests of highway safety and in order to preserve the amenities of neighbouring occupants, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no construction activities take place which may pose a danger/risk to highway safety or neighbour amenity.

C9 Prior to the commencement of development, other than ground/enabling works, details of the access from Guilsborough Road, including the tie between the existing carriageway and the new site access, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied until the works have been completed in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no works take place that may pose an undue risk to highway safety.

C10 Notwithstanding the submitted drawings and prior to the commencement of development in relation to Plots 001-012, details of a pedestrian/cycle route of no less than 3 metres in width linking the development hereby permitted with the existing Green Wheel Cycleway along with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The route shall be implemented in accordance with the approved plans and timetable.

Reason: In order to promote more sustainable methods of travel to/from the site and improve connectivity, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C11 No dwelling hereby permitted shall be occupied before the highway(s), including carriageway and footway, linking that dwelling to the existing public highway have been completed to base course/binder level. Thereafter, and no later than completion of the final dwelling within the development, the highway(s) linking all dwellings to the existing public highway shall be completely finished.

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

C12 No dwelling hereby permitted shall be occupied until the areas for the parking and turning of vehicles associated with that dwelling, as shown on drawing number 40928/031 Revision E, have been laid out and surfaced in accordance with the details secured under condition C6 above. Thereafter, those areas shall be retained solely for the parking and turning of vehicles in connection with the dwelling to which they relate in perpetuity.

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

C13 Prior to first use of any highway or private driveway hereby permitted, the following visibility splays shall be provided:

- 2.4 metres x 25 metres (measured from the channel line and along the back edge of the carriageway) vehicle-to-vehicle visibility splays for all junctions within the proposed adoptable highway(s);
- 1.5 metre x 1.5 metre (measured from and along the back edge of the highway, including any footways/cycleways) vehicle-to-pedestrian visibility splays at either side of all private driveways.

The visibility splays shall be kept clear of any obstruction above a height of 600mm from ground level in perpetuity.

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

C14 Prior to the commencement of development, an Ecological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall incorporate the recommended measures identified in the submitted 'Ecological Appraisal' (reference 6467_R_APPR_06_05_14) and letter from BSG Ecology (dated 7 December 2017) and include, but not limited to:

- a) A Great Crested Newt Strategy;
- b) A ditch survey and Water Vole Mitigation Strategy;
- c) Details of external lighting to all proposed adoptable highways and private shared driveways to prevent light pollution for bats;
- d) Details of dealing with hedgehogs, invertebrates etc. found on site;
- e) Details of protective and boundary fencing which shall accord with the principle shown on drawing number 40928 / 030 Revision B 'Boundary Treatments Plan';
- f) Details for preventing pollution from the site being transferred to the adjacent habitats and lake; and
- g) A timetable for the implementation of the Ecological Mitigation Strategy and measures contained therein.

The Ecological Mitigation Strategy shall be implemented as approved including the timetable agreed.

Reason: In order to conserve, mitigate and compensate for biodiversity interests in and near to the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012). This is a pre-commencement condition as the mitigation measures are required to be carried out during the period of construction, including site clearance works.

C15 No development other than groundworks/foundations shall take place until a scheme of measures to promote and enhance biodiversity, including the provision of bird nesting and bat roosting boxes, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme of measures prior to first occupation of the dwelling to which they relate or first use of the area to which they relate, whichever is appropriate.

Reason: In order to conserve, mitigate and compensate for biodiversity interests in and near to the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012). This is a pre-commencement condition as the mitigation measures are required to be carried out during the period of construction, including site clearance works.

C16 Prior to the commencement of development, details of the surface water drainage for the site, which shall accord with the principle set out within the submitted 'Flood Risk Assessment and Drainage Strategy' (dated March 2018, reference FW1457/FRA/001-v3), shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but not limited to:

- Written confirmed from the North Level Internal Drainage Board for the rate of surface water discharge to their system;

- Clarification as to how flooded volumes will be managed on site through, but not limited to, overland flow and exceedance routes;
- Clarification as to how surface water will be conveyed to the swale to the north-eastern corner of the site;
- An updated maintenance plan to include the swale, detention basin and gullies;
- Confirmation of who will maintain the drainage assets on-site, including all unadoptable shared components such as the permeable paving, swale and basin;
- Technical details of all drainage assets including cross sections of the swale, basin and permeable paving; and
- A timetable for the implementation of the surface water drainage within the site.

The surface water drainage shall be implemented in accordance with the details approved, including the timetable agreed.

Reason: To ensure that surface water is adequately dealt with so as to not pose an unacceptable flood risk, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as the groundworks will be affected directly by the drainage infrastructure.

- C17 Prior to the commencement of development other than ground/enabling works, a scheme (including phasing) for the provision of mains foul water drainage including on- and off-site connections shall be submitted to and approved in writing by the Local planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To ensure that foul water is adequately managed so as to not pose an unacceptable flood risk, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as the groundworks will be affected directly by the drainage infrastructure.

- C18 a) No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person and shall assess any contamination on the site, whether or not it originates on the site. It must also include:

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

(ii) an assessment of the potential risks to:

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

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

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

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no groundworks disturb contamination which may pose a risk to human health or controlled waters.

C19 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

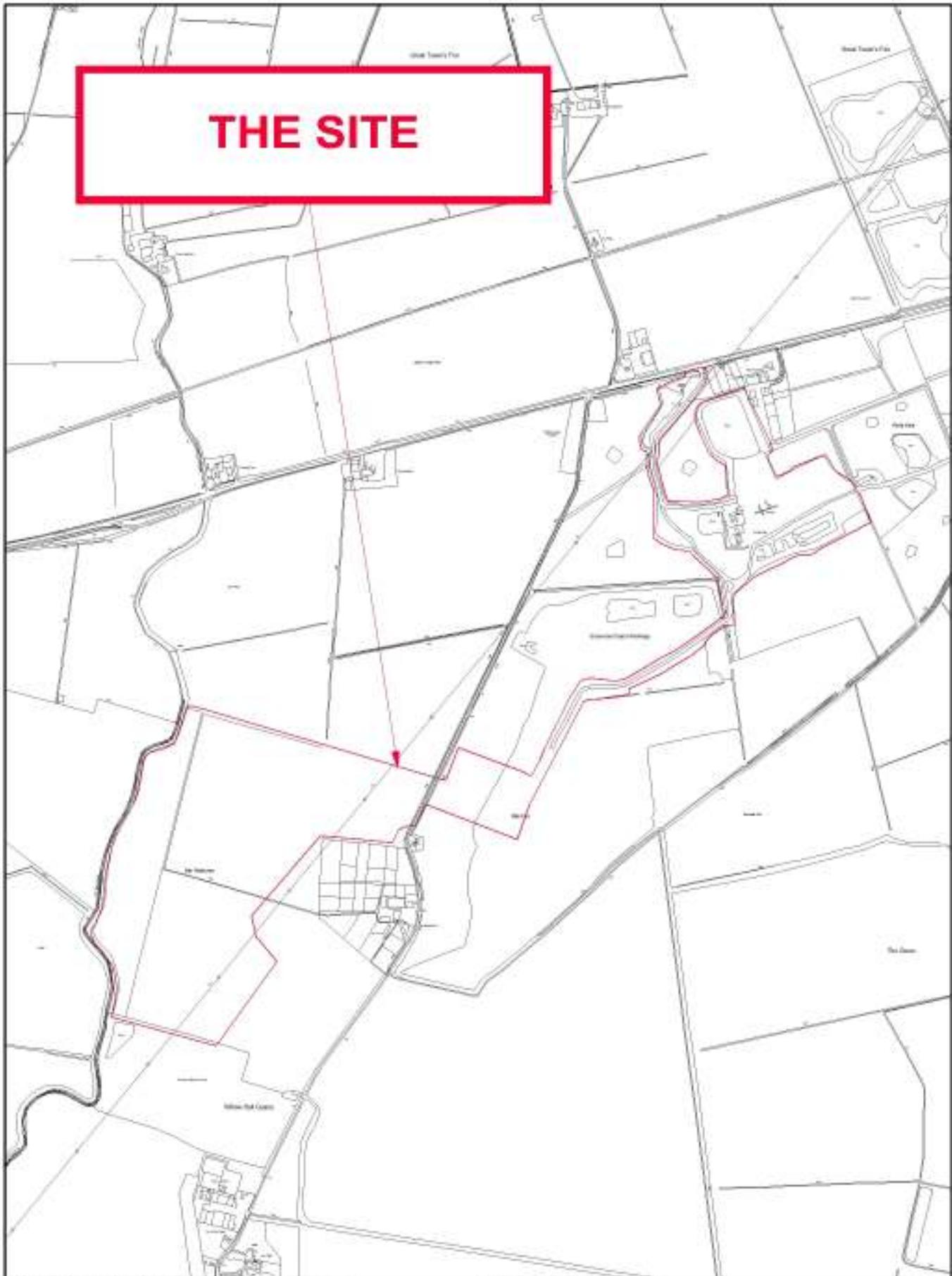
C20 Notwithstanding the submitted drawings/documents and prior to first occupation of any dwelling hereby permitted, a detailed noise assessment and associated mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and before the dwelling to which they relate is first occupied.

Reason: To afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

Copies to: Cllrs. Steve Allen and Richard Brown

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Title: Committee Location Plan **17/02447/MMFUL**

Site Address: Pole Hole Quarry, The Causeway, Thorney, Peterborough

Scale: NTS **Date: 28th March 2018** **Created by: LMG**

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Application Ref: 16/02447/MMFUL

Proposal: Extension to Pode Hole sand and gravel quarry, including retention of concrete batching plant and aggregate plant, with restoration using inert materials

Site: Pode Hole Quarry, The Causeway, Thorney, Peterborough

Applicant: Aggregate Industries UK Ltd

Agent: Kirsten Hannaford-Hill

Aggregate Industries UK Ltd

Site visit: 01.02.2017

Case officer: Mr A O Jones

Telephone No. 01733 454440

E-Mail: alan.jones@peterborough.gov.uk

Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

Site Description

The proposal site includes a 33ha extension to the west of the existing Pode Hole sand and gravel quarry and concrete batching plant, and the retention of approximately 16ha of the existing site relating to the stocking and processing area. The site is located approximately halfway between the villages of Eye and Thorney and is accessed directly from the A47 through the existing site. The proposed extension area lies to the west of Willow Hall Lane and the Bar Pastures Scheduled Monument. Pasture House Farm quarry lies immediately to the north, beyond which lies the A47. Willow Hall quarry lies immediately to the south, with the restored former landfill at Eyebury lying beyond the Cats Water Drain to the south west and open fields to the west. The site falls within the both the Pode Hole and Eye / Thorney allocated sand and gravel area M1F (Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD), and the Eye / Thorney Regionally Important Geological Site (RIGS). The proposal site lies within the generally flat topography of the Fens landscape.

Proposal

The proposal seeks to extract 1.98 million tonnes of saleable sand and gravel, at approximately 300,000 tonnes per year, over three phases moving from the south to the north, totalling a 6-7 year extraction period, with the site to be progressively restored to original ground levels through the importation of approximately 190,000 tonnes of inert materials per year over a 13 year period.

The proposal also seeks to create a new crossing point over Willow Hall Lane to connect to the existing processing plant and administration facilities. The proposal seeks to operate between 0630 and 1900 on Mondays - Fridays and 0700 to 1300 on Saturdays, in line with the existing operations at Pode Hole quarry. The restoration will primarily be to re-establish 30.4ha of agricultural land, with 2.68ha of wildlife corridor and native planting, and 380 linear metres of species rich hedgerow within the extension site, with the existing area to be restored as a combination of agricultural land and wetland habitat.

The proposal will result in a maximum of 246 Heavy Commercial Vehicle movements on the A47, but will not be implemented until extraction has been completed at the existing site, as such, this represents an increase in 96 HCV movements per day over the existing situation. The proposed crossing point at Willow Hall Lane will involve approximately 25 dumper truck movements associated with mineral extraction per day, and 22 HCV loads per day during infilling operations. The four way traffic lights would give for priority for vehicles travelling along Willow Hall Lane.

The proposal also seeks to retain the existing concrete batching plant and ancillary facilities to enable the sustainable use of the facilities alongside the proposed quarry extension.

The proposal is EIA development, under Schedule 1(19) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and is accompanied by an Environmental Statement.

The proposal has been submitted alongside application 17/01707/WCMM for amendments to the sequence of phasing and restoration of the existing site.

2 Planning History

Reference	Proposal	Decision	Date
17/01707/WCMM	Variation to Condition 1 of Planning Permission 12/01899/WCMM, regarding changes to phasing and restoration	Pending Consideration	
12/01899/WCMM	Variation of conditions C1, C3 and C4 of Planning Permission 03/00515/MMFUL - Extension to quarry, new processing plant and ancillary facilities, retention of existing access and plant, and restoration to low level agriculture/nature conservation	Permitted	05/12/2013
15/00576/WCMM	Variation of condition 1 of planning permission 04/01419/WCMM for the retention of a concrete batching plant and ancillary facilities until 31 December 2022	Permitted	20/07/2015
17/01830/NONMAT	Nonmaterial amendment to conditions C3 and C31 of Planning Permission 06/00404/WCMM regarding restoration of soil bund storage areas	Pending Consideration	
06/00404/WCMM	Continuation of development without compliance with C1 of planning permission 98/00801/MMFUL	Permitted	17/10/2011

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 - Economic Growth

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

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 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

Section 11 - Natural and Local Environment

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

Section 11 - Development on Agricultural Land

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

Section 11 - Biodiversity

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

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

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

Section 11 - Noise

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

Section 11 - Light Pollution

Lighting should be designed to limit pollution on local amenity, intrinsically dark landscapes and areas of nature conservation.

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.

Section 12 - Development Affecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

Section 13 - Economic Benefit

Great weight to the benefits of the mineral extraction, including to the economy. Non energy minerals should be provided for outside of Scheduled Monuments and Conservation Areas where practicable.

Section 13 - Unacceptable Adverse Impacts

Should be avoided on the natural and historic environment, human health and aviation safety. The cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality must be taken into account.

Section 13 - Noise, Dust and Particle Emissions

Including any blasting vibrations must be controlled, mitigated or removed at source. Noise limits for extraction in proximity to noise sensitive properties should be established.

Section 13 - Restoration and Aftercare

Should be provided for at the earliest opportunity and carried out to high environmental standards through the use of appropriate conditions.

Section 13 - Mineral Safeguarding

Non mineral development proposals should not normally be permitted in Mineral Safeguarding Areas (MSAs) where they may constrain potential future use of the minerals.

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

MW01 - Strategic Vision and Objectives for Sustainable Minerals Development

In delivering the growth agenda there will be an increase in the use of recycled secondary aggregates and a preference in these over land won minerals, however, where this is not practicable a steady supply of mineral from the Plan area will be maintained. Limestone only exists in the Peterborough area and extraction will continue thought the Plan period. In order to avoid reserves becoming exhausted, new sites will need to be identified and brought forward if they meet environmental criteria. Major infrastructure projects will be facilitated by the supply of mineral and in the case of the A14 improvements, by borrowpits close to the scheme. Mineral safeguarding and consultation areas will be identified to avoid needless sterilisation and prejudice to future mineral extraction. As extraction progresses across the area it will help deliver other objectives through restoration including increased biodiversity, amenity and recreational use. The natural and historic environment will continue to be protected with increased emphasis on operation practices which contribute towards addressing climate change and minimise the impact of such development upon communities. (Policy CS1 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout

the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW04 - The Scale and Location of Future Sand and Gravel Extraction

The Mineral Planning Authorities will maintain a sand and gravel landbank of at least 7 years and will meet the requirement to supply 2.82 million tonnes of sand and gravel per annum, including a margin for flexibility, thus provision is made to supply 3.0 million tonnes of sand and gravel per annum over the plan period.

With regard to Peterborough;

New allocations plus permitted reserves will enable the supply of an annual average of 0.75mtpa from the Northern Zone i.e. Peterborough and north Fenland District

The principal broad locations for sand and gravel extraction will be:

For the Northern Zone;

- Kings Delph
- Maxey
- Eye/Thorney

Allocations will be outside the Ouse and Nene river valleys.

MW14 - The Scale of Waste Management Provision

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

MW15 - The Location of Future Waste Management Facilities

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

MW18 - Waste Management Proposals Outside Allocated Areas

Waste management development proposals outside allocated areas will be considered favourably where they meet the listed criteria.

MW20 - Inert Landfill

Strategic allocation is made at Block Fen/Langwood Fen Area of Search.

Sites to deliver the remaining 3.69 million cubic metres capacity will be made at mineral extraction sites requiring restoration and identified in the Site Specific Proposals Plan.

MW22 - Climate Change

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.

MW24 - Design of Sustainable Minerals and Waste Management Facilities

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

MW25 - Restoration and Aftercare of Mineral and Waste Management Sites

Minerals workings and waste management sites will be restored to a beneficial after use with aftercare arrangements. Restoration proposals will be considered on a site by site basis but must meet the criteria set out in the policy.

MW29 - The Need for Waste Management Development and the Movement of Waste

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

MW32 - Traffic and Highways

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

MW33 - Protection of Landscape Character

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related SPDs.

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse effect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW38 - Sustainable Use of Soils

Mineral and Waste development which affects the best and most versatile agricultural land will only be permitted where it meets the criteria set out in this policy.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

Peterborough Local Plan 2016 to 2036 (Submission)

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

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 this 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

The clarifications provided in respect of the types of vehicle proposed, and the number of movements, to be using the Willow Hall Lane crossing, and the internal site details relating to the haul roads and internal speed limits are acceptable. The additional details, including the safety audit and detailed crossing proposals establish that the crossing point can be safely implemented if controlled by appropriate conditions. Conditions will also be required to control measures to prevent detritus from being tracked onto the carriageway at Willow Hall Lane.

Advice has also been provided regarding procedures for the implementation of the proposed crossing.

Archaeological Officer

Further to the submission of additional information the proposals are acceptable. The proposal site sits within an area of known archaeological significance which should be subjected to the same programme of work as has been carried out in the previous area of extraction, i.e. magnetometer survey, evaluation by trial trenching and strip map record. The Peterborough HER and other relevant sources need to be consulted in advance of archaeological fieldwork, and an 'Event Number' obtained from the HER. The WSI submitted 16.03.2018 is acceptable and should be controlled by condition.

Lead Local Drainage Authority

No concerns regarding this proposal.

PCC Pollution Team

Further to the submission of additional information the proposals are acceptable. It is noted that the noise predictions include the movement of vehicles on the haul road. Proposed conditions have been suggested to control noise. Dust management and monitoring can be controlled by condition. Although no details have been submitted of pumps which may be used outside of normal working hours this may be controlled by condition. The particular white noise alarms to be used should be clarified.

Landscape Architect

The landscape character impacts will be 'substantial adverse' on the Bar Pastures SM and a 'moderate adverse' on the Cats Water corridor during the operational stage of development. The Landscape Character sub-area requires an 'improve and conserve' landscape strategy. Although it is not clear that the amended restoration proposals offer these enhancements, the landscape is considered robust enough to absorb the temporary effect of the proposals.

The restoration proposals for the southern part of the site appear to support the landscape strategy for sub area 5b) Eye Fen Fringe, and the majority of negative impacts will be localised and temporary in nature.

Although further information in a number of areas would be helpful to assist understanding of the proposals and their impact on landscape character, there is no in principle objection on landscape and visual impact grounds. Should permission be granted, a Landscape Management Plan and Maintenance Schedule (for five years) should be required. Measures to control the retention of high grade top soil and existing trees and hedgerows would also be required.

PCC Wildlife Officer

The amended restoration plan clearly includes a minimum 20m ecological buffer to the western boundary and a 10m ecological buffer to the northern and eastern boundaries, which is acceptable. Impacts on protected species have been considered, and mitigation measures can be secured by condition, including appropriate buffers and ecological supervision for works affecting habitats supporting protected species. Additional biodiversity enhancements should be secured, and clarity provided as to the proposed enhancements.

PCC Tree Officer

No objections. There is limited impact in terms of vegetation / tree loss, other than hedgerow loss adjacent to Willow Hall Lane to accommodate the crossing point.

Environment Agency

No objections. The Agency advise that Environmental Permitting may be required for dewatering and infilling aspects of the proposal.

Highways England

No objections, and noted that the additional vehicular traffic will not cause an issue for the A47

Natural England

No objections. The proposal will not have significant adverse impacts on designated sites, including Nene Washes, Dogsthorpe Star Pit and Eye Gravel Pit SSSIs. The proposed mitigation measures for the impact on best and most versatile agricultural land are appropriate and can be controlled by condition.

Historic England

Further to the revised scheme making provision for a 20m stand off to Bar Pasture Scheduled Monument although Historic England still have concerns, the initial objection is withdrawn. The authority are advised to determine the application in line with paragraph 134 of the NPPF (i.e. where the proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal). Measures to minimise the impact of the quarry on the SM (e.g. the construction of a buried clay bund seal

and a ground water monitoring scheme) and to ensure the full restoration of the pre-quarry landscape should be secured by condition.

North Level District Internal Drainage Board

No objections. The Board advise that a discharge consent may be required.

GeoPeterborough

The site is part of the Eye / Thorney Area of Search Local Geological Site. As such, the existence of the Local Geological Site should be recognised and consideration given to retention of representative sections as part of the final restoration scheme. Access should be provided to record and sample temporary geological sections.

The Wildlife Trusts (Cambridgeshire)

The Trust requests that the proposal provide a net gain in biodiversity, which could be delivered particularly adjacent to the Cat's Water Drain.

No further comment was received on the amended restoration scheme which made provision for additional biodiversity enhancements alongside Cat's Water Drain.

Eye Parish Council

No comments.

Local Residents/Interested Parties

Initial consultations: 37

Total number of responses: 2

Total number of objections: 1

Total number in support: 0

One local resident has not objected but wishes to be informed of the outcome of the application.

One objection has been received citing the significantly detrimental blight to the local area, including the emotional, visual and environmental detriment to local families and neighbours, and the poor consideration of a previous application in the vicinity.

5 Assessment of the planning issues

The Principle of Development

The main considerations are:

- a) Suitability of the proposal
- b) Landscape and Visual Impact
- c) Nature Conservation and Ecology
- d) Noise
- e) Dust
- f) Soils, Land Quality and Agriculture
- g) Archaeology and Cultural Heritage
- h) The Impact on Water Resources
- i) Transportation and Traffic
- j) Cumulative Impact Assessment

- a) Suitability of the proposal

The proposed works include the extraction of mineral and the deposition of waste, utilising the existing access and stocking and processing facilities associated with the existing Pode Hole Quarry. As such, the proposal must accord with policies CS1 and CS2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the Core Strategy / CS) to support the strategic vision and objectives for sustainable minerals and waste management development. In

particular the proposal must help to ensure that local requirements for sand and gravel can be met at a rate sufficient to enable the delivery of planned growth of Cambridgeshire and Peterborough, and maintain a sand and gravel landbank in the 'Northern Zone' of the plan area (CS policy CS4), and contribute to a network of waste management facilities capitalising on the synergies between different types of waste management technique.

The proposal must be considered in the light of the National Planning Policy Framework, particularly the requirement to 'give great weight to the benefits of mineral extraction, including to the economy' (paragraph 144), and the National Planning Policy for Waste, which requires landfill sites to be restored to beneficial after uses at the earliest opportunity and to high environmental standards.

- Mineral Extraction

The site lies within allocated site M1F - Pode Hole and Eye / Thorney - in the Cambridgeshire and Peterborough Site Specific Proposals DPD (the SSP). The Core Strategy broadly outlines an implementation strategy (Ch. 12) which describes the dependence of maintaining production in the northern part of the plan area on extension to existing quarries, including Pode Hole. The proposed site enables the accessing of approximately 1.98 million tonnes of saleable mineral reserves in this area.

The proposal in terms of mineral extraction meets with all other relevant policy and material considerations. The principle of extraction is considered acceptable subject to the adequate mitigation of identified harm to the environment in relation to detailed issues. The remainder of this report sets out how this can be achieved, indicating how the proposal complies with the relevant policies.

The processing area and associated facilities, including access to the A47 were originally permitted under permission reference 96/P0385, then subsequently under 02/0004/MMFUL (as amended by 04/01419/WCMM and 15/00576/WCMM). The ongoing use of these facilities represents a sustainable solution to the processing of the mineral and the proposed restoration, clarified since the original submission, for a combination of agricultural after use and biodiversity enhancements, is acceptable.

- Infilling with inert material

The National Planning Policy for Waste sets out a number of requirements for waste planning authorities to consider when determining waste planning applications, including the requirement to "concern themselves with implementing the planning strategy in the Local Plan". It also highlights the need for Waste Planning Authorities to work on the assumption that the relevant pollution control regime will be properly applied and enforced. What has been proposed is for the use of inert fill to restore the land to achieve a beneficial after use which can re-provide high grade agricultural land, enhance the landscape and provide environmental benefits through the creation of Biodiversity Action Plan habitats. The proposals are therefore considered primarily against the minerals and waste spatial strategies as set out in the Core Strategy, and operations will also be subject to Environment Agency permitting.

Although the proposal site is not allocated for inert fill, it does sit on high grade agricultural land, primarily grade 3a. Core Strategy policy CS25 states that infilling by means of waste disposal may be appropriate to bring land levels back to those suitable for reinstatement to agriculture (or habitat creation). The scale of waste management provision (policy CS14) sets out the requirement for inert landfill void space over the Plan period to which the proposals will contribute. The location of such facilities is guided principally (policy CS15) by the Minerals and Waste Management Key Diagram and additional factors, including, for example, site availability. Of the sites within Peterborough identified for inert fill in policy W2 of the SSP, nominal capacity is currently available, and all face uncertainty in providing significant capacity in the short term, although the adjacent unallocated Willow Hall Farm and Bar Pasture Farm quarries do benefit from permission for restoration with approximately 1.26 and 2 million cubic metres of inert fill respectively. The applicant has also highlighted the limited availability of inert fill capacity coming forward at the

strategic Block Fen / Langwood Fen allocated site (policy CS20) and it is accepted that there may be a requirement to divert inert fill in the plan area to other available sites.

The proposal adequately demonstrates the need for inert fill to enable appropriate restoration (for the sustainable use of soils for agricultural purposes) and is therefore considered favourably against Core Strategy policy CS20, which allows for sites to deliver inert landfill capacity where such sites are mineral sites requiring restoration. The inert processing element of the proposal is considered favourably against Core Strategy policy CS18 as a waste management proposal outside an allocated area, as it is consistent with the spatial strategy for waste management.

b) Landscape and Visual Impact

The proposed extension area falls within the Eye Fen Fringe Character Area, with the existing processing area falling within the Bedford North Levels Character Area. Both areas are characterised as a large scale, flat, open landscape with extensive vista across level horizons typical of the broader Fens National Character Area, and are considered to be robust enough to absorb the temporary disruption associated with quarrying activities. Notwithstanding that the significance of impact is mildly disputed between the applicants and Councils Landscape Architects, particularly in relation to the impacts on residential properties at Bar Pastures and 38/39 Willow Hall Lane, the public benefits of the proposal must be taken into consideration in the planning balance as well as the temporary, albeit long term, nature of the proposal.

Since the original submission of the application further details have been provided which clarify the extent of the site (i.e. including the 'northern area' associated with processing and stocking), the cumulative impacts with neighbouring sites, the existing landscape features on the site, and the restoration proposals for the entirety of the site. The overall degree of harm to the landscape character and visual impacts is considered to be suitably mitigated, both during the operational phases of development, and by the post restoration landscape. Suitable control can be exercised over the retention, placement and maintenance of soils, to provide adequate bunding, and the longer term planting and maintenance can also be controlled by condition. As such, the proposal is considered to be in accordance with policies CS24, CS33 and CS34.

c) Nature Conservation and Ecology

The NPPF aims to ensure the conservation and enhancement of the natural environment (Ch.11) and the safeguarding of best and most versatile agricultural land through the restoration and aftercare of mineral sites (Ch. 12) (see also section f) soils. etc. below). The Ecological Impact Assessment (EclA) demonstrates that the impacts on protected species and habitats, including the Nene Washes SSSI, SPA, SAC and Ramsar site, and the nearby Cat's Water Drain County Wildlife Site, has been adequately assessed, as acknowledged by both Natural England and the Wildlife Officer.

The Wildlife Officer acknowledges that there may be impacts on protected species, including water voles, badgers, bats, nesting birds and reptiles, however, he is satisfied that the mitigation measures outlined in the EclA are appropriate and can be controlled by condition.

The final restoration proposal must strike a balance between retention of the site for agricultural purposes and biodiversity enhancements. The two are not mutually exclusive, and effective husbandry of agricultural land can enhance biodiversity on a site. The original proposals focused only on the new extension area; and included 30.4ha being restored to agricultural land, species rich wildlife corridors of 6-10m width and 380 linear metres of hedgerows.

The restoration proposals were required to cover the entirety of the site, including the stocking and processing area (the 'northern area'), and the Wildlife Officer sought additional biodiversity enhancements alongside Cat's Water drain. A revised restoration plan was submitted, providing a 20m buffer along the western edge of the proposal site alongside Cat's Water Drain and demonstrating a mixture of agricultural use and wetland habitat. The northern area will be restored to agriculture, with areas of conservation grassland, wetland habitat, waterbodies and additional woodland and hedgerows. The northern area proposals have been amended to ensure better

connectivity of habitats and revised field boundaries allowing for more efficient use of the farmland.

The proposal site sits within the 'Eye / Thorney Area of Search - Regionally Important Geological Site'. As such, the proposal presents an opportunity to provide access to the otherwise poorly exposed underlying geology. Temporary section recording during the working life of the quarry can be facilitated by condition in accordance with policy CS35. It is not considered appropriate to retain a representative gravel section within the restoration proposals.

There are no significant adverse impacts on sites of bio or geo diversity importance, and it is considered that the benefits of the development have been demonstrated. Appropriate mitigation measures have been proposed and can be secured by condition and the development is considered to be in accordance with Core Strategy policy CS35.

d) Noise

The National Planning Policy Framework clearly establishes (para. 144) that some noisy short term activities are unavoidable to facilitate minerals extraction, and there is a corresponding need to ensure that unavoidable noise emissions are controlled, mitigated or removed at source. The Planning Practice Guidance that accompanies the NPPF provides guidance and advice upon acceptable levels of background noise from mineral operations.

'Typical' background levels are advised as the most appropriate means of establishing the permissible noise levels for the site and will minimise the impact on noise sensitive properties without imposing unreasonable burdens on the operator, ensuring noise levels are appropriately controlled, mitigated or removed at source. Cumulative impacts of existing quarries in the surrounding area have been taken into account, and clarification has been provided that the noise predictions take account of the movement of vehicles on the haul road, and that the existing bunds along the east of Willow Hall Lane will be retained for the duration of the development. These were both issues that could have exacerbated the noise levels at both 38/39 Willow Hall Lane and Bar Pasture Farm. The Environment and Pollution Control Officer has not raised any objections on amenity grounds. Additionally, 38/39 Willow Hall Lane and Bar Pasture Farm, the properties most likely to be adversely affected by noise, are under the control of the applicant, who has proposed additional mitigation measures if required.

Reversing alarms used by quarry machinery and plant increasingly tends to be 'white noise' alarms rather than tonal beepers, and indeed the use of such reversing alarms is controlled by condition at the neighbouring quarries, and can also be controlled by condition for this proposal. Although the proposed operating hours, are commensurate with the existing operations at Pode Hole quarry (i.e. 0630 – 1900 Mondays to Fridays and 0700 – 1300 Saturdays), it is not appropriate to subject the two noise sensitive receptors most affected by the proposal to working noise outside of the normal working day. As such, any works to the west of Willow Hall Lane can be controlled by condition, such that the haul road crossing and extension are not brought into use until 0700 hours on any working day.

Additionally, operating hours and the use and maintenance of machinery and plant to manufacturers specifications can be controlled by condition to ensure minimal noise impacts.

The background noise environment has been established at the nearest sensitive receptors (i.e. residential dwellings), and proposed noise limits suggested, both for daytime operations, and at all other times when it is likely that pumping may be required. The properties most likely to be adversely affected are under the control of the applicant, and can be subjected to additional mitigation measures if required. The proposed noise limits, and measures to minimise and mitigate noise impacts including reversing alarms are therefore considered to be acceptable and can be controlled by condition to protect surrounding uses in accordance with Core Strategy policy CS34.

e) Dust

The NPPF requires that any dust and particle emissions are controlled, mitigated or removed at source. The Dust and Air Quality Assessment provided with the application provided with the application establishes baseline conditions, identifies activities that could lead to dust emission and sets out an appropriate range of mitigation measures which can be controlled by condition to minimise the environmental impacts.

The proposed mitigation measures include control over the phasing of the site to reduce the operational area at any given time, the use of water spraying equipment to minimise dust emissions, and the use of surfaced access roads and provision of wheel washing facilities. Restricting plant and vehicle movements to clearly defined haul routes will serve to both preserve the condition of soils, in accordance with policy CS38, and minimise the potential for dust to arise on site in accordance with policy CS34.

The Pollution Control Officer has confirmed that the measures outlined in the application are acceptable, and alongside dust monitoring should be controlled by condition. It is therefore considered that there is adequate protection of surrounding uses and the proposals are in accordance with Core Strategy policy CS34.

f) Soils, Land Quality and Agriculture

The proposed extension area sits entirely on 'best and most versatile land' of grades 2 and 3a (agricultural land known as BMV – best and most versatile), and the application is accompanied by a 'Soil Resources and Agricultural Use' report. The majority of the extension site will be restored to agricultural use, and, subject to the imposition of appropriate conditions regarding the treatment, storage and replacement of soils, including the provision of under-drainage and appropriate aftercare, represent the sustainable use of soils. Natural England have confirmed that the proposed mitigation measures are appropriate and can be controlled by condition and do not object.

The proposals for the existing part of the site, represent a greater percentage of the land being returned to non-agricultural use (in this case biodiversity enhancements) than previously permitted. However this is borne out of the necessity to amend the restoration profiles to achieve appropriate depths for long term agricultural use.

The proposals demonstrate the sustainable use of soils, and the restoration proposals will positively contribute to the long term conservation of soils. Measures to protect the integrity of the soils can be controlled by condition and the proposals are considered to be in accordance with Core Strategy policies CS25 and CS38.

g) Archaeology and Cultural Heritage

Cultural Heritage; Non-designated heritage assets

The application is accompanied by an Archaeology and Cultural Heritage Assessment, including a Desk Based Assessment and Geophysical Survey. Any buried remains at the site are considered to be a 'non-designated' heritage asset, and it is acknowledged that the nature of mineral extraction will result in the total loss of the archaeological resource. The Archaeological Officer initially sought additional information, including an evaluation by trenching / test pitting to assess the significance / degree of buried remains, however further to receiving a 'Specification for Archaeological Works' has confirmed the suitability of this to be controlled by condition. As this can be secured by condition, the proposal is considered to be in compliance with Core Strategy policy CS36.

Cultural Heritage; Historic Environment

The closest Scheduled Monument (designated asset) is that at Bar Pastures, immediately adjacent to the east of the proposed extraction area. Whilst this falls within the radius of influence of draw down / dewatering impacts (i.e. the change in groundwater levels in the vicinity of the site as a result of extraction activities), Historic England (HE) does not consider that it will result in serious harm to the significance of the Scheduled Monument with appropriate mitigation (in the form of the construction of an underground clay sealing bund and groundwater monitoring to establish remedial measures if required). Therefore HE advises that the provisions of paragraph 134 of the NPPF apply. This states that where development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

The main adverse impact to the Bar Pastures Scheduled Monument is identified by HE as being to the setting. Further to HE's initial objection to the impact on the setting, an amended scheme, providing for a 20m stand off from the Scheduled Monument to the toe of the screening bund has been proposed. HE have subsequently withdrawn their objection. The visual impact, whilst significant upon the setting of the SM during the operational phase of development is however considered to be temporary, and the restoration of the site to pre-existing levels and removal of bunds, can be controlled by condition, and the features of the SM at Bar Pastures are considered to be preserved.

Under the provisions of section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a statutory duty to have special regard to the desirability of preserving features of special architectural or historical interest, and in particular listed buildings. This is further re-enforced through both local and national planning policies which place significant weight on this need. Such heritage assets, including listed buildings found at Willow Hall and the Conservation Area at Thorney village are of a distance from the site such that it is considered that there will be an insignificant impact upon the setting of these assets. As such the proposals preserve the features for which the Thorney Conservation Area and surrounding Listed Buildings have been designated.

The significance of the proposals impacts on both designated and non-designated heritage assets has been considered and balanced against the public benefits of the proposal, primarily the contribution it makes to the Minerals and Waste Spatial Strategies. As the impacts upon designated assets are less than substantial and can be suitably mitigated, the planning balance favours the public benefits that the proposal will bring and it is considered to be in compliance with Core Strategy policy CS36, and the NPPF paragraphs 128- 135.

h) The Impact on Water Resources

Proposed extraction at the site will necessitate de-watering operations. A Hydrogeological Assessment has been provided, and identifies a number of mitigation measures, including the creation of temporary lagoons to either act as a soakaway or enable pumping directly to Cat's Water drain subject to the terms of a Discharge Consent. Groundwater ingress and surface water accumulation calculations have been undertaken, and neither the Lead Local Flood Authority nor the Environment Agency have raised any objections. The Environment Agency have advised that dewatering of excavations (and restoration with inert waste) will require the relevant Environmental Permits, and invited the applicant to contact the Agency for further advice. Also, the North Level IDB have no objections and have in fact already been contacted by the applicant regarding the requirements for a discharge consent.

The Hydrogeological Assessment identifies the existing water management system for the processing area will continue to be in operation for the processing associated with the extension area. No issues have been identified with the continuation of these processes.

The application has been considered against Core Strategy policy CS39 and demonstrates that there would be no significant adverse impact or risk to the water environment.

i) Transportation and Traffic

The application proposals are accompanied by a Transport statement, and, further clarifications have been provided in respect of overall worst case scenario vehicle movements and details relating to the proposed Willow Hall Crossing.

The 'Implementation Issues' associated with site M1F in the SSP require that the following needs to be addressed within a planning application; that access should be via the A47 using the existing (i.e. Pode Hole Quarry) entrance, and that no access to or from Willow Hall will be permitted. The existing quarry entrance is of an acceptable standard and Highways England have raised no objections to its continued use.

The number of Heavy Commercial Vehicles in the 'worst case scenario' (i.e. when all aspects of the proposal are fully operational and there is no 'backloading' (i.e. HCVs are loaded both inbound and outbound – with minerals out and inert fill in)) would result in an additional 96 HCV movements per day above those currently permitted at Pode Hole Quarry (150). In combination with the recently approved Pasture House Farm Quarry immediately to the east, which will also access the A47, this will result in a worst case scenario total of 362 additional HCV movements in the immediate vicinity of the site. The applicant asserts that the proposed HCV movements would equate to less than 1% of daily traffic movements on the A47 in this area, and Highways England, as the authority responsible for the A47, have confirmed that they have no objection to these additional HCV movements on this part of the Highways network.

The applicant has proposed to 'carry over' the existing legal agreement which requires HCVs exiting the site to turn left and restricts HCV movements along Willow Hall Lane to those necessary for deliveries only.

The proposed crossing of Willow Hall Lane has been refined since the original submission, with additional detail provided at the request of the Local Highway Authority, who are the responsible authority for Willow Hall Lane. The crossing details include measures to prevent the build up, and cleansing of detritus on the carriageway.

The traffic routing agreement in place for the existing site, which ensures HCVs only turn left onto the A47, and restricts HCV movements along Willow Hall Lane, will be carried forward to ensure the same level of highway safety and amenity protection as currently exists.

The proposals are considered to have addressed the access issues for site M1F as set out in the SSP, and the access to the highway network is suitable without unacceptable harm to road safety or residential amenity, and is therefore considered to be in accordance with Core Strategy policy CS32. The use of Willow Hall Lane by non-vehicular traffic has been considered and there is no significant detriment to the amenity of users of the Lane. The rural location of the proposed crossing point is such that there is not considered to be any requirement for additional street lighting in the vicinity of the proposed crossing point, which also reduces the visual impact of the proposal.

j) Cumulative Impact Assessment

The NPPF requires the cumulative effect of multiple impacts from individual sites and / or from a number of sites in a locality to be taken into account. With the proposal site falling within allocation M1F of the SSP, as well as the existing site at Pode Hole, there are recent permissions for quarrying activity to the north and south of the proposal site (at Pasture House Farm to the north and Willow Hall Farm to the south). The proposals have been assessed for their cumulative impact, and additional details have been provided in respect of the neighbouring quarries to the north and south. Consideration has been given, in particular, to impacts on the Scheduled Monument and neighbour amenity as outlined in the previous sections, with appropriate mitigation measures included which can be controlled by condition.

6 Conclusions

The NPPF states that there is a presumption in favour of sustainable development - in terms of decision taking this means approving development proposals that accord with the development plan without delay. The application has been considered in light of the Cambridgeshire and Peterborough Minerals and Waste Development Plan, the NPPF and accompanying Planning Practice Guidance.

The principle of development is in accordance with policy SSP M2 of the SSP which allocates the site for sand and gravel extraction. The proposal also includes the restoration of the site through the importation of inert waste. The site is not allocated for inert fill but the proposal complies with policies CS18 and CS25 of the Core Strategy with regards to managing waste outside allocated areas due to the requirements to restore high grade agricultural land, and, as the applicant has also highlighted the limited availability of inert fill capacity coming forward at the strategic Block Fen / Langwood Fen allocated site (policy CS20), it is accepted that there may be a requirement to divert inert fill in the plan area to other available sites. The retention of the stocking and processing area, and the concrete batching plant represent a sustainable method of maximising the use of the existing site and the facilities are considered to be co-located complimentary to the quarrying and landfill activities and accord with policies CS18 and CS41 of the Core Strategy.

An Environmental Statement, including the additional information requested and provided, accompanies the application which is considered comprehensive and meets the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2017.

Detailed topic areas have been assessed and considered;- With regard to landscape and visual impact, the proposal is in compliance with policies CS24, CS33 and CS34. Nature conservation, ecology, geodiversity, including the impacts on protected species and habitats, have been carefully considered and are in accordance with policies CS25, CS34 and CS35. Issues of noise and dust have been considered and are in accordance with policy CS34. Soils and agriculture, including the retention and re-use of high grade agricultural soils, and the balance of the proposed restoration between agricultural and ecological aims, have been carefully considered and are in compliance with policies CS25 and CS38. Cultural heritage, including archaeology, the historic environment and notably the adjacent Bar Pasture Scheduled Monument, have been assessed and are in accordance with policy CS36. The impact on water resources and the water environment have been assessed and the proposal is in compliance with policy CS39. Transport, including the proposed Willow Hall Lane crossing point, has been carefully considered and is in compliance with policy CS32.

Cumulative impacts with the neighbouring quarries at Pasture House Farm, Willow Hall Farm and Podge Hole have also been taken into account.

Comments of consultees have been taken into account and suitable conditions attached to address any issues raised. The comments of the neighbours and other respondents, both for and against the proposals, have also been taken into account, and the positive and negative aspects of the proposal weighed in the balance. Further, given that the majority of the site is allocated for sand and gravel extraction and in all other respects the proposal is acceptable, there is no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

Consideration has been given to the interaction of the proposals with those set out in application 17/01707/WCMM for amendments to the sequence of phasing and restoration of the existing site, and it is considered that appropriate control can be exercised over both applications for them to be considered for approval.

7 Recommendation

The Director of Growth and Regeneration recommends that Amendment to an existing Planning Permission is **GRANTED** subject to the following conditions and entering into a legal agreement (S106):

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

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

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

- C 2 The development hereby approved shall be carried out in complete accordance with the following documents and plans, except as may be required elsewhere in this scheme of conditions;

Planning and Environmental Statement, dated December 2016
Plant Site Layout, ref. M15.137(a).D.019 dated January 2017
Block Phasing (Northerly Extraction), ref. M15.137(a).D.003 Rev B dated Dec 2017
Phase 1, ref. M15.137(a).D.005 Rev C dated Dec 2017
Phase 2, ref. M15.137(a).D.006 Rev C dated Dec 2017
Phase 3, ref. M15.137(a).D.007 Rev C dated Dec 2017
Phase 4, ref. M15.137(a).D.008 Rev B dated Dec 2017
Overall Restoration Plan, ref. 1660 – 135 dated Feb 2017
Specification for Archaeological Works dated 20 January 2017
Ready Mixed Concrete Plant Site Layout, ref 1660/36B dated 02/05/03
Proposed Ready Mixed Concrete Plant Elevations, ref. 1660/37A dated 09/04/03
Lighting Plan (concrete plant), ref. 1660/57 06/01/03
Colour range chart; Colour Coat HP200 (Albatross Grey)

as amended by;

Letter from Kirsten Hannaford-Hill dated 21/07/2017
Pode Hole – Restoration via importation of material (method statement), dated 2017
Letter from Kirsten Hannaford-Hill dated 25/01/2018
Letter from Kirsten Hannaford-Hill dated 05/02/2018

Reason: To clarify what is hereby approved.

- C 3 The site shall be restored on a phased basis in accordance with the numerical phasing as depicted on the 'Block Phasing (Northerly Extraction)' plan ref. M15.137(a).D.003 Rev B dated Dec 2017. Notwithstanding any additional landscaping, biodiversity enhancement or aftercare works, the restoration of the site shall be complete no later than 8 years after the development is commenced, or within 4 years of extraction being completed, whichever is the sooner.

Reason: To ensure that the site is restored in a timely manner in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS25.

- C 4 Prior to the commencement of development, excluding initial soil stripping and archaeological works, a detailed landscaping and aftercare scheme, including provision for the removal of site infrastructure, the timing of planting, species numbers, size, spacing and density, seedmix, and aftercare management, including management responsibilities and schedules, for a period not less than 10 years, based on the Overall Restoration Plan, ref. 1660 – 135 dated Feb 2017, shall be submitted to and approved in writing by the local planning authority.

Should any trees, shrubs or other planting die, become diseased or be removed within 5 years from its planting, they shall be replaced in the first available planting season with a plant / plants of a similar size and species to that removed.

The development shall not take place except in complete accordance with the approved scheme.

Reason: To secure appropriate mitigation for the unavoidable short term visual impact and provide long term enhancement in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25, CS33 and CS34.

- C 5 Prior to the removal of suitable habitat for reptiles, the mitigation measures included in the Ecological Impact Assessment, dated December 2016 (Environmental Statement Technical Appendix B) shall be carried out in full under the supervision of a suitably experienced and qualified ecologist.

Reason: To protect species of nature conservation importance, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

- C 6 No removal of hedgerows or soil stripping shall be carried out between the 1 March and 31 August inclusive in any year, unless it is demonstrated that nesting birds are not present, or that the works will not disturb nesting birds.

Reason: To protect features of nature conservation importance, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

- C7 No development shall take place within the 20m buffer adjacent to the Cat's Water Drain running to the west of the site, or within 30m any badger sett.

Reason: To protect features of nature conservation importance, in accordance with Policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C8 The operations hereby authorised, required or associated with the development hereby permitted shall only be carried out between the following times;

0630 – 1900 Mondays to Fridays within the stocking and processing area, including the concrete batching plant (i.e. all parts of the site to the north and east of Willow Hall Lane)

0700 – 1900 Mondays to Fridays within the Bar Pastures southern extension (i.e. all parts of the site to the west of Willow Hall Lane).

0700 – 1300 Saturdays at any part of the site

and at no other times including Sundays and Bank Holidays.

No vehicles shall be permitted to use the Willow Hall Lane haul road crossing point at any time other than between;

0700 – 1900 Mondays to Fridays within the Bar Pastures southern extension (i.e. all parts of the site to the west of Willow Hall Lane)
0700 – 1300 Saturdays at any part of the site

and at no other times including Sundays and Bank Holidays.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core strategy policy CS34.

- C9 Prior to the commencement of development, but not including soil stripping or archaeological investigation, a scheme for the monitoring of noise from the development should be submitted to, and approved in writing by, the Mineral Planning Authority. The scheme should include, but is not limited to, the relevant aspects of the 'Environmental Scheme' dated 05 April 2003 in relation to the concrete batching plant.

The approved noise monitoring scheme should be implemented throughout the period of development.

Reason: To secure an appropriate noise monitoring scheme in the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C10 Except for temporary operations, the level of noise emitted from the site when measured (as dBLAeq 1 hour (free field)) at the noise sensitive properties listed, shall not exceed the permitted daytime working hours as set out in Table 1 below;

Table 1

Location	Level of noise
Pode Hole Farm	55
Bar Pasture Farm	48
38, 39 Willow Hall Cottages	48
Willow Hall Farm	55

At the locations listed above the noise emitted from the site shall not exceed 30dB LAeq 15 minutes at any other time.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C11 All plant, machinery and vehicles operated within the site shall be maintained in accordance with the manufacturer's specification and shall be fitted with and use effective silencers in accordance with the manufacturer's recommendations and shall be operated so as to minimise noise emissions. The manufacturer's specifications shall be provided to the Mineral Planning Authority within 5 days of being so requested.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C12 Reversing alarms to be fitted to all mobile plant shall only be of the 'white sound' variety in accordance with those identified in 'Brigade Vehicle Safety Solutions'. The approved reversing alarms shall be utilised on all mobile plant throughout the period of development.

Reason: To secure appropriate reversing alarms in the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C13 For temporary operations essential for site preparation work and restoration such as soil stripping and replacement, bund formation and removal, the free field noise level due to operations at the nearest point to the locations identified in Table 1, condition 12, shall not exceed 70 dB LAeq, 1 hour (free field). The Mineral Planning Authority shall be notified between 7 and 21 days in advance of essential temporary operations. Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C14 The development shall be carried out in accordance with the mitigation measures outlined in the 'Report on the Potential Dust and Air Quality Impact' dated 15 December 2016 (Environmental Statement Technical Appendix D).

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C15 Prior to the commencement of development a scheme for the monitoring and reporting of dust emission to enable an effective response to complaints shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme should have regard to the 'Environmental Scheme' dated 05 April 2003 in relation to the concrete batching plant. The development thereafter shall only be carried out in accordance with the approved scheme.

Reason: To secure an appropriate dust monitoring scheme in the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on the initial activities which may give rise to dust nuisance.

- C16 No operational development may take place within 20m of Bar Pasture Scheduled Monument.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraph 126.

- C17 Prior to the commencement of development a detailed scheme, including cross sections, for the underground clay seal bund adjacent to Bar Pasture scheduled Monument shall be submitted to and approved in writing by the Minerals Planning Authority. The development shall thereafter be carried out in complete accordance with the approved scheme and the bund retained thereafter.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraph 126. This is a pre-commencement condition because the entire scheme is dependent on appropriate protection being afforded to the Scheduled Monument.

C18 Prior to the commencement of development, excluding the initial stripping of top soils and archaeological works, a water monitoring strategy for the protection of the Bar Pastures Scheduled Monument shall be submitted to and approved in writing by the Mineral Planning Authority. The Strategy shall include, but is not necessarily limited to; a groundwater monitoring and evaluation programme, and provision for any requisite remedial works. The development shall thereafter be carried out in complete accordance with the approved ground water monitoring strategy.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraph 126.

C19 The development shall be carried out in complete accordance with the 'Specification for Archaeological Works' dated 20 January 2017. The approved 'Specification' 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 applicant or developer to mitigate the impact of the scheme on the historic environment when preservation in situ is not possible, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS36.

C20 The developer shall make allowance for Temporary Section Recording of the sand and gravel sequences on an annual basis and / or at the request of the Minerals Planning Authority.

Reason: To secure the benefits of exposing the geological interest within a RIGS in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

C21 Any fuel, oil or chemical storage above ground and refuelling facilities shall be bunded to at least 110% of the tank capacity and constructed on an impermeable base with an independent sealed drainage system with no direct discharge to any watercourse, land or underground strata.

Reason: To protect the water environment in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS39.

C22 Prior to the installation and use of any additional permanent lighting, a scheme of lighting shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of the types of lights, mountings and positions, lux values and measures to prevent light spillage occurring outside the site. No lighting shall be erected except in accordance with approved scheme.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C23 Wheel cleaning facilities shall be provided on site and retained in a location adjacent to the hard surfaced access to the site, and used as necessary to prevent detritus being tracked onto the public highway. In the event of breakdown, temporary wheel cleaning measures should be deployed until the permanent wheel cleaning facility is operable. The wheel cleaning facility shall remain in use on site until the final works of restoration have been completed.

Reason: In the interests of the amenity of neighbouring uses and highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS32 and CS34.

C24 No waste shall be received at the site until a bunded facility, for the receipt of waste found to be unacceptable after delivery, has been provided within the stockyard area, in accordance with details which shall be submitted to and approved in writing by the Mineral Planning Authority. The approved facility shall be retained until the last waste delivery has been received, at which point the bunded facility shall be removed and the area restored in accordance with the approved plans.

Reason: In the interests of water pollution prevention in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS39.

C25 The operator shall give the Mineral Planning Authority between 7 and 21 days written notice prior to the commencement of top or sub soil stripping, or replacement, from any part of the site. Prior to soil stripping any standing crop or vegetation shall be removed.

Reason: In the interests of the amenity of surrounding uses and to ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C26 Plant and vehicle movements shall be restricted to clearly defined haul routes or to the overburden surface and shall not cross areas of topsoil or subsoil except for the express purpose of soil stripping or replacement operations.

Reason: To minimise dust and to ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C27 Prior to the commencement of any top or sub soil stripping in each phase (or part phase) a scheme of soil handling and movement shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include, but is not limited to;

- i) soil handling techniques (e.g. Defra's Good Practice guide for Handling Soil, moving soils when in a dry and friable condition, avoiding soil handling during and shortly after significant rainfall, not handling and moving soils between November and March);
- ii) identifying the origin, intermediate and final locations of all soils (top and sub) for use in agricultural restoration, as defined by soil units, together with details balancing the quantities, depths and areas involved;
- iii) bund formation and management

The development shall thereafter be carried out in complete accordance with the approved scheme.

Reason: In the interest of securing the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C28 Prior to the final placement of soils a scheme of soil placement and agricultural aftercare shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include, but is not limited to;

- i) measures for soil replacement, stone removal and under-drainage
- ii) the depth of sub and top soils to be placed
- iii) remediation measures for any areas of differential settlement
- iv) provision for a minimum of 5 years agricultural aftercare with an outline aftercare strategy

Soil replacement and agricultural aftercare shall thereafter be carried out in complete accordance with the approved scheme other than such minor variations as may be required in the annual detailed programmes for the forthcoming year which have been approved by the Mineral Planning Authority.

Reason: In the interest of securing the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C29 Only inert material to which the developer has fulfilled their duty to apply the waste hierarchy shall be used for the restoration of the site.

Reason: For the avoidance of doubt of the extent of the proposed development and operations hereby permitted, and to ensure that the principles of the waste hierarchy have been applied in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS2

C30 No topsoil or basal clay shall be removed from the site.

Reason: For the avoidance of doubt of the extent of the proposed development and operations hereby permitted in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34 and 39.

C31 No stockpile of processed, unprocessed or mineral material shall exceed a height at any point of 5 metres above the ground at the time of working.

Reason: In the interests of the amenity of the surround area and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C32 Notwithstanding the provisions of the Town and Country Planning (General permitted Development) Order 1995 (or any other statutory instrument revoking and re-enacting that order) no fixed or mobile plant, machinery or buildings connected with the development shall be erected or placed on site without the express permission of the Mineral Planning Authority.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted, and to safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C33 In the event of cessation of operations prior to the completion of development hereby permitted, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of the restoration, landscaping and aftercare, shall be submitted within 12 months of the cessation to the Minerals Planning Authority for approval. The approved scheme shall be implemented in full within 12 months of the written approval.

Reason: To secure a beneficial afteruse for the site in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS25.

C34 The area of the concrete batching plant site as depicted on the 'Ready Mixed Concrete Plant Site Layout', drawing ref. 1660/36B dated 02/05/03, to be used for materials storage and handling shall be hard surfaced throughout the period of this development. All surface water shall be directed so as to pass through the water recycling unit, as shown on drawing ref. 1660/36B, prior to being discharged to any watercourse.

Reason: In order to protect the water environment in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS39.

C35 All building and structures as depicted on the 'Ready Mixed Concrete Plant Site Layout', drawing ref. 1660/36B dated 02/05/03, shall be painted and maintained 'Albatross Grey' as depicted on the 'Colour range chart; Colour Coat HP200'.

Reason: In the interests of the amenity of the surrounding area in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C36 All vehicles entering and leaving the site shall use the existing access to the A47 as shown on the 'Current Situation' drawing number M15.137(a).D.002 dated April 2016.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C37 Prior to the construction of the Willow Hall Lane crossing point, a Construction Management Plan, including, but not necessarily limited to, details of a suitable wheel and chassis cleansing system that shall be used during the construction phase, shall be submitted to, and approved in writing by the Mineral Planning Authority. The development shall thereafter be carried out in accordance with the approved plan.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C38 Prior to the commencement of development, excluding the initial stripping of top soils and archaeological works, the Willow Hall Lane crossing point shall be implemented in accordance with the 'Proposed Willow Hall Crossing General Arrangement' drawing number PODE-ACM-XX-XX-DR-CE-02001, rev P2 dated 20/02/18.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C39 Prior to the commencement of development, excluding the initial stripping of top soils and archaeological works, details of the wheel cleansing equipment required on either side of Willow Hall Lane which shall clean the wheels of vehicles using the crossing point prior to mounting the tarmac approaches to the highway shall be submitted to and approved in writing by the Mineral Planning Authority. Such equipment shall thereafter be retained and maintained in good working order for the duration of the development.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

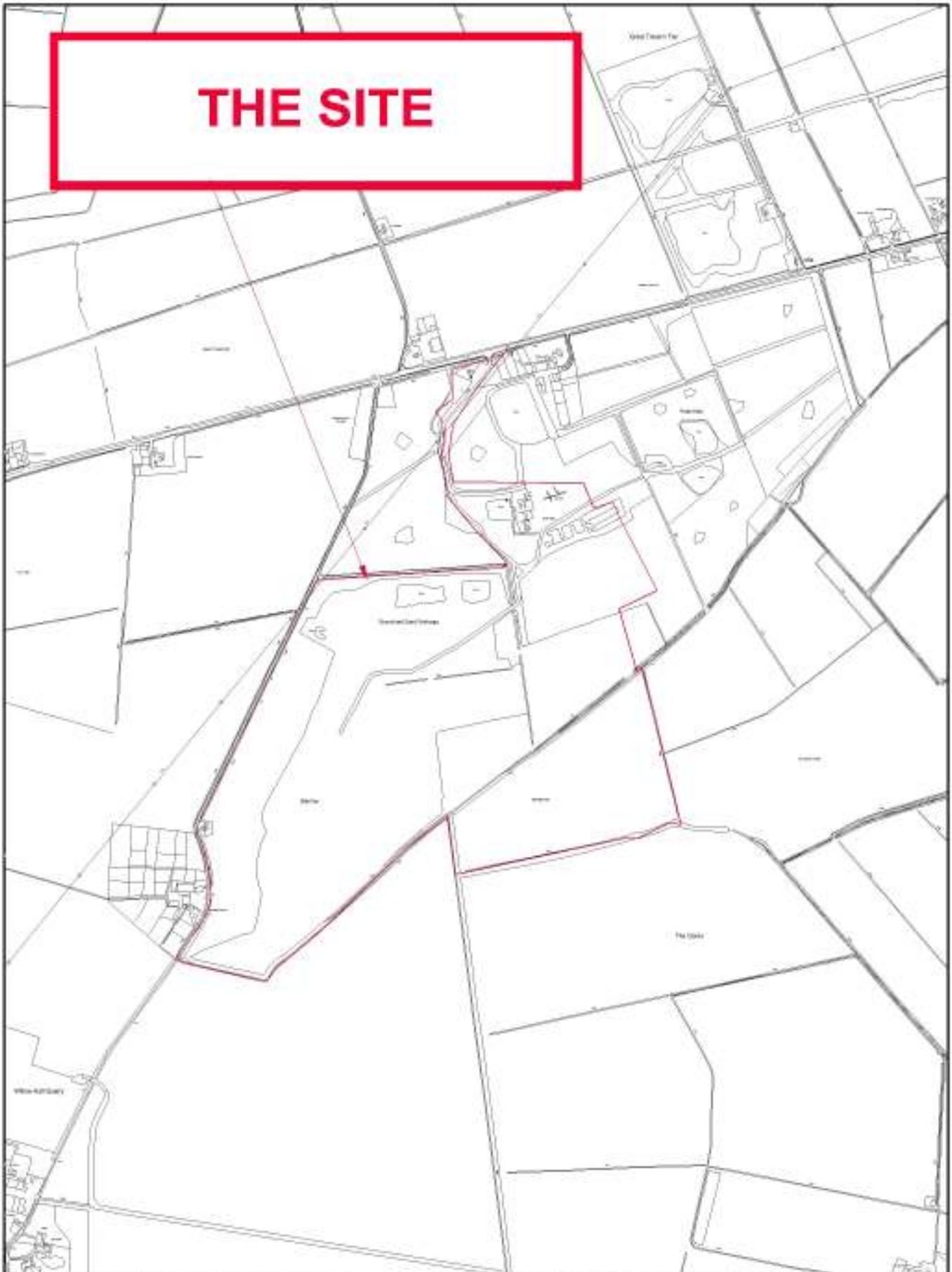
C40 The visibility splays on either side of the Willow Hall Lane crossing point within the public highway shall be provided in accordance with drawing no. PODE.ACM.XX-XX-DR-CE-02001, rev P2 dated 20/02/18, prior to any winning and working of minerals. For the avoidance of doubt these splay lines shall measure 4.5m along the centre line of each access from its junction with the channel line of the public highway and 70m measured along the channel line of the public highway from the centre line of each 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 and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

Copies to: Cllrs. Steve Allen and Richard Brown

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THE SITE



Title: Committee Location Plan

17/01707/WCMM

Site Address: Pote Hole Quarry, The Causeway, Thorney, Peterborough

Scale: NTS Date: 28th March 2018 Created by: LMG

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**Planning Services
PETERBOROUGH**



CITY COUNCIL

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Application Ref: 17/01707/WCMM

Proposal: Variation to Condition 1 of Planning Permission 12/01899/WCMM, regarding changes to phasing and restoration

Site: Pode Hole Quarry, The Causeway, Thorney, Peterborough

Applicant: Aggregate Industries

Agent: Ms Kirsten Hannaford-Hill
Aggregate Industries

Referred by:

Reason:

Site visit: 01.02.2017

Case officer: Mr A O Jones

Telephone No. 01733 454440

E-Mail: alan.jones@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The proposal site is an active sand and gravel quarry incorporating a concrete batching plant, and located within the Eye/Thorney Regionally Important Geological Site (RIGS). The site is located approximately halfway between the villages of Eye and Thorney and is accessed directly from the A47 which forms the northern boundary of the site. Willow Hall Lane lies adjacent to the west of the site, whilst the south, south east and east of the site is bounded by open countryside. The 82 hectares of the proposal site lie within the generally flat topography of the Fens landscape.

Proposal

The proposal seeks to amend the sequence of working for the final two phases of extraction (phases 10 and 11) to enable easier continuity of extraction, and to amend the approved restoration scheme. A review of the on-site soils resources has identified a reduced quantity of material available to achieve the approved restoration. As such, and to maximise the re-use of high grade agricultural soils, the overall area of land restored to agriculture will reduce from approximately 55ha to approximately 43ha, with a corresponding increase in water bodies, wetland habitat, marginal habitat and conservation grassland.

The proposal is EIA development, under Schedule 1(19) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and is accompanied by an Environmental Statement.

The proposal has been submitted alongside application 16/02447/FUL for an extension to the west of the existing site.

2 Planning History

Reference	Proposal	Decision	Date
03/00515/MMFUL	Extension to quarry, new processing plant and ancillary facilities, retention of existing access and plant, and restoration to low level agriculture/nature conservation	Permitted	16/02/2005
12/01899/WCMM	Variation of conditions C1, C3 and C4 of Planning Permission 03/00515/MMFUL - Extension to quarry, new processing plant and ancillary facilities, retention of existing access and plant, and restoration to low level agriculture/nature conservation	Permitted	05/12/2013

3 Planning Policy

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

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

MW01 - Strategic Vision and Objectives for Sustainable Minerals Development

In delivering the growth agenda there will be an increase in the use of recycled secondary aggregates and a preference in these over land won minerals, however, where this is not practicable a steady supply of mineral from the Plan area will be maintained. Limestone only exists in the Peterborough area and extraction will continue thought the Plan period. In order to avoid reserves becoming exhausted, new sites will need to be identified and brought forward if they meet environmental criteria. Major infrastructure projects will be facilitated by the supply of mineral and in the case of the A14 improvements, by borrowpits close to the scheme. Mineral safeguarding and consultation areas will be identified to avoid needless sterilisation and prejudice to future mineral extraction. As extraction progresses across the area it will help deliver other objectives through restoration including increased biodiversity, amenity and recreational use. The natural and historic environment will continue to be protected with increased emphasis on operation practices which contribute towards addressing climate change and minimise the impact of such development upon communities. (Policy CS1 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW04 - The Scale and Location of Future Sand and Gravel Extraction

The Mineral Planning Authorities will maintain a sand and gravel landbank of at least 7 years and will meet the requirement to supply 2.82 million tonnes of sand and gravel per annum, including a margin for flexibility, thus provision is made to supply 3.0 million tonnes of sand and gravel per annum over the plan period.

With regard to Peterborough;

New allocations plus permitted reserves will enable the supply of an annual average of 0.75mtpa from the Northern Zone i.e. Peterborough and north Fenland District

The principal broad locations for sand and gravel extraction will be:

For the Northern Zone;

- Kings Delph
- Maxey
- Eye/Thorney

Allocations will be outside the Ouse and Nene river valleys.

MW24 - Design of Sustainable Minerals and Waste Management Facilities

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

MW25 - Restoration and Aftercare of Mineral and Waste Management Sites

Minerals workings and waste management sites will be restored to a beneficial afteruse with aftercare arrangements. Restoration proposals will be considered on a site by site basis but must meet the criteria set out in the policy.

MW33 - Protection of Landscape Character

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related SPDs.

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse effect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW38 - Sustainable Use of Soils

Mineral and Waste development which affects the best and most versatile agricultural land will only be permitted where it meets the criteria set out in this policy.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

Peterborough Local Plan 2016 to 2036 (Submission)

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 took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

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 this 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 Wildlife Officer

No objections. The greater connectivity between the habitat areas achieved in the revised restoration plan is welcomed. An appropriate wildflower seed mix should be used in the wet grassland area. This can be secured by condition.

PCC Peterborough Highways Services (18.10.2017)

The proposals will have no material impact on the nearby public highway.

Archaeological Officer (12.10.17)

No objections subject to completion of the approved archaeological programme of works.

Lead Local Drainage Authority (16.10.17)

No objections, although the views of the North Level IDB should be taken into consideration (the IDB declined to comment).

Highways England (06.10.17)

No objections.

Natural England (09.10.17)

No comments.

Historic England (13.10.17)

No comments.

Environment Agency (18.10.17)

No objection.

Local Residents/Interested Parties

Initial consultations: 40

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No representations have been received.

5 Assessment of the planning issues

The Principle of Development

The main considerations are;

- a) Suitability of the proposal
- b) Restoration objectives
- c) Other issues

- a) Suitability of the proposal

The proposal affects the ability of the site to operate efficiently and to make best use of the available on site materials following a review as the site nears completion. The amended sequence of phasing has no off site detrimental impacts and the application allows for the regularisation of extraction works. The availability of resources for restoration has been clarified following a materials review as the site nears completion, and it is clear that no basal clay or top soils have been removed from the site. It is therefore accepted that an amended restoration scheme is required to maximise the potential of the high grade agricultural soils.

The submitted Planning Statement includes an update to the Environmental Statement. I agree with the conclusions of this Statement that there are no significant effects arising from the proposed changes; the main changes resulting from the amended restoration being in relation to the balance of agricultural and ecological enhancements. Additionally, the extant conditions have proved effective in mitigating the impacts of development, and can be carried forward, albeit they can be refined to reflect previously discharged conditions and amalgamated where appropriate for additional clarity.

- b) Restoration objectives

The materials review which has prompted the revised restoration proposal has led to a concentration of high grade top soils to achieve appropriate depths for long term agricultural use. The remaining areas are split into water bodies, providing both an ecological enhancement and an agricultural irrigation reservoir function, and a mixture of habitats incorporating restored silt lagoons, conservation grassland and areas of hedgerow and tree planting. It is not considered that there will be any fundamental alterations to the landscape character of the area when compared to the extant proposals, and the balance of restoration objectives is considered appropriate. The slight amendment to the scheme resulting in improved habitat linkages and more regularly shaped field boundaries is welcomed by the Wildlife Officer and the amended restoration scheme is considered to accord with Core Strategy policies CS24, CS25, CS33 and CS35.

- c) Other issues

The traffic routeing agreement in place for the existing site, which ensures HCVs only turn left onto the A47, and restricts HCV movements along Willow Hall Lane, will be carried forward to ensure the same level of highway safety and amenity protection as currently exists.

6 **Conclusions**

The NPPF states that there is a presumption in favour of sustainable development - in terms of decision taking this means approving development proposals that accord with the development plan without delay. The principle of development has already been established and the proposed amendments are in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS24, CS25, CS33 and CS35.

The update to the Environmental Statement accompanying the application is considered to be comprehensive and meets the requirements set out in the Town and Country Planning Environmental Impact Regulations 2017. Detailed topic areas have been assessed / considered and the proposal would not advance mineral operations closer to any residential properties or other sensitive receptors than currently approved. There would be no additional land take, and thus no additional disturbance to habitats, vegetation or archaeological features.

Comments of consultees have been taken into account, and there are no additional issues to be considered than for the original application. Suitable, and where appropriate updated conditions will be attached addressing all the issues previously raised and which are still relevant. The amenity of neighbours has been taken into account (although no objections have been received), and given that the site falls within a designated Minerals Consultation Area and in all other respects the proposal is acceptable, there is no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

Consideration has been given to the interaction of the proposals with those set out in application 16/02447/MMFUL for an extension to the west of the existing site, and it is considered that appropriate control can be exercised over both applications for them to be considered for approval.

7 **Recommendation**

The Director of Growth and Regeneration recommends that Amendment to an existing Planning Permission is **GRANTED** subject to the following conditions and entering into a legal agreement (S106):

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

C 1 The development hereby permitted shall be carried out in complete accordance with the following documents and plans, except as may be required elsewhere in this scheme of conditions;

Supporting Planning and Environmental Impact Assessment dated November 2003
Planning Statement dated August 2017
Application Site, drawing number PH 2/1
Application Site & Land under the control of the applicant, drawing number PH 2/2
Proposed Restoration Plan, ref. 002 dated Nov 2017

Reason: To clarify what is hereby approved.

- C 2 This permission shall be for a limited period expiring on 31 December 2022 by which time the site shall be restored for the proposed agricultural afteruse in accordance with the Proposed Restoration Plan, ref. 002 dated Nov 2017.

Reason: To secure a beneficial restoration in accordance Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25 and CS33

- C 3 With the exception of routine maintenance and pumping, no operations including the working of any plant or machinery associated with soil stripping, extraction, processing, transport of mineral from the site, or restoration operations shall be undertaken outside the hours of;

0630 to 1800 hours Mondays to Fridays

0700 to 1300 hours Saturdays

and at no other times, or on Sundays or Public Holidays.

Reason: To protect the amenity of local residents in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 4 All vehicles leaving the site shall use the existing access as shown on drawing number 1660/43.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

- C 5 All heavy commercial vehicles leaving the site shall pass through the existing wheelwash such that no sand, gravel, mud, or other deleterious material is carried onto the public highway.

Reason: In order to protect highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

- C 6 All vehicles carrying mineral from the site shall be securely sheeted unless such materials are greater than 75mm in diameter.

Reason: In order to protect highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

- C 7 The 'Environmental Scheme to Identify, Control and Monitor the Impacts of Noise and Dust from the Site' dated 20 March 2006 shall be implemented throughout the period of development.

Reason: In order to protect the amenity of adjacent occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 8 Except for temporary operations the free field equivalent continuous noise level Laeq T at the noise sensitive premises nearest the site, due to operations at the site, shall not exceed the relevant criterion limit specified below at each nominated dwelling;

Pode Hole Farm 55dB Laeq 1 hour (free field)

Bar Pasture Farm 48 dB Laeq 1 hour (free field)
38/39 Willow Hall Lane 48 dB Laeq 1 hour (free field)

For temporary operations such as site preparation, soil stripping and replacement, and screen bund formation and removal, the free field noise level due to operations at the nearest point to each dwelling shall not exceed 70 dB Laeq 1 hour (free field). Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: In order to protect the amenity of adjacent occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 9 No mobile plant will operate using intrusive audible reversing alarms. Plant requiring reversing alarms will be fitted with 'white noise' type alarms throughout the period of the development.

Reason: In order to protect the amenity of adjacent occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34

- C10 Archaeological interest shall be recorded in accordance with the 'Specifications for Archaeological Investigation' dated 31 April 2006. The scheme shall be implemented throughout the development and includes the post-excavation treatment of archaeological materials and submission of appropriate final reports.

Reason: In order to provide for the recording of archaeological interest in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS36.

- C11 All soils shall be recovered during excavation and retained on site for restoration purposes, and shall only be stripped, handled, stored and replaced in accordance with the Restoration and Soil Handling Strategy set out at paragraphs 6.1 to 6.20 of the 'Soils and Agricultural Land Classification' - Appendix C of the Environmental Statement dated November 2002; and the letter from Dr Stuart McRae dated 29 June 2003 at Appendix B of the 'Supplementary Planning and Environmental Impact Statement'.

Reason: In order to protect soil resources from damage and enable the restoration of the site to agriculture in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25 and CS38.

- C12 Working and restoration shall take place such that no areas of subsoil are left without topsoil and crop cover over the winter months. Subsoils or soil forming materials shall only be replaced when they and the ground on which they are to be placed are in a dry and friable condition, and no movement, re-spreading, levelling, ripping, or loosening of topsoil or subsoil shall occur;

- a) during the months November to March inclusive, or;
- b) when it is raining, or;
- c) when there are pools of water on the surface of the storage mound or receiving area.

Reason: In order to protect soil resources from damage and enable the restoration of the site to agriculture in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25 and CS38.

C13 Agricultural aftercare of restored areas shall be carried out in accordance with the 'Pode Hole Aftercare Management Plan' other than such minor variations as may be set out in the required annual detailed programmes for the forthcoming year which have been approved in writing by the Mineral Planning Authority.

Reason: To ensure the effective restoration of high grade agricultural land in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25 and CS38.

C14 No development or landscaping shall take place within 9 metres of any watercourse or drain maintained by the Internal Drainage Board.

Reason: To ensure access to these watercourses for maintenance purposes and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS39.

C15 All fuel, oil, or lubricant shall be stored in tanks within bunded compounds, which should be at least 110% of the capacity of the tank. All filling points, vents and sight glasses must be located within the bund.

Reason: In order to prevent pollution of the water environment in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS39.

C16 Prior to the commission of the replacement processing plant details of floodlighting shall be submitted to, and approved in writing by, the Mineral Planning Authority. No other floodlighting shall be installed throughout the period of the development except that approved.

Reason: To limit light pollution and protect surrounding uses in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order re-enacting or replacing it, no fixed or mobile plant, machinery or buildings connected with the extraction, processing or restoration shall be erected or placed on site without the prior written approval of the Mineral Planning Authority.

Reason: In order to safeguard the amenity of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C18 In the event of a cessation of the winning and working of mineral prior to the completion of the development hereby approved, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised scheme to include details of restoration and aftercare, shall be submitted within twelve months of the cessation of winning and working to the Mineral Planning Authority for written approval. The approved revised scheme shall be fully implemented with the exception of aftercare within twelve months of the written approval being given.

Reason: To ensure the site is restored to a beneficial afteruse if the mineral working is abandoned in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS25.

C19 The developer shall make allowance for 'Temporary Section Recording' of the sand, gravel and clay sequences on an annual basis and / or at the request of the Minerals Planning Authority.

Reason: To secure the benefits of exposing the geological interest within a RIGS in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

C20 Within three months of the date of this permission, a detailed landscaping and aftercare scheme, including provision for the removal of site infrastructure, the timing of planting, species numbers, size, spacing and density, seedmix, and aftercare management, including management responsibilities and schedules, for a period not less than 10 years, based on the Proposed Restoration Plan, ref. 002 dated Nov 2017 shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall not take place except in complete accordance with the approved scheme.

Should any trees, shrubs or other planting die, become diseased or be removed within 5 years from its planting, it shall be replaced in the first available planting season with a plant / plants of a similar size and species to that removed.

Reason: To secure appropriate mitigation for the unavoidable short term visual impact and provide long term enhancement in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25, CS33 and CS34.

Copies to: Cllrs. Steve Allen and Richard Brown