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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 25 JANUARY 2022

1.30 PM

Engine Shed, Sand Martin House, Bittern Way,

[Also livestreamed via Peterborough City Council Youtube Page](#)

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 23 November 2021 5 - 16
5. Development Control and Enforcement Matters
 - 5.1 21/01448/FUL - 35 Westgate Peterborough PE1 1PZ 17 - 36
 - 5.2 21/01908/R3FUL - Land Adjacent 35-59 Bridge Street Peterborough 37 - 50
 - 5.3 19/00836/OUT - Land East Of Eyebury Road Eye Peterborough 51 - 120
 - 5.4 21/00736/R4FUL - Land R/o 30 Hallfields Lane Gunthorpe Peterborough PE4 7YH 121 - 140



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5.5	21/01734/HHFUL - 40 Westwood Park Road Peterborough PE3 6JL	141 - 152
5.6	21/01803/HHFUL - 39 The Green Werrington Peterborough PE4 6RT	153 - 160

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Committee Members:

Councillors: P Hiller (Vice Chairman), R Brown, Warren, Iqbal, Jones, Hogg, Bond, Dowson, Hussain and Sharp

Substitutes: Councillors: B Rush, M Jamil, Bond and Yurgutene

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: Sylvia Bland, Janet MacLennan, Louise Simmonds,, Amanda McSherry, Ishita Sheath Matt Thomson, Asif Ali, Michael Freeman, Jack Gandy, Carry Murphy, Mike Roberts, Karen Ip, Shaheeda Montgomery and Gerald Chibumu

Minerals and Waste: Alan Jones

Compliance: Lee Walsh, Amy Kelley and Alex Wood-Davis

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer 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, 23 NOVEMBER,
ENGINE SHED, SAND MARTIN HOUSE, BITTERN WAY, PETERBOROUGH**

Committee Members Present: Harper (Chairman), Hiller (Vice Chairman), S Bond, Brown, Dowson, Hogg, Ishfaq Hussain, Jones, Amjad Iqbal, Sharp, and Warren.

Officers Present: Sylvia Bland, Development Management Group Lead
Dan Kalley, Senior Democratic Services Officer
Chris Gordon, Planning Solicitor
Alex Woolnaugh, Highways Engineer
Nick Harding, Head of Planning
Janet MacLennan, Principal Development Management Officer

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Andrew Bond. Councillor Sandra Bond attended as substitute.

32. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 19 OCTOBER 2021

The minutes of the meeting held on 19 October 2021 were agreed as a true and accurate record save for the inclusion of Councillor Jones who was in attendance at the meeting.

33. DECLARATIONS OF INTEREST

There were no declarations of interest.

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

Cllr Warren declared an intention to address the Committee on item 5.3 as the Ward Councillor.

35. PLANNING AND ENFORCEMENT MATTERS

35.1 21/01151/R4OUT - Former Peterborough Market And Car Park Site Northminster Peterborough

At this point Councillor Hiller left the Committee in order to speak on the item as a representative of the applicant.

The Committee received a report, which sought seeks outline planning consent, with all matters other than access reserved for the following:

- A residential development of up to 315 units. The indicative scheme shows a mix 20% one-bed two person apartments, 27% two-bed three person apartments, 25% two-bed four person apartments, 15% three-bed five person apartments, 7% three-storey townhouse apartments, and 6% two-storey maisonette apartments.
- Two commercial units are proposed to the south of the principal building; one unit having a floorspace of 225 sqm and one unit having a floorspace of approximately 325 sqm with first floor roof terrace.
- A resident's courtyard (private open space) and enhancement to Laxton Square (public open space).
- A food and beverage pavilion approximately 100sqm within Laxton Square.
- Vehicular access to the site would be from Northminster leading to an external car park at the northeast corner of the site comprising approximately 50 car parking spaces.

A suite of plans supporting the application to illustrate the scale and layout of the development, as well as floor plans to demonstrate how the quantum of the development can be accommodated on site.

The indicative scheme provided shows a building with a 'k' shape footprint, comprising 10 storey elements located along Cattle Market Road and Northminster, with a three-storey north and south facing link building.

Parameters plans have been submitted in order to control the height of the development and proposed uses ahead of a future reserved matters application.

The scheme has been revised since the initial submission reducing the overall height of the development by 2 no. storeys from 39m to 33.3m and the number of units from up to 335 to up to 315.

A further round of consultation had taken place.

The proposed scheme would provide for Build to Rent accommodation. This type of development is defined in the NPPF as 'purpose built housing that is typically 100% rented out. Schemes will usually offer longer tenancy agreements of three years or more and will typically be professional managed stock in single ownership and management control.' In this case, the applicant proposes a specific type of Build to Rent scheme known as Private Affordable Rent where the rents will be maintained at 80% of local market rent levels. This is a type of affordable housing for rent, as defined in the NPPF.

The proposals under consideration as part of this application do not include for the relocation of the indoor market. This will be undertaken by the Council as part of its responsibilities as the landowner. A separate project is underway to provide for a new location for the market to Bridge Street, elsewhere within the city centre.

The Development Management Group Lead introduced the report and highlighted the key points in the application. Members were also directed to the update report which contained a number of revised and additional conditions and are outlined below:

The following conditions are amended:

C30 Prior to first occupation of the development, the proposed vehicular accesses on Northminster and Cattle Market Road shall be laid in accordance with the approved plans and hard surfaced and drained in accordance with details to be submitted and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety and in accordance with policy LP13 of the adopted Peterborough Local Plan (2019).

C33 Prior to first occupation of the development, the highway works along Northminster and Cattle Market Road shall be laid and constructed in accordance with drg. nos. PC1626-RHD-GE-SW-DR-R-1000 revision P04, PC1626-RHD-GE-SW-DR-R-1001Rev P01, PC1626-RHD-GE-SW-DR-R-0052 (PG-01/02) Rev P02 and PC1626- RHD-GE-SW-DR-R-0052 (PG - 02/02) Rev P02. Reason: In the interest of highway safety and in accordance with policy LP13 of the adopted Peterborough Local Plan (2019).

The following additional conditions are added:

C41 Prior to first occupation, the existing accesses to Northminster and Cattle Market Road shall be permanently and effectively closed and the footway shall be reinstated in accordance with drg. nos. PC1626-RHD-GE-SW-DRR-1001Rev P01 and PC1626-RHD-GE-SW-DR-R-0052 (PG - 02/02) Rev P02. Reason: In the interests of highway safety and in accordance with policy LP13 of the adopted Peterborough Local Plan (2019).

C42 Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on submitted plan PC1626-RHD-GE-SW-DR-R-1000revision P04 and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway. Reason: In the interests of highway safety and in accordance with policy LP13 of the adopted Peterborough Local Plan (2019).

C43 No development above damp proof course level shall take place, until details of the Travel Information/Welcome Packs have been submitted to and approved in writing by the Local Planning Authority. The approved Travel Information/Welcome Packs shall include either one bus taster ticket from Stagecoach (the main bus provider in Peterborough) or a £50 cycle voucher.

David Turnock, on behalf of the Peterborough Civic Society and Bryan Martin, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Peterborough Civic Society did have a number of reservations over the development, especially in relation to views of the cathedral. However with the reduction in size of the application the Civic Society no longer had any objections in terms of height and massing of the development. The heritage of the cathedral was now maintained with this reduction in height.
- There were still concerns over how much regeneration this would ultimately bring to the city centre. It was noted however that the proposed moving of the market to the city centre would help with regeneration.
- In terms of the car parking proposal the 50 spaces were not enough. It was difficult to see how people could visit the city centre and be close to the main attractions with limited parking provision. If the parking was to be reserved for the flats this again was not enough for the proposed 315 units.
- Further clarification was also needed over how the affordable housing scheme would operate for this development.
- Based on the revised plans and conditions the Civic Society were now happy to support the proposal and no longer had any objections.
- Mr Martin, a local resident stated that this was an important decision for the city to take and would affect the residents for a number of years to come.
- It was too early to make a decision on this application. There had been no firm plans over the relocation of the market. It was noted that the public consultation on the relocation of the market had not yet closed and was only due to finish towards the end of December. What had been proposed so far for the market relocation did not seem appropriate and because of this the committee needed to refuse the application in front of it and wait for the consultation to close.

- This was an over development of the site and it only provided for one parking space for every six flats.
- If the application was refused the developer could take on board the comments made and re-submit the application with a more modest development which would more likely gain support of residents.
- The proposed services plan would also be a detriment to residents of the city centre and cause disruption to people moving in and around the city centre.
- If the Council had secured the new location of the market it would overcome some of the objections, however only 50 car parking spaces and the servicing of the site was still detrimental to the residents of the city.

Mr Jeremy Good, Mr Howard Bright and Cllr Hiller, as applicants and agents, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Cllr Hiller as a board member for the Peterborough Investment Partnership (PIP), welcomed the comments made and the presentation from officers. It was pleasing to hear that the Civic Society had withdrawn their objection to the scheme.
- The key principle for the application was the regeneration of the city centre. It was hoped that the application would breathe new life into the area, as what was there currently was not overly attractive.
- The PIP had a vision for the future of the city and this was to try and create a new vibrant city centre. Conversations with the officers of the Council had shown that they also shared the same vision. It was hoped that the proposal would help invigorate the city with new hotels, bars, restaurants, offices and flats.
- The current site was an unloved area and so this was a new vision around Northminster. The proposal was for 315 affordable living apartments. There were also retail opportunities and parking provision for the flats. This was expected to be a great place for people to live and grow in.
- There were examples of new public open spaces within the development. At all times the applicant had tried to be as open and transparent as possible. A number of exhibitions and public consultations had taken place to show the residents of the city the proposals.
- If the application was approved the developers had hoped to be on site at some point in the New Year. Members were informed that this development was an allocated site in the local plan. In addition, there were proposed links to the heritage of the city.
- It was not very often that the skyline of cities was improved for the better, however, this application was an example of improving the skyline. Members were reminded that the PIP had also been the creators and visionaries for the Fletton Quays development which had improved the skyline of the city centre and was an example of what could be achieved with the city.
- With regards to the parking provision, it was important to note that the policy for parking in city centres stated that no parking needed to be provided. This was an exception whereby 50 spaces were being provided for residents of the development. There were further sustainable elements of the development, for example a number of electric car charging points were to be installed.
- The 50 car parking spaces were to be allocated to the residents of the development and would not be public car parking. People who wanted to live in the city centre were aware of the parking provision and could make an informed decision over whether the units would be for them. It was proposed that the parking spaces would be allocated to certain flats within the development.

- The trigger for delivery of contributions was to be set out in the S111 agreement but would eventually form part of the S106 when the delivery of this would happen. Further discussions after the application was approved would need to take place over when the contributions would be triggered. Members were informed that the Council had five years in which to carry out any of the work that was required.
- Any reserved matters would need to go through further consultations and be agreed upon at a later date. This was an outline application, for which the access ways for the proposal were being agreed along with an outline of the site.
- In terms of the affordable renting this was not to be confined to a particular group. Anyone could apply to rent one of the apartments and would be advertised as such.
- The servicing of the apartments had been raised; however this was a city centre development and there were physical constraints. Highways had stated that they are ok with this and the applicant would work closely with them on this application.
- The waste disposal bins were a reserved matter, however one of the conditions addressed the need for additional information on this to be provided.

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

- Servicing arrangements for Northminster had been secured. This included provision of loading bays which were located near the bin collection areas. Cattle Market Road was to be used for the main servicing supply.
- Members were reminded that the waste management plan would be part of the reserved matters application. Condition 38 to this application asked for details of the waste management plan to be included at the next stage and how this was going to be carried out.
- The Highways officer confirmed that the applicant demonstrated that refuse vehicle could turn around on Cattle Market Road. There was to be no loss of disabled parking bays. Any on-street parking bays would be amended accordingly.
- There was concern over the demolition of the market at this stage as the public consultation on the relocation of the market was still open and was not due to close until the 21 December 2021.
- The process for relocating the market was separate from this planning application. There were also contractual arrangements that needed to take place over ownership of the land from the Council to the PIP. There were separate triggers that took place outside of the planning system.
- The demolition of the site was under a prior approval application and needed to be determined by a certain period. This would not normally come to committee as it looked at the method of demolition and how the land was to be left, rather than the principle of demolition, which was being decided on by way of the planning application in front of committee.
- When the prior approval application for demolition was presented, approval for this was needed within 28 days of submission which the Council had done in this instance. Members were informed that this did not activate the demolition of the site but merely allowed approval for the method of how this was to be demolished should the planning application presented by PIP be approved.
- The prior approval was a two-stage process, the Council in the first stage has requested to see details of how the site was to be demolished. Have asked the applicant to submit further information on this. Once this had been submitted officers would decide to approve or refuse the demolition and would take place in the next few weeks.

- Members were informed that the relocation of the market was served under different legislation and it was believed that all market traders had been served notice to vacate the premises. The consultation was based on where the new market would be placed, so that the new market would be up and running sometime after the market holders had vacated.
- Members were made aware that although there was some link between the application and the relocation of the market they were separate from each other and members needed to decide on the application in front of them and whether to agree to the outline planning permission being sought by the applicant.
- Some member expressed concern that the Council was giving consent to demolish something that has not been agreed as to where it was moving or why it was moving. There had been no final confirmation over whether the market traders or public were happy with the proposed move.
- In terms of car parking provision members were drawn to a number of conditions, mainly condition 31, requiring a car parking management plan, condition 39, requiring a travel plan and condition 43, requiring travel packs for new residents.
- There were rare circumstances whereby the Secretary of state could call in a planning application and a planning inspector could make a final decision. This tended to be for the most significant schemes in the country. However, private individuals had the ability to make a request to ask the Secretary of State to make a final determination.
- In overall terms it was difficult to make a decision on the application. There were a number of questions and reservations which had been covered off, especially in terms of parking provision and the provision for affordable rent which would assist with the housing needs in the city centre.
- There were real concerns over the future of the market stalls and traders. It had seemed that this had been an afterthought. There were no firm plans over the relocation of the market. It was concerning that a demolition order was going through the process of being approved before a public consultation had finished. At this stage the application had been submitted too early for a final determination to be made.
- The consultation was about where the market was going to go rather than the market staying. The applicant had submitted the demolition order so that this could be put in place should the application be given approval today.
- Members agreed that there was a need to see an improvement in the Northminster area. Other large cities had good markets in central locations.
- This scheme should be welcomed, it was acknowledged that this was an outline application and that reserved matters would come back to committee at a later stage. Regeneration was required for the area and this was a high-quality scheme which would provide affordable housing.
- There was no impact to highway and the conservation area. There had been provision for car parking which was an extra for some of the residents. It was pleasing to see that the Civic Society were no supportive of the scheme.
- Ward Councillors had raised concerns over the market, however, the proposal that had been mentioned for the market going forward looked acceptable and in that instance the proposal was an improvement for the area.
- It would have been good to see a provision for local residents getting first refusal on the affordable units. Members were informed that this was an open rental scheme and had to be made available to anyone to rent
- The proposal being suggested that the market be relocated to the centre of the city was a good idea. Scrutiny committee members had voted in favour of the market relocating to a central location. It would put this back at the heart of the city centre.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (8 for, 2 abstentions) to **GRANT** the planning permission subject to the application not being called-in for determination by the Secretary of State and that the legal agreement and relevant conditions be delegated to officers.

REASON FOR THE DECISION:

Subject to the imposition of the attached conditions, and the securing of the planning obligations through a legal agreement, 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 Northminster Development Area, within the City Centre Core and the proposal would deliver a high quality development, which would enhance the vitality and viability of the city centre and stimulate further investment in the city centre; while at the same time would boost the supply of housing in what is a highly sustainable location. The proposal therefore accords with policies LP3, LP6 and LP47 of the Adopted Peterborough Local Plan (2019) and paras. 86 and 119 of the NPPF (2021);
- The proposal is a 'build to rent' scheme and would provide a 100% affordable private rent tenure in accordance with Annex 2 of the NPPF (2021) and NPPG (2018); and will meet access standards and the changing needs of people over time in accordance with policy LP8 of the adopted Peterborough Local Plan (2021);
- The substantial public benefits of this proposal would outweigh the identified harm due to the best views from Northminster moving forward to become a framed view, which is less than substantial. The proposal would not have an unacceptably adverse impact on the setting and significance of the Grade I listed Peterborough Cathedral, the Grade II Peterscourt or on the character and appearance of the Park and City Centre Conservation Areas and therefore accords with policies LP19 and LP47 of the adopted Peterborough Local Plan (2019) and paras. 194, 197, 199 and 202 of the NPPF (2021);
- An programme of archaeological works would be secured to ensure that disturbance to buried archaeological remains is minimised and managed in accordance with policy LP19 of the adopted Peterborough Local Plan (2019) and paras. 194, 195 and 205 of the (2021);
- Illustrative plans indicate a building of high quality design which would respect the surrounding context and has the potential to add to the local distinctiveness of the area and create a sense of place. Hence the proposal accords with policies LP16 and LP31 of the Adopted Peterborough Local Plan (2019) and paras 126 and 130 of the NPPF;
- The proposal would not unduly impact on the surrounding highway network. The site is accessible by a choice of means of transport the proposal would ensure that a safe and convenient access for all users would be available. Hence the proposal would accord with policy LP13 of the Adopted Peterborough Local Plan (2019) and paras 110 and 111 of the NPPF (2021);
- Illustrative plans indicate an enhancement to the public realm and Laxton Square to the benefit of the visual amenity of the area, along with biodiversity enhancement in accordance with policies LP16, LP28 and LP29 of the adopted Peterborough Local Plan;
- Obligations would be secured for the enhancement of off-site Public Open Space in accordance with policy LP21 of the Adopted Peterborough Local Plan (2019);
- The proposal has demonstrated that the site can be suitably drained, will incorporate SuDS into the proposal to reduce surface water run-off and adequate foul water treatment and disposal can be achieved. The proposal therefore accords with policy LP32 of the Adopted Peterborough Local Plan (2019) and para 169 of the NPPF (2021);

- Subject to appropriate noise mitigation the proposal would provide a satisfactory level of amenity for future occupants of the development in accordance with policy LP17 of the Adopted Peterborough Local Plan;
- Illustrative plans indicate that the development can be implemented without any unacceptable adverse impact upon neighbouring amenity in accordance with policy LP17 of the adopted Peterborough Local Plan (2021);
- Subject to conditions any contamination within the site will be identified and satisfactory remediation would be secured in accordance policy LP33 of the adopted Peterborough Local Plan (2019) and para. 183 of the NPPF (2021).

At this point Councillor Hiller re-joined the meeting.

35.2 21/00913/FUL - 197 Crowland Road Eye Green Peterborough PE6 7TT

The Committee received a report, which sought to construct a detached, 4no. bedroom dwellinghouse. The existing static caravan would be removed and the proposed dwelling would be constructed over and across the existing slab.

The proposed dwelling would measure approximately 17 metres in depth by 12 metres in width. There are a number of different roof forms proposed to the dwelling, but the main and highest ridge of the proposed dwelling would be approximately 6.3 metres from ground level, with the associated eaves to measure approximately 2.5 metres in height from ground level. The existing hard standing to the front of site, used for vehicular parking and turning, and the existing garden to the rear of, shall be retained.

The Head of planning introduced the item and highlighted key information from the report and the update report.

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

- The family had lived on the site for a number of years. There had been objections from local residents over the proposal. Furthermore, there had been no objections from any of the statutory consultees.
- There was no identified application policy in the Local Plan for this type of application.
- Members needed to bear in mind that this was more than just a caravan and needed to understand the family's situation in order to understand the reasons for wanting to build a brick house on the site.
- There had only been one letter of objection which had come from the local parish council.
- Local Planning policy LP11 allowed for permanent dwellings on open space. The family would accept any conditions imposed on the application if it allowed them to build their house.
- A brick-built home would be more environmentally sound than a mobile home. The replacement dwelling was more than twice the size of the mobile home.
- There were no issues over the size of the dwelling as it was needed for the family to grow into. Again, it was stressed that the neighbouring properties supported the application.

Kelly Smith and Tim Slater, applicant and agent, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The family had been living on the site for nearly ten years. The original mobile unit was in a state of disrepair and the family's son had just been diagnosed with asthma, therefore this had to be taken away and a new mobile plastic unit was purchased which was currently on site.
- The current setup was not suitable for the family. The mobile unit was too small and the children now needed a more permanent setup. Although the family were a part of the gypsy and traveller community they had not been travelled as much over the past few years.
- The family had been a part of the local community for a long time and had a number of expressions of support over the application. This new home would also be more energy efficient.
- The planning system had failed the family and had been poor in developing solutions for issues such as this. The family wanted to play an even bigger part in the local community.
- There were no technical or policy objections made in relation to the application and members of the committee needed to view the circumstances of the family when making a decision.
- This application would not cause any harm to the local countryside and the material considerations needed to outweigh any local plan policies.

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

- Members could be minded to putting some weight to the fact that although this was in open space it did form a pocket of development and that the harm to the countryside would be modest.
- Members were informed that generally speaking there was an aversion to bricks and mortar developments within the gypsy and traveller community. It would be difficult to find another family to take on the development if this was made available. Members needed to take a balanced view of the needs of the family and planning policy.
- There was a danger that the property would be difficult to pass on. The committee could include a condition that the property could only be sold or used by another gypsy or traveller family.
- There was an understanding of why officers had recommended refusal, however there was a need to be flexible in certain circumstances. The needs of the family outweighed the planning policy. The family had been an important part of the local community and it would be unfortunate to not allow this application which would enhance the local area.
- This was an exceptional application and should be viewed as such. The circumstances of the family were relevant in this instance and needed to be taken into account. It would be a good idea to condition the application so that this property could only go to another gypsy and traveller family in the future.
- Members were informed that they did not need to put a condition on the property with regards to this being passed onto another gypsy or traveller family.
- There was a danger that if no condition was imposed this site would be lost forever to the gypsy and traveller community.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officer recommendation and **GRANT** the application. The Committee **RESOLVED** (8 for, 2 against and 1 abstention) to **GRANT** the planning permission subject to the restriction to gypsy and traveller occupation and other conditions delegated to officers.

REASON FOR THE DECISION:

The proposal was acceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan.

35.3 21/01418/HHFUL - 54 Tollgate Bretton Peterborough PE3 9XA

At this point Councillor Warren left the Committee in order to speak on the item as Ward Councillor.

The Committee received a report, which sought planning permission for the following elements:

- A rear extension sited 0.5m from the northward boundary, with dimensions 3.8m wide x 8.4m deep and a flat roof with total height of 2.89m topped with a lantern rooflight, to extend the existing kitchen into the rear garden;
- A two storey side/front extension of dimensions 2.6m wide x 2m deep with a flat roof to accommodate a new WC and Lobby, with glazed entrance door and a window to front elevation on the ground floor, and provide additional floor space to existing bedroom on the first floor with a window above the proposed WC;
- A two storey side extension with staggered side elevation, with a maximum width of 3.25m and 6.45m depth which would accommodate a store room and an additional living room on ground floor and create additional floor area to existing bedrooms as well as an en-suite bathroom. The roof apex would be of the same height as the existing dwelling and the rear dormer would be extended on the east elevation; and
- A 600mm high brick wall with an inward opening gate along the southward boundary hard up to the back edge of the footway running along School Close.

All external finishing materials are to match the existing dwelling.

The Head of Planning introduced the item and highlighted key information from the report and the update report.

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

- The applicant wanted to create a family home. At the current time the property was too small and was in essence a two bedroom home as one of the bedrooms was too small.
- A nearby property had recently had a similar size extension approved. The applicant would accept any conditions that were attached to the application. The open space was not relevant to this application. It was difficult to see why there would be any objections to building close to open space.
- There had only been one objection to this on grounds of parking, however there was a garage space at the back of the property and parking space available at the front of the property. It was understandable that there may be concern over whether this was going to be turned into a house of multiple occupation (HMO), but this was not the case. The other objection was around building noise, however this would be carried out during the daytime.
- The site was on a junction, to which there was a school nearby. However, the flow of traffic was through the school and back out again rather than causing congestion at the junction.

- The person who spoke against the application did not mention the detriment to the street scene when conversations were had.
- Members were informed that there was a mirror image extension to No.37 Tollgate.

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

- The essence behind the application was to build a larger family home. The family had lived in the property for 15 years. There were three children in the house and the bedrooms were not sufficient for the growing family.
- There was no flat roof to the side it continued with the roof line right across the property.
- There was a flat roof to the front of the extension and not to the side as was mentioned. The extension to the side was pitched to the front and rear of the property.
- The objector had concerns with original plans as the rear extension was going to the back of the property and connecting to the garage at the rear, which the objector felt was too long. The plans had since been changed to try and accommodate the objections.
- It was unclear as to why the objector still had the objections as it was thought these were resolved.
- There had been a number of neighbours who had stated their support of the application and were accepting of the need for the family's extension.

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

- The proposed extension was large and did take up a lot of space on the site. However, the design was attractive and there was an understanding of the family's position.
- There were concerns that this extension might contravene LP17. There were no concerns over the impact on LP16.
- It was understandable why planning officers had reservations over the application, however there had been only one objection to the proposal and a number of supporters.
- The biggest concern was over the lack of privacy by the removal of the brick wall. There needed to be some form of privacy for all parties before the application was acceptable.
- A further concern was over the roof element of the extension as this projected out into the path. A better design of this would make the application more attractive.
- Officers confirmed that a condition could be inserted that a 1.8m high boundary treatment was submitted to the local planning authority so that the issue over privacy could be overcome. This would need to be given permission as it would need to allow enough visibility for traffic.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officers recommendations and **GRANT** the application. The Committee **RESOLVED** (8 for, 2 against) to **GRANT** the planning permission subject to the submission of details for 1.8m high boundary treatment and any other necessary conditions delegated to officers.

REASON FOR THE DECISION:

The proposal is acceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan.

At this point Councillor Warren returned to the Committee.

36. Appeals Quarterly Report Jul-Sep 2021

The Committee received a report in relation to appeals to planning applications received from July to September 2021.

The Head of Planning introduced the report and stated that from July to September there had been three appeals decided, of which only one was allowed and therefore the performance figure was 33%.

With regards to three appeals, the applications in relation to Ivy Cottage and Cobnut Cottage were dismissed. The application in relation to The Bungalow, Buntings was allowed.

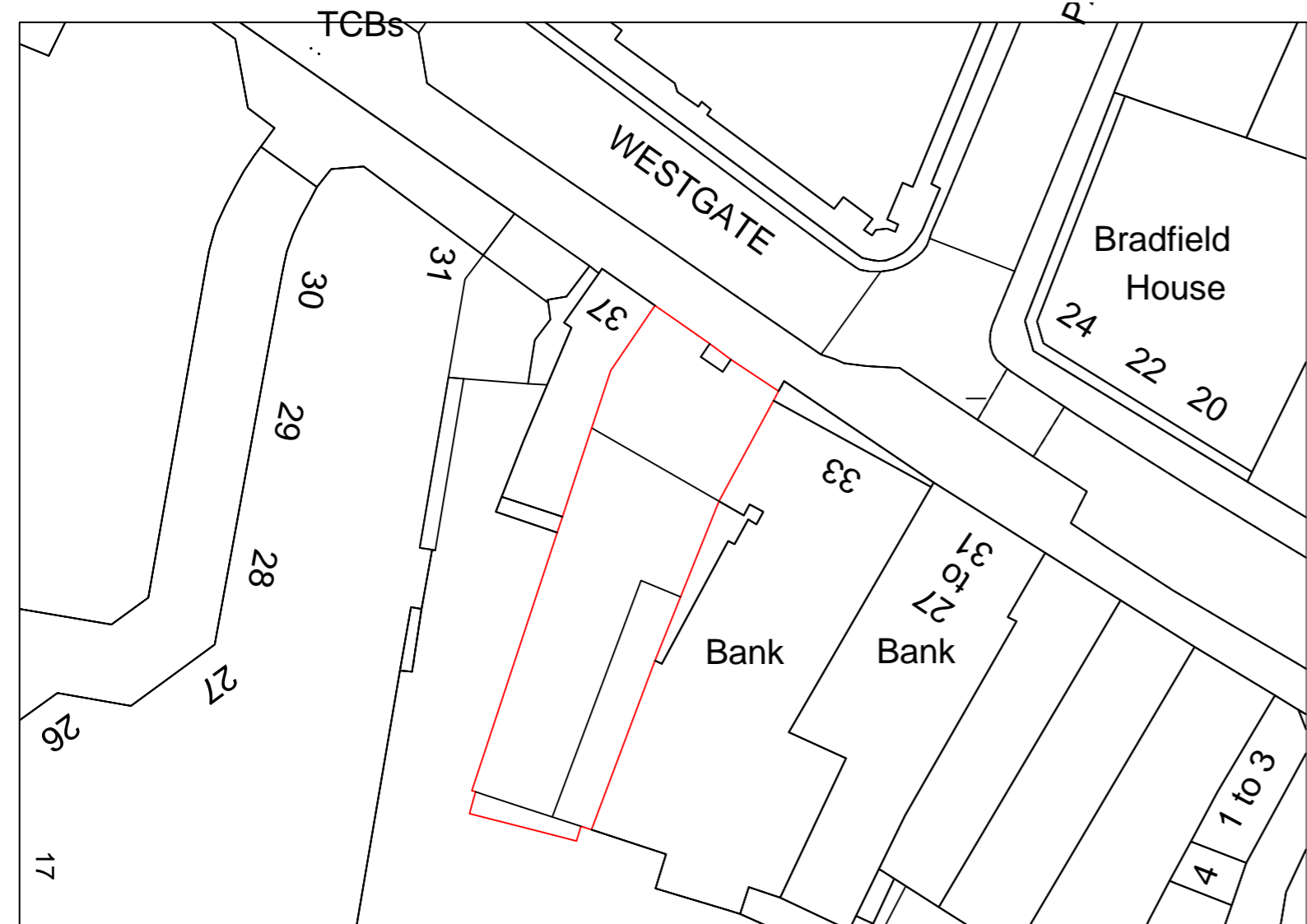
It was noted that thanks be given to the planning team for the results and the work that had been put into the appeals and the percentage of cases going to appeal were low.

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

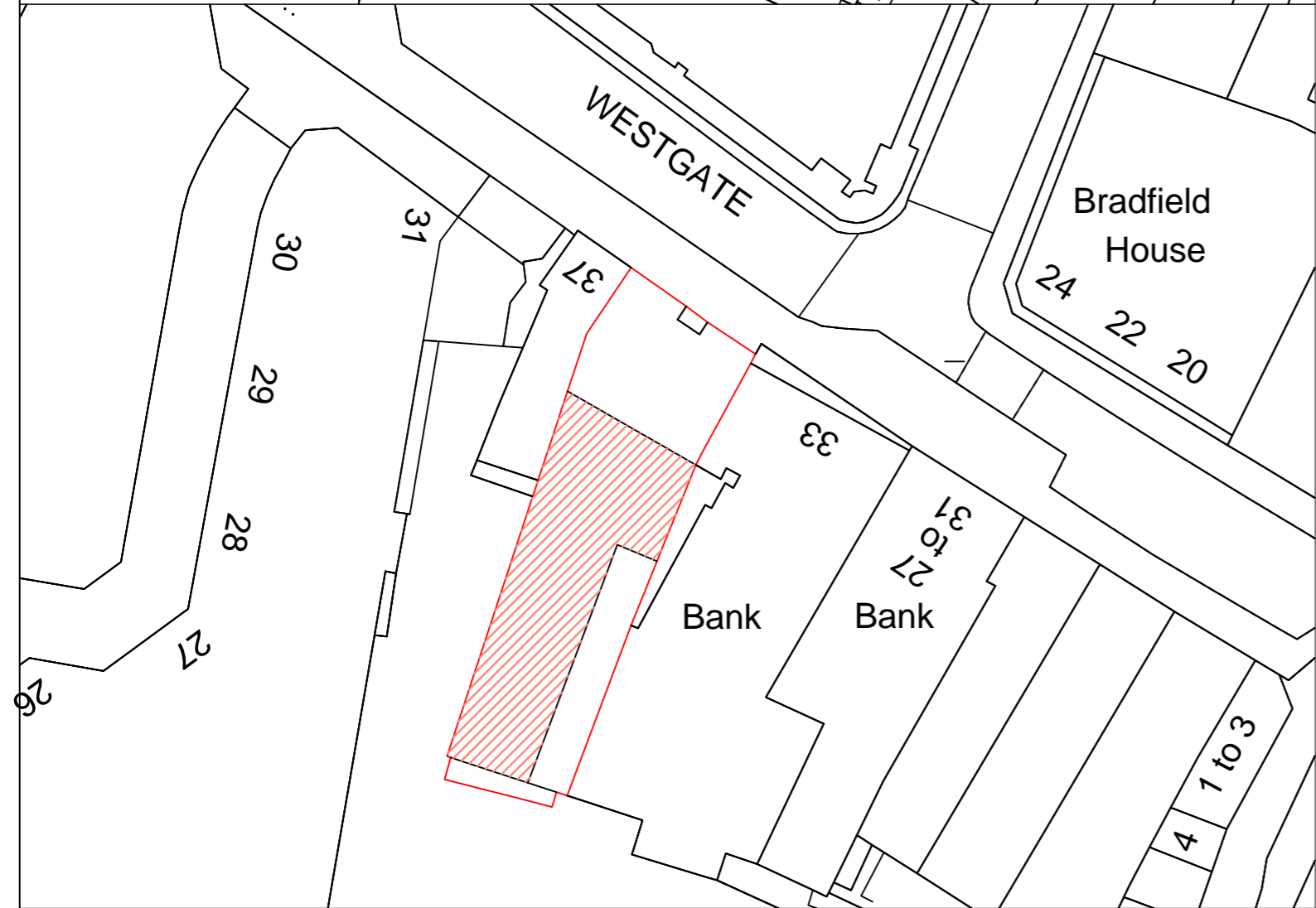
RESOLVED:

The Planning Environment Protection Committee considered the report and **RESOLVED** (unanimous) to note the report.

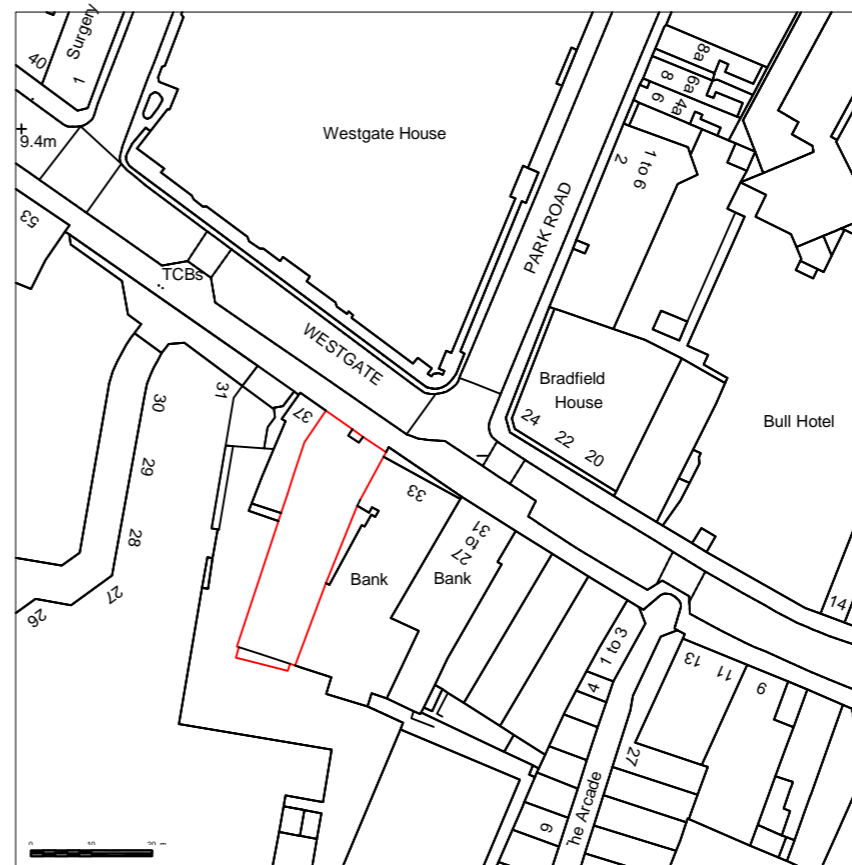
CHAIRMAN
1.30 - 5.15PM



Existing Block Plan
1/500



Proposed Block Plan
1/500



Location Plan
1/1250

Notes:

Do not scale from this drawing. All dimensions to be confirmed by contractor on site.

Proposal subject to planning/ permitted development / Building Regulation approval.

The production of these drawings does not convey that party wall agreements have been sought or agreed to, party wall issues are to be dealt with separately. Owner to give relevant notice to all adjoining property owners / tenants as required by Third Party Wall Act 1996 prior to commencing of work. If in any doubt you are advised to consult with your solicitor or legal advisor.

Trial holes to be undertaken to ascertain ground conditions, depth of adjoining property foundation and work to be agreed with the adjoining owners. Alternative foundation if required design to be agreed prior to commencement of work.

All structural elements including drainage are to structural engineers details and specification.

All drainage is to be agreed with Building Control and the appropriate water board when required.

Check existing drain positions and carry out CCTV survey in any case, check with water board, and obtain necessary consents as applicable. Proposal shall be subject to approval from water board.

Check all before commencing work.

Address	
35 Westgate	
Drawing Title	
Location, Existing and Proposed Block Plan	
Scale: 1/1250 & 1/500 @ A3 Drawn: MI 02/12/20	
Drawing No:	Rev
001	A

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Application Ref: 21/01448/FUL

Proposal: Subdivision of ground floor retail shop and associated alterations to form 6x Class E(a) retail units and taxi cab office (sui generis), change of use of second floor to restaurant (Class E(b)) and associated external alterations- Resubmission

Site: 35 Westgate, Peterborough, PE1 1PZ
Applicant: Gujjar Investments Ltd
Agent: Barmach Ltd

Case officer: Mr M A Thomson
Telephone No. 01733 4501733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **GRANT** subject to conditions

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

Site Description

The application site comprises a three storey terraced building situated within the core of the City Centre on the southern side of Westgate. The buildings along Westgate follow a strong building line, situated at the back edge of the footway, however, comprise a variety of building age, style and appearance.

The ground floor of the building comprises a fully glazed shop front with a recessed pedestrian entrance and large fascia, and the upper floors are concrete panel and pebble dash with comparatively small openings off-set from one another. The building has a large two storey flat roof extension to the rear, with a fire escape that leads to the rear delivery yard.

The building has historically been occupied as retail use at ground floor with offices/storage above (formerly Maplins), however, at the time of writing this report, the building is understood to be vacant.

To the immediate east is a former bank (33 Westgate) a locally listed building which has planning permission for retail and shop front alterations at ground floor (App Ref: 19/00192/FUL) and prior approval to change the use from office to residential on the upper floors (App Ref: 20/00080/PRIOR). To the west (37 Westgate) is a tattoo shop, with a delivery entrance beyond. Situated opposite is Beales Department Store.

This section of Westgate is subject to two-way traffic with a 30 mph speed limit. There are double yellow lines on either side of the carriage way, and immediately in front of the application site there is a taxi rank capable of accommodating 4x Hackney Carriages.

The application site is situated within the City Centre Conservation Area, and is defined as being within a Primary Shopping Frontage.

Pre-Ambles

Earlier this year planning permission was sought under App Ref: 20/01070/FUL for the 'Subdivision of ground floor retail shop and associated alterations to form 6x Class E(a) retail units and taxi cab office (sui generis), change of use of second floor to restaurant (Class E(b)) and associated external alterations '

This application was recommended for approval by Officers, subject to conditions. Further to

lengthy debate, Members of the Planning and Environmental Protection Committee resolved to recommend refusal for the following reason:

R1 The proposed taxi booking office, which would bring additional people into the area late at night, would result in the potential for crime and anti-social behaviour in the vicinity of Westgate and thereby would not comprise a positive contribution to the character of the area. The proposal would be contrary to Policies LP16 and LP17 of the Peterborough Local Plan (2019).

Proposal

The Applicant seeks planning permission for 'Subdivision of ground floor retail shop and associated alterations to form 6x Class E(a) retail units and taxi cab office (sui generis), change of use of second floor to restaurant (Class E(b)) and associated external alterations - Resubmission'.

The proposed shop front alterations comprise the installation of 3x new pedestrian openings serving a Cab Booking Office, retail units and the upper floors, as well as the installation of transom and stall risers. A smooth white render finish is also proposed for the upper floors on the front elevation, facing Westgate, and the installation of an external extraction flue to the rear elevation.

This resubmission has been accompanied by a Design and Access Statement, which commits to the following security measures:

- Security Marshals to be onsite Friday & Saturday 11pm till 4am
- Increased seating space within the taxi office
- Disability access and seating areas
- Disability double door access
- Online CCTV cameras to be positioned outside and inside
- Digital booking system

These measures have been put forward by the Applicant to try and address the previous reason for refusal.

2 Planning History

Reference	Proposal	Decision	Date
20/01070/FUL	Subdivision of ground floor retail shop and associated alterations to form 6x Class E(a) retail units and taxi cab office (sui generis), change of use of second floor to restaurant (Class E(b)) and associated external alterations	Refused	05/07/2021
07/01871/ADV	Internally illuminated fascia sign, projecting sign and non-illuminated window graphics	Permitted	23/01/2008
03/01347/ADV	Replacement illuminated fascia sign	Permitted	06/11/2003
AD009/76	Illuminated projecting sign and illuminated fascia and entrance sign	Permitted	14/04/1976

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

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

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

National Planning Policy Framework (2021)

Section 12 – Achieving well-designed places

Section 16 – Conserving and enhancing the historic environment

Peterborough Local Plan 2016 to 2036 (2019)

LP06 - The City Centre - Overarching Strategy

Promotes the enhancement of the city centre. Major new retail, culture and leisure developments will be encouraged. It is promoted as a location for new residential development and as a location for employment development including mixed use. Improvements to the public realm will be promoted and the historic environment protected.

LP12 - Retail and Other Town Centre Uses

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate district and local centres. Retail development will be supported within the primary shopping area. Non retail uses in the primary shopping area will only be supported where the vitality and viability of the centre is not harmed. Only retail proposals within a designated centre, of an appropriate scale, will be supported. A sequential approach will be applied to retail and leisure development outside of designated centres.

The loss of village shops will only be accepted subject to certain conditions being met. New shops or extensions will be supported in connection with planned growth and where it would create a more sustainable community subject to amenity and environmental considerations provided it is of an appropriate scale.

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.

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.

LP18 - Shop Frontages, Security Shutters and Canopies

LP18 a) Shop Frontages (including signage)- Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

LP18 b) External Shutters- Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

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.

LP46 - City Core Policy Area

Part a General- Within the City Core the council will seek development of the highest quality which strengthens the area including the retail, leisure, tourism and civic focus. New development must improve the townscape and public realm, protect Cathedral views, preserve or enhance heritage assets, protect and enhance existing retail. Additional car parking will only be supported in exceptional circumstances.

Peterborough Shop Front Design Guidance SPD (2014)

4 Consultations/Representations

Police Architectural Liaison Officer (PALO) (20.10.21 and 14.21.12)

No objection – Further to reviewing the Constabulary crime and incident systems covering Westgate for the last 12 months, the following crime and anti-social behaviour incidents were recorded in that period whereby Westgate was stated as the incident location.

Crime

The following crime types are the most relevant to night-time economy and people gathering:

56 x violent crime (17 with injury and 39 without injury)

7 x Robbery (1 of these showed A2B Taxis as the location)

39 x public order (2 of these showed A2B Taxis as the location)

11 x criminal damage

Anti-social behaviour (ASB):

62 x ASB incidents recorded – 12 of these show A2B Taxis as the location, and are mostly recorded as 'Rowdy nuisance' calls.

However, with both the crime and ASB incidents, while the stated location is Westgate, the majority of these happened either in Queensgate or at the bus station, many of which emanating from licenced premises or other locations around the City Centre. This is the same for A2B Taxis –

when checking the text of the messages the caller is reporting an incident where they happen to be outside this location, not reporting an incident relating to A2B Taxis,

In relation to the overall application, the PALO is in favour of the shops being re-invigorated. This would not only bring more people, activity and natural surveillance to the area it is good for the location and City Centre. Empty shops tend to attract behaviour like graffiti, which gives the impression that an area is a little rundown and promotes the "Broken Windows" theory.

In relation to the proposed Private Hire taxi booking office, being directly adjacent to a Hackney Carriage taxi rank, these ranks are for hackney carriages to wait and lawfully ply for hire. If the private hire drivers park nearby and wait for or collect customers here it is likely to provoke disputes or ASB incidents. (As noted by the licensing officer)

It is noted within the Applicants supporting document and proposed operating procedure, which states that customers would book a cab, and then via an 'app' be advised that the cab will notify them when they are parked in a local loading bay, when they should then walk to meet the cab. The Local Authority Enforcement office have apparently agreed to this procedure. My concern here is that although the loading bays are in restricted streets they are often full with unlawfully parked vehicles, which is difficult to enforce.

If the Local Planning Authority are minded to grant the application, the following is recommended in relation to the taxi office:

- The operating procedure is a management condition for all drivers to strictly comply with.
- There is some seating in the taxi office for customers waiting for a cab, this will reduce the possibility of incidents outside the office.
- Staff are protected by a security screen.
- Consider a planning condition to ensure that there is CCTV both inside and outside the office for the safety of staff, customers and the general public. This should comply with BS 7958:2015 (CCTV Management & Operation) and GDPR and should be monitored, fully compliant and registered with the Information Commissioners Office, store images for 30 days with sufficient trained staff to operate the system and download evidential images when required.
- Consider a planning condition to grant for a trial period of no longer than 12 months to monitor compliance with the Operating Procedure and crime and incident data.

PCC Peterborough Highways Services

No objection - No. 35 Westgate, is located within the City Core area of Peterborough City Centre, therefore on-site parking facilities would not be required as employees and visitors for the retail units, restaurant and taxi office would have easy access to the site via public transport and a range of public car parks and cycle parking facilities nearby.

The supporting evidence states that customers book a taxi at the booking office and wait along Westgate for the taxi to arrive. It has been confirmed by PCC's Parking Enforcement Team that it is permissible for customers to board and alight a private hire taxi cab in the loading bays and on the double yellow lines along Westgate.

If the LPA are minded to approve the proposals, for the avoidance of doubt, the LHA would request that a temporary 2 year planning consent is granted to the taxi office. This would allow the situation to be reviewed and to ascertain the impact, if any, upon the nearby public highway.

PCC Pollution Team

No objection - The section within the noise assessment that relates to the provision of plant associated with the restaurant is accepted. 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. Whilst the location of the discharge point is noted and accepted, no details have been provided of the type of restaurant. Details of the nature and location of such filtration equipment should be conditioned.

PCC Conservation Officer

No objection - There are no objections to the shop front alterations as these are considered to be an overall betterment when considering what is currently in place, and conform to the Peterborough Shop Front Guidance (2014). However, roller shutters would not accord with the Peterborough Shop Front Guidance. There is no objection to the replacement windows, providing that these utilise aluminium frames, or the use of render, providing details of which shall be secured by condition.

PCC Licensing Team

Object - The presence of a "taxi cab office" in this location would serve no identifiable benefit when considering that there is a well-established taxi rank located immediately opposite the premises and the junction with Park Road.

As relatively recent history has demonstrated, the private hire booking office (A2B Euro Cars) located at 62 Westgate had a detrimental impact on the ability of hackney carriages to effectively ply for hire from the taxi rank located in the locality of the bus station due to loss of trade. If the same were to happen to the taxi rank located opposite the proposed site, the effect would likely be that the hackney carriage trade would migrate to the already congested ranks on Broadway with the potential for this to result in issues relating to congestion and traffic flow. Furthermore, and as a consequence, should the proposal be granted in its current form, this would doubtless serve to heighten existing tensions between the private hire and hackney carriage trade in the area.

The supporting information submitted with the proposal that relates to the operation of the taxi cab office has been noted. It is not reasonably conceivable that private hire vehicles associated with the cab office will only be present in the locality when collecting/dropping off passengers in the existing loading bays. In practice, it is virtually certain that a taxi cab office in this location will generate an increase in private hire traffic in the locality with private hire vehicles parking, waiting, idling etc between fares; affecting overall traffic flow and negatively impacting the air quality in an area of heavy pedestrian footfall - If the proposal is granted in its current form, it is likely that this will result in an unsustainable regulatory burden on the Authority.

If the proposal is to be granted, then it should be granted subject to conditions that would prohibit private hire vehicles from stopping in the locality of the site and prohibit members of the public from entering the site for the purposes of booking a taxi. Such conditions are proportionate and necessary and have been adopted previously when considering proposals for change of use from B1 to a 24-hour taxi booking office in a busy commercial/retail area of the city - as was the case with 19/01137/FUL.

Local Residents/Interested Parties

Initial consultations: 49
Total number of responses: 70
Total number of objections: 64
Total number in support: 3

69x letters of representation have been received from 35 addresses raising the following **objections**:

- Westgate carries a variety of vehicular traffic, including buses and delivery vehicles;
- Westgate already has two taxi-ranks and a taxi office;
- The proposed taxi office would be right next to the Hackney Carriage parking area;
- The proposed taxi office would result in Anti-social behaviour, between drivers and especially at late hours;
- The proposal would increase movement of cars, congestion and pollution in the City Centre;
- There is no dedicated parking for the proposed taxi-office, and there are insufficient disabled

- parking bays within the City Centre;
- There are highway safety concerns during pick-up and drop-off of customers; private vehicles often park in loading bays therefore parking is otherwise limited on Westgate;
- There is no need for a taxi office in this location, there is a taxi rank right outside;
- Competition between businesses and division between drivers;
- There are already other taxi offices in the area;
- Taxi drivers have stepped up during Covid by continuing to deliver this service, despite the impact the pandemic has had on the industry;
- There are historic issues which have been reported to the Council, however these have not been resolved and are on-going;
- If the application is permitted, will PCC guarantee that the Taxi Office would abide by all conditions and enforce traffic flow, anti-social behaviour and illegal trade;
- We are trying to become a cleaner and greener City;
- Our hackney carriage ranks are being given away;
- Due to a lack of parking, taxis will load/unload passengers within the road, which would cause a highway safety hazard;
- Wheel chair users rely heavily on Hackney Cabs due to their improved accessibility; this proposal would displace Hackney Cabs and affect this much sought after service;
- Due to issues of anti-social behaviour and crime, there are concerns for the safety of drivers;
- Private Hire already have an App, therefore why do they need a taxi office in the centre of town?;
- Hackney Carriages rely on ranks to get business;
- If this is permitted, the Council would be putting members of the public at risk due to a lack of car parking;
- There is a lack of pay and display parking spaces within the City Centre, therefore private vehicles park in loading bays and taxi ranks;

4x letters of **support** have been received raising the following:

- Support the application as during 7am to 9am and 2pm to 4pm we struggle to get a hackney taxi outside Westgate;
- Good to have taxi company round corner for me cheap price taxi value for money; and
- Good to have;
- Competition and additional shops/amenities in the City is positive;
- The town centre has become dilapidated and neglected. Can't get a hackney carriage at all for many hours in the evening or night time. No safe waiting area for my disabled mother looking for a taxi;
- A minicab office is much needed to provide a safe, warm and manned waiting area that is lit up; and
- Hackney carriages are not available for most of the time and are old, polluted vehicles.

3x letters of **comments** have also been received. One letter was left blank, two were neither for or against the proposal, stating the following:

- Good and bad ... can do with a decent clean taxi company; and
- It's good to have a reasonable fair price taxi at clean cars fixed fare black cabs are expensive and not very clean.

Councillor Jamil has asked that the application be referred to Planning Committee, on the following grounds:

I have considered the application and the new reasons given by the Applicant and would like the decision referred to committee. I am not satisfied that the proposed marshals would be able to control any trouble outside the taxi office, therefore law and order would be issue.

Peakirk Parish Council

Object - I come into the city quite often and feel that there is a very good taxi service in place. By putting a minicab office in a highly congested area will add further misery for shoppers.

Parking is a real nightmare along that part of the city at the best of times.

We need to look at ways to limit the number of vehicles coming into the city and improve air quality.

All companies are app based and I don't really see the point of them having to operate from the centre of town.

5 Assessment of the planning issues

The main considerations are:

- Fall-back position
- Principle of development
- Design, layout and the heritage matters
- Crime
- Access, parking and highway implications
- Neighbour amenity
- Future occupier amenity

a) Fall-back Position

As detailed in Section 1 above, the application site is presently vacant but was formerly in use as a retail unit at ground floor and offices/storage to the upper floors. Further to changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) (hereinafter called the UCO), the following use classes have been re-defined and are now known as:

Class A1 (retail) = Class E(a)

Class A3 (restaurant) = Class E(b)

Class B1 (offices) = Class E(g)

As such, the entire existing planning unit is currently considered to be within a lawful use of Class E of Part A of Schedule 2 of the UCO. Section 55(2) of the Town and Country Planning Act 1990 (as amended) clearly states that any change of use within the same use class is not to be taken as constituting development, and therefore planning permission is not required. As such, it is possible for the current building to change to any use within Class E without the need for planning permission.

In addition, Section 55 of the Act states that the subdivision of existing units is only taken to constitute development requiring planning permission where this relates to subdivision of a building (including any part of it) used as a dwellinghouse for use as 2 or more separate dwelling houses. As such, subdivision of a commercial premises does not, in itself, require the benefit of planning permission. The above constitutes the 'fall-back' position and is a material consideration in the determination of the current application.

b) Principle of development

The application site is situated within the identified City Core policy area, the Primary Shopping Area (PSA) and a Primary Shopping Frontage (PSF).

Taxi Office and Retail Units

As detailed in part (a) above, the subdivision of the existing premises does not require the benefit of planning permission. Therefore, whilst 7 no. units are proposed to be created on the ground floor of the premises, which represents a significant intensification of the use of the site, this in itself does not require planning permission and therefore could not reasonably be resisted as part of this application.

Similarly, the retail use proposed falls within Class E of the UCO and that is the current lawful use of the site. This therefore does not represent a material change of use for which planning permission is required.

However, the proposed taxi office use which is proposed within part of the ground floor of the site, does not fall within any defined use classes and is therefore sui generis. This element of the proposal does constitute a material change of use for which permission is required.

As the application site is situated on a Primary Shopping Frontage (PSF), Policy LP12 is engaged. This policy advises that the overall strategy is to promote the vitality and viability of the retail centre, with retail and restaurant uses acceptable in principle. It also allows for non-retail/restaurant uses within PSFs provided that certain criteria are met - namely, that a window display is maintained, that the proposal would be likely to maintain or increase footfall along the frontage, and that the proposed use would not result in a concentration of non-retail/restaurant uses.

The proposal includes the provision of a new shop front which, as discussed in detail below, is considered to represent an improvement in terms of the overall design of the building from the existing. An active display window would therefore be maintained.

Turning to the mix of uses, when assessing this section of Westgate, to the immediate west is a Tattoo Parlour (sui generis use) and to the immediate east is a former bank which has planning permission for retail at ground floor and residential above, with a number of retail units beyond to the east. On this basis, it is considered that the majority of units within the PSF are within retail use and therefore there would be no concentration of non-retail/restaurant uses as a result of the proposed change of use of part of the street frontage to a Taxi Office.

Finally, consideration must be given to whether the proposed use would be likely to maintain or increase footfall along the frontage. From the information provided by the Council's Licensing Team, it is evidence that existing Taxi Offices generate regular footfall throughout the day and night. There is no reason to believe that the current proposal would differ from this experience and therefore the proposal would maintain footfall along the frontage.

It is noted that considerable concern has been expressed with regards to the potential conflict between Hackney Carriage and Private Hire drivers in terms of competition. In addition, the Council's Licensing Team and Councillor Jamil have advised that there is adequate provision by virtue of an existing call office at No.63 Westgate, such that the proposal is not necessary. These views are noted, however, competition is not a planning matter, and is not something that can legally be considered in the determination of this application. Further, there are no specific planning policies which preclude the use proposed, and as set out above, it is considered that the proposal accords with the policies in place to protect retail frontages.

Restaurant

The scheme also proposes a restaurant use at second floor. There are no policies within the Local Plan which dictate the use of upper floors in the City Core, which specifically require them to be used as incidental storage, office or residential uses. As such, the use of the second floor as a restaurant use would also go towards diversifying the range of uses within the City Centre. That said, given the range of permitted changes under Class E and that subdivision of a commercial premises does not constitute 'development' requiring planning permission, the use proposed does not require the benefit of planning permission.

As such, the proposal would not have an adverse impact on the primary shopping frontage, and the development would go towards bringing forward a diverse range of uses within the City Centre. On this basis, the proposal accords with Policy LP6, LP12 and LP46 of the Peterborough Local Plan (2019).

c) Design, Layout and the Heritage Matters

To facilitate development, alterations to the shop front, as well as the upper levels, are proposed.

The application site is located within the designated City Centre Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that special regard be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is further reinforced through the National Planning Policy Framework (2021) and Policy LP19 of the Local Plan, which states that great weight should be given to the conservation of heritage assets.

Significance is one of the guiding principles in relation to assessing the impact of proposals upon the historic environment, and is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic, and it may derive not only from a heritage asset's physical presence, but also from its setting.

With regards to the proposed shop front, this is considered to be an overall betterment compared to the existing in situ. The final detailing in terms of materials are yet to be confirmed (and can be secured by condition), but the overall composition includes many of the traditional features of shop fronts in the City Centre - transoms, stall risers and console brackets - which are actively promoted within the Peterborough Shop Front Guidance SPD (2014). It is considered that this element of the proposal would result in an enhancement to the appearance of the property's frontage and therefore the appearance of this part of the Conservation Area, a view shared by the Council's Conservation Officer.

The previous application proposed to introduce external roller shutters to the central recessed communal doorway, however, this feature is no longer proposed. The introduction of external roller shutters is only permitted in exceptional circumstances, whereby the provisions of Policy LP18 are met. The introduction of such features would result in the creation of an oppressive and 'dead' frontage to one of the key streets within the City Core, and would result in unjustified harm to the appearance of the Conservation Area. For the avoidance of doubt, a note to Applicant shall be attached, reminding the Applicant, Agent or Successor in Title that the installation of such would require planning permission in its own right.

The proposal also includes replacement of the existing upper floor windows. There is no objection to the replacement of these windows, providing that these utilise aluminium frames, details of which shall be secured by condition. With regards to the proposed flue, this would be sited to the rear-most area of the building and would project marginally above the existing ridge height. It would be sited within an area which is relatively hidden from the main views of the streetscene and Conservation Area, and would have little and no negative impact upon the locality in visual terms.

Finally, the scheme also proposes to utilise a white render finish to the upper floors of the front elevation of the building. It is noted that this elevation currently utilises a pebbledash fenestration, which is atypical with the era of construction of the building. However, this is not considered suitable for a Conservation Area and the existing building appears tired, and out of keeping with the historic core of the city centre. Whilst there are no objections to the use of a smooth render, the Conservation Officer has advised that a white render would result a striking appearance on the street scene which would also result in some degree of harm to the appearance of the Conservation Area and should therefore be avoided. To overcome this concern, a condition is recommended, requiring that the render match the adjacent locally listed building (former bank), which is an off-white, almost sand coloured render. Such a condition would ensure that the final finish represents an improvement upon the existing appearance without resulting in harm in itself to the appearance and visual amenity of the streetscene and wider area.

Subject to conditions securing details of render and openings to be submitted, the proposal would preserve the setting and significance of the Conservation Area, and would not have an unacceptably adverse impact on the character or appearance of the host building or immediate street scene, and the proposal would accord with Policies LP16, LP18 and LP19 of the Peterborough Local Plan (2019) and the Peterborough Shop Front Design Guidance SPD (2014).

d) Crime

As noted above, the Police and Architectural Liaison Officer (PALO) was consulted as part of the previous application, where it was noted that there were issues of crime pre-Covid lockdown, specifically robbery with violent incidents and shoplifting, and that the proposed development would result in additional customers within the vicinity. However, the PALO previously concluded that there were no objections to the proposal, subject to the introduction of security measures for the Taxi Office which could reasonably be secured by condition to protect staff and customers.

The PALO has been re-consulted as part of this application, where it has been confirmed that due to a lower Police presence within the City Centre during lockdown, and Police resources being focussed on dealing with Covid matters, crime and anti-social behaviour (ASB) have increased significantly within the City Centre.

Police records have shown that, during the previous 12x months, there has been:

- 56 x violent crime (17 with injury and 39 without injury);
- 7x Robbery (1 of these showed A2B Taxis as the location);
- 39 x public order (2 of these showed A2B Taxis as the location);
- 11x criminal damage; and
- 62x ASB incidents, 12x of these show A2B Taxis as the location, and are mostly recorded as 'Rowdy nuisance' calls.

The PALO has, however, correctly reviewed each incident and noted that whilst a number of matters are reported adjacent to A2B Taxis, this is because the person making the call is within the vicinity of the address, and the issues of crime and ASB are not necessarily associated with the address, or indeed its land use.

The PALO has confirmed that this part of the City requires Police attention in dealing with ASB during the day and evening, and it is not considered moving a door to serve the taxi office would mitigate ASB in its own right. However, subject to conditions which would secure internal and external security measures, including security staff, as well as a 1 year temporary consent, which would allow opportunity for Officers and the Police to ensure the conditions work, the PALO have raised no objections to the proposal.

Officers have always accepted that the proposed taxi office has the potential to generate late night/early morning issues of anti-social behaviour (ASB) whilst customers wait for their taxi. As part of this resubmission, the Agent has suggested a number of security measures including the hiring of security staff and the provision of CCTV, specific details of which could reasonably be secured by planning condition(s). Being consistent with the previous application, but taking into consideration the increase in crime within this section of the City further to lockdown, it is considered reasonable to attach a condition limiting the taxi office to a single year, which would enable sufficient time for the use to operate and for assessment of the crime/ASB risk to be better established. If matters of crime and ASB transpired to be a significant problem, where there was sufficient evidence to reflect this, Officers would not seek to support the renewal of the permission and at the end of the one year period, the permission would expire and the use would be required to cease (reverting back to a Class E use as existing).

The PALO sought a planning condition be attached with respect to Private Hire taxi drivers signing up to a management condition, for example not waiting in loading areas or the Hackney Carriage rank, however, this is covered by separate legislation, and such a condition would not meet the conditions Test, as set out under Paragraph 56 of the NPPF (2021). As such, this condition shall not be attached in this instance.

Subject to conditions being attached which would secure security measures for the taxi cab office and a temporary consent, the proposal would go toward mitigating crime and ASB, and the proposal would accord with Policy LP16 of the Peterborough Local Plan (2019) and Paragraph

92(b) of the NPPF (2021).

Officers are conscious that letters of representation have raised concerns of conflict between Hackney Carriage and Private Hire drivers. However as stated above, competition is not a planning matter, and is not something that can be considered in the determination of this application. Any matters of conflict of this nature should be directed to the Police.

e) Access, Parking and Highway Implications

The application site is situated within the City Core, served by a range of public transport means. Under the Council's adopted parking policy, the provision of on-site parking in this area is not necessary and therefore, the development is not required to provide dedicated off-street parking spaces for staff or customers.

Turning first to the proposed Class E uses (retail units and restaurant), the fall-back position is such that these uses do not require the benefit of planning permission and nor does the subdivision of the unit to create smaller Class E units. Therefore, in planning-terms, whilst it is accepted that the proposal could result in an intensification of the use of the site, a refusal on this basis could not be sustained at appeal given the fall-back position. Furthermore, as the site is located within the City Centre, which is readily accessible by public car parks and sustainable methods of travel, and such uses are prevalent within the area, it would not be reasonable to resist the proposal on the basis of these uses.

Turning to the proposed Taxi Office use, the Applicant has advised that members of the public would be able to walk to the proposed book a private hire taxi in the office, or alternatively using the Autocab App. It is understood this provides an alert as to when and where the taxi is due to arrive, therefore customers would be on the street waiting to be picked up. It is understood that customers could currently use the Autocab App and be picked up from Westgate, irrespective of the presence of an office.

It has been confirmed by the Council's Parking Enforcement team that it would be permissible for the boarding and alighting of taxis to legally take place either within loading bays, bays dedicated to on-street parking, or on double yellow lines, all of which are present along Westgate. This is however subject to the driver in question undertaking a period of observation, i.e. ensuring that there was no loading taking place within the loading bay.

The Council's Parking Enforcement team has raised the question as to where the private hire vehicles would wait in anticipation of picking up from Westgate, as there is concern that there would be temptation for taxis to idle illegally within the vicinity of the site. This concern is noted, however, taxi vehicles could be situated anywhere within the City when they receive a call for collection and where a taxi may wait is the responsibility of the driver, who would be bound by the Highway Code and subject to regular review of their license. In any event, it is not considered that the presence of a call office would, in itself, attract vehicles to idle nearby awaiting a fare.

However, to ensure that no undue impact to the safety of the surrounding public highway results from vehicles awaiting fares and regularly picking up/alighting customers, the LHA has request a two year temporary consent. This would enable sufficient time to demonstrate that the business could operate without resulting in an adverse highway safety hazard. At the end of the two year temporary period, a fresh planning application would need to be submitted. If the Local Planning Authority and Council's Parking Enforcement team were in receipt of reasonable and upheld complaints, this may mean a permanent permission would be resisted. Officers are of the view that a one year temporary consent would achieve the same ability to assess the impact.

Officers are aware that immediately in front of the application site is a Hackney Carriage taxi rank, and letters of representation have raised serious concerns with regards to the potential for private hire vehicles to park in this area, potentially taking business illegally. These concerns are noted, however, it is understood from the Council's Parking Enforcement team that private hire vehicles are not permitted to park in these spaces, and the enforcement of such would be down to the

Parking Enforcement team and the Police, which is a matter separate to the Planning process. Accordingly, as this matter is covered by alternative legislation, and does not in itself pose a direct highway safety danger, this is not a matter that can be considered in the determination of this application.

The Local Highway Authority have sought a condition be attached with respect to securing details of temporary facilities to facilitate construction works and ensure that no deposits are made onto the public highway. However, were the undertakers to obstruct the public highway, they would need to apply for a licence from the Highway Authority. As this matter is covered by separate legislation, an informative shall be attached and a condition is not considered necessary.

Further, it is noted that the Council's Licensing team have objected to the proposal, requesting that if the proposal is to be granted, a condition be imposed that would prohibit private hire vehicles from stopping at the site and prohibit members of the public from entering the site for the purposes of booking a taxi, as was the case with 2 Alma Road (App Ref: 19/01137/FUL). It should be highlighted that each case is considered on its individual planning merits. The example referred to at 2 Alma Road was situated within Millfield District Centre, on the corner of Alma Road and Lincoln Road, whereby conditions were appended stating members of the public could not enter the site to book taxis, nor could customers be picked up or dropped off. A further condition stated that no taxis shall visit the site at any time. However, further to reviewing the Design and Access Statement which accompanied this application, the proposed development was explicitly for a satellite taxi office only, and stated that there would be no pickups or drop offs from the location. As such, the conditions used at Alma Road reflected what was sought by the Applicant.

Planning conditions must meet the tests set out under Paragraph 56 of the NPPF (2021), which states, 'planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'. The application site is situated within the City Centre, where there is no requirement for the development to provide dedicated off-street parking for staff as it is considered to be a sustainable location, served by a variety of public transport means. Further, the proposed booking office would be situated within a Primary Shopping Frontage and Officers would not wish to sterilise such a frontage by prohibiting members of the public from being able to enter the site particularly so given there is no overriding highway safety reason to do so. As such, it is not considered the conditions used at Alma Road would be reasonable or enforceable in this instance. That said, Officers have suggested a two year temporary condition, which will allow relevant bodies (the Local Highway Authority, Licensing and the Police) to monitor the use, and if at the end of this period there has been legitimate complaints, which have been upheld, a permanent permission may not be granted.

Letters of representation have also highlighted that Westgate carries a variety of vehicular traffic, including buses and delivery vehicles, and the proposal would increase movement of cars, congestion and pollution in the City Centre. For the reasons set out above, it is understood private hire vehicles may board and alight passengers on double yellow lines if it safe to do so. The onus is on the driver of the vehicle, who will be bound by the Highway Code. Officers are mindful that this operation could take place currently, however, a temporary consent has been recommended to ensure the development would not result in an adverse highway safety hazard.

Taking the above into account, and subject to the conditions set out above, it is not considered that the proposal would result in a sever or unacceptable impact upon the surrounding public highway network and as such, the proposal is in accordance with Policy LP13 of the Peterborough Local Plan (2019).

f) Neighbour Amenity

The application has been accompanied by a Noise Assessment (Acoustic Associates, SS/J3551/17868-1, February 2021), as well as manufacturer details of the proposed extraction equipment which would serve the proposed restaurant. Officers are conscious that this report refers to a Shisha bar, however for the avoidance of any doubt, this no longer forms part of the

proposal.

The Council's Pollution Control Officer has raised no objections to the proposal, noting the submitted noise assessment and the plant associated with the proposed restaurant. However, as the type of restaurant has not been confirmed, Officers are unable to say for certain that the proposed filtration equipment would be sufficient to protect neighbouring occupiers from smell, grease or smoke. A pre-occupation condition has been requested, requesting confirmation of the type of restaurant to be provided alongside details of the extraction equipment to ensure that matters of smell, grease and smoke are satisfactorily mitigated, and that the plant meets the noise criteria in the acoustic report. However, the restaurant use is not considered to require the planning permission, therefore a pre-occupation condition would not be reasonable given the fall-back position. In the event that the restaurant use began without the correct filtration equipment, this matter would be dealt with by other statutory nuisance legislation. However, a condition to secure the details of the extraction equipment prior to their installation would be considered reasonable and directly related to the development which requires permission (i.e. the flue itself).

Such a condition is considered to be reasonable and necessary to ensure no harm results to neighbouring residential occupants. Officers are mindful that the adjoining building has prior approval for office to residential conversion (reference 20/00080/PRIOR), and this is extant until 2023. Therefore, there is the strong likelihood that sensitive residential receptors will be in close proximity to the proposed flue.

Subject to this condition, the development would not result in unacceptably adverse levels of noise or disturbance to neighbouring occupiers, nor would it result in adverse levels of smells, odour or smoke, and the proposal would accord with Policy LP17 of the Peterborough Local Plan (2019).

g) Future Occupier Amenity

The taxi office, the front ground floor retail unit, three of the retail units on the west elevation and restaurant would be afforded satisfactory levels of natural light and outlook. Officers are mindful, however, that 2 of the ground floor retail units would not be afforded any outlook and would be wholly reliant on artificial light. Given that the ground floor historically has been used as retail, where, given the depth of the building, there was a reliance on natural light, this relationship is accepted in this instance. For this reason, the proposal would accord with Policy LP17 of the Peterborough Local Plan (2019).

h) Other Matters

The following matters were raised within letters of representation, however, have not been addressed above:

- Competition and Conflict

Officer Response: Letters of representation, including comments raised by the Councils Licensing team, have raised concerns of competition and potential conflict between Hackney Carriage and Private Hire drivers, advising that there already exists a taxi office and two taxi ranks on Westgate and the Private Hire Office would be situated directly in front of a Taxi Rank. However, competition between businesses is not a material planning consideration, and cannot legally be considered. Any conflict should be directed to the Police.

- There is no need for a shisha bar or restaurant

Officer Response: This no longer forms part of the proposal.

- The proposed uses would result in noise and pollution, particularly to neighbouring flats;

Officer Response: For the reasons and conditions set out above, the proposal would not have an unacceptably adverse impact on the amenity of neighbouring flats.

- The shop front does not need to be altered; the proposed changes would look very odd and out of place, especially with the introduction of roller shutters;

Officer Response: The external changes are considered to be a betterment by the Councils

Conservation Officer. For the reasons and conditions set out above, the proposal would enhance the setting and significance of the Conservation Area.

- 6x retail units at ground floor would could pose a fire and safety risk;

Officer Response: This is a matter for building regulations, and is separate to the planning process.

- There is no dedicated parking for the proposed taxi-office, and there are insufficient disabled parking bays within the City Centre;

Officer Response: As noted above, it is understood Private hire may board and alight passengers on double yellow lines if it is safe to do so. The lack of disabled parking bays should be directed to the portfolio holder for the City Centre. As the site is situated within the City Core, the development is not required to provide dedicated off-street car parking.

- There are historic issues which have been reported to the Council, however these have not been resolved and are on-going;

Officer Response: On-going and historic issues such as this are the responsibility of the relevant department within the Council, and does not prejudice the granting of planning permission.

- If the application is permitted, will PCC guarantee that the Taxi Office would abide by all conditions and enforce traffic flow, anti-social behaviour and illegal trade;

Officer Response: It is the responsibility of the landowner to carry out their conditions. In the event that a future occupier were in breach of a condition on the planning decision notice, this would need to be directed to the council's Planning Enforcement team.

- A Section 106 legal agreement should be used to prevent vehicles from privately picking up from outside the office.

Officer Response: It is understood that Private Hire Vehicles are not allowed to pick up, drop off or wait within a taxi rank, and this is covered under separate legislation.

- There is a lack of pay and display parking spaces within the City Centre, therefore private vehicles park in loading bays and taxi ranks;

Officer Response: private vehicles should abide by the Highway code, which is enforced under separate legislation and does not prejudice the granting of planning permission.

6 Conclusions

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

- The proposed change of use would go towards providing a diverse range of uses within the City Centre, and would not result in congregation of non-retail or non-restaurant uses. The proposal would therefore preserve the vitality and viability of the City Centre and Primary Shopping Frontage, and the proposal would accord with Policies LP6, LP12 and LP47 of the Peterborough Local Plan (2019);
- The proposed external alterations would enhance the setting and significance of the Conservation Area and adjacent locally listed building, and would not harm the character or appearance of the host building or immediate area, and would accord with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies LP16, LP18 and LP19 of the Peterborough Local Plan (2019);
- The proposed uses and external alterations would not have an unacceptable harmful impact to neighbouring amenity, and would provide satisfactory amenity for future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- There are no Highway safety concerns and parking can be accommodated on site, in accordance with Policy LP13 of the Peterborough Local Plan (2019)

7 Recommendation

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

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

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

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

- 001 Rev A (Location Plan and Proposed Block Plan)
- 002 (Existing Floor Plans)
- 003 (Existing Elevations)
- 004 (Proposed Floor Plans)
- 005 (Proposed Elevations)

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

C 3 No later than 7 calendar days following commencement of the taxi call office use hereby permitted, the Applicant (or their Successor's in Title) shall provide written notification to the Local Planning Authority of the date of commencement. The taxi office use shall cease no later than one calendar year following the date of commencement and thereafter the use shall revert to any use within Class E of Part A of Schedule 2 of The Town and Country Planning (Use Classes) Order 1985 (or any Order revoking and re-enacting that Order with or without modification).

Reason: To enable a period of assessment as to the highway and crime/anti-social behaviour impacts of the taxi office use to ensure no unacceptable harm arises, in accordance with Policies LP13, LP16 and LP17 of the Peterborough Local Plan (2019).

C 4 The taxi call office use hereby permitted shall only take place within the area shown for such use on drawing number 004.

Reason: In order to preserve the vitality and viability of the Primary Retail Frontage and ensure the development accords with the reasoning and justification for granting approval, in accordance with Policies LP6, LP12 and LP46 of the Peterborough Local Plan (2019).

C 5 Prior to their use, details of the following external materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority:

- Render to the upper floors;
- Windows to the upper floors; and
- Shopfront at ground floor level.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policies LP16 and LP19 of the Peterborough Local Plan (2019).

C 6 Prior to the first use of the taxi call office hereby permitted details of security measures to be implemented, including internal and external CCTV, shall be submitted to and approved to the Local Planning Authority. The measures shall include use of Security Marshals on Thursday, Friday and Saturday nights between the hours of 21:30 and 04:00. Thereafter, the approved security measures shall be installed/implemented prior to first use of the taxi call office and maintained as such throughout the lifetime of the permission..

Reason: In the interest of preventing crime and anti-social behaviour, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

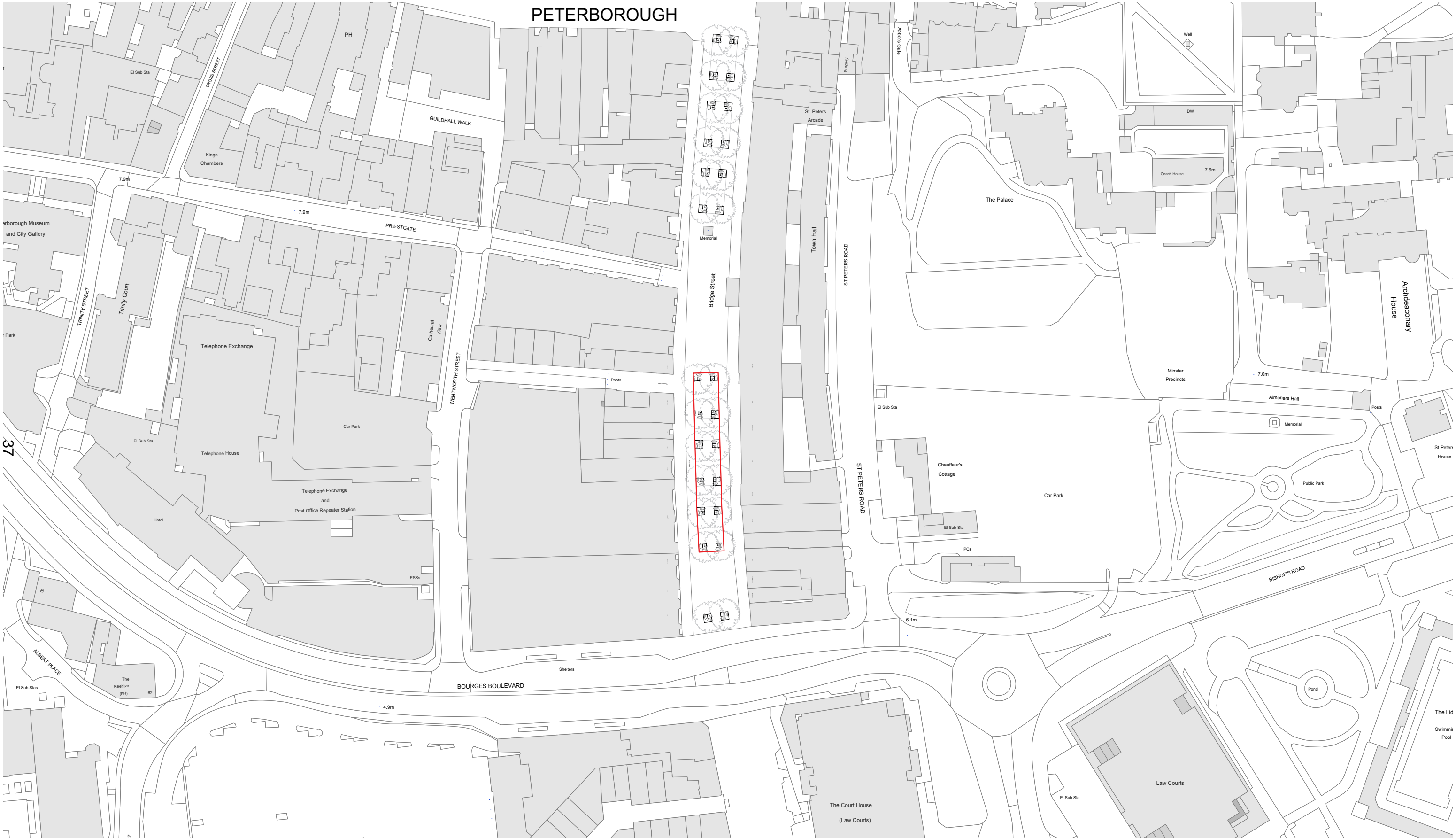
C 7 Prior to the installation of the external flue hereby permitted, details of the extraction equipment to be used shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the relevant manufacturer's details and demonstrate accordance with the noise criteria set out within the submitted 'Environmental noise assessment' (Acoustic Associates, reference SS/J3551/17868-1). Thereafter, the flue shall be installed in accordance with the approved details and maintained as such in perpetuity.

Reason: In the interest of protecting neighbour amenity, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

Copies to: Councillors Hussain Mahboob, Iqbal Amjad and Jamil Mohammed

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PETERBOROUGH



Location Plan

1:1250 @ A3 Bridge Street Market Gondola PL129-200
Market Curators

Revisions



group ginger

architecture, urban design and creative intelligence

42A Park Place,
Leeds,
LS1 2RY

0113 320 8400
www.groupginger.com

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Application Ref: 21/01908/R3FUL

Proposal: Erection of three market gondolas to facilitate an outdoor market

Site: Land Adjacent 35-59 Bridge Street, Peterborough, ,
Applicant: Peterborough City Council

Agent: NPS Peterborough

Case officer: Mr M A Thomson
Telephone No. 01733 4501733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: Officers recommend that the Planning and Environmental Protection Committee delegate authority to Officers that planning permission be **GRANTED**, subject to conditions and the submission of a satisfactory arboricultural impact assessment and arboricultural method statement, which shall be submitted pre-determination.

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

Site Description

The application site comprises part of Bridge Street, specifically three areas of hardstanding sited centrally within the street. Bridge Street is a pedestrianised road with two avenues of trees planted centrally along the street. The areas in question have trees positioned at each corner with seating areas at either end. These spaces are often occupied by temporary stall holders throughout the year.

Bridge Street is situated within the City Conservation Area; whilst there are no listed buildings immediately adjacent to the application site, No's 40-42 Bridge Street and the Town Hall are locally listed buildings. The area is within the City Core Area of the City Centre.

Proposal

The Applicant seeks planning permission for the erection of three market gondolas to facilitate an outdoor market.

Each gondola would have a floor area of 3.6m x 6.4m and propose to stand at 3.5m to the highest point, finished in timber and coloured in Heritage Green. Each gondola would be capable of being occupied by up to 4x traders, with dedicated storage areas for goods and associated equipment. The gondolas would have retractable canopies for each unit, which would create 6sqm of covered space which could be opened up at the start of the day and retracted in the evening. Each unit would comprise 15.96sqm in total.

Loading and servicing could take place from Wentworth Street and Priestgate, which currently takes places for a number of other units along Bridge Street. Future occupiers would have access to fresh water and w/c facilities within an adjacent address on Bridge Street.

It is understood that traders would operate from the site at least 5x days a week.

Pre-Amble

No's 33-37 Bridge Street are proposed to be converted into a new Food Hall, which would cater for two butchers and a fishmongers that currently operate out of the existing Market Food Hall. These works do not require planning permission and would be undertaken by March 2022. The units would provide access to fresh water as well as toilet facilities for future traders operating from the

gondolas, should planning permission be granted.

2 Planning History

No relevant planning history

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

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

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

National Planning Policy Framework (February 2019)

Section 7: Ensuring the vitality of town centres

Section 8: Promoting healthy and safe communities

Section 12: Achieving well-designed places

Section 16: Conserving and enhancing the historic environment

Peterborough Local Plan 2016 to 2036 (2019)

LP06 - The City Centre - Overarching Strategy

Promotes the enhancement of the city centre. Major new retail, culture and leisure developments will be encouraged. It is promoted as a location for new residential development and as a location for employment development including mixed use. Improvements to the public realm will be promoted and the historic environment protected.

LP12 - Retail and Other Town Centre Uses

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate district and local centres. Retail development will be supported within the primary shopping area. Non retail uses in the primary shopping area will only be supported where the vitality and viability of the centre is not harmed. Only retail proposals within a designated centre, of an appropriate scale, will be supported. A sequential approach will be applied to retail and leisure development outside of designated centres.

The loss of village shops will only be accepted subject to certain conditions being met. New shops or extensions will be supported in connection with planned growth and where it would create a more sustainable community subject to amenity and environmental considerations provided it is of an appropriate scale.

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.

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.

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.

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.

LP46 - City Core Policy Area

Part a General- Within the City Core the council will seek development of the highest quality which strengthens the area including the retail, leisure, tourism and civic focus. New development must improve the townscape and public realm, protect Cathedral views, preserve or enhance heritage assets, protect and enhance existing retail. Additional car parking will only be supported in exceptional circumstances.

4 Consultations/Representations

Peterborough Civic Society

Object - The Peterborough Civic Society is supportive of the principle of relocating the City Market.

It is essential that a five-day a week general market be operational in the city centre before the present market is closed down. However, an objection has to be made for the reason that the application does not provide a comprehensive proposal for the successful replacement for the existing market.

Planning Policy Considerations

A general market is within the category of retail and as the part of Bridge Street where this application falls is a prime retail area, there can be no objection to the proposal. The vitality of the city centre as an entity is an important aim of the Local Plan and the continuity of market activity contributes to that aim. The rather limited size of this proposal, amounting to only 12 market stalls, is of concern when considered against the existing provision of something like 100 stalls of similar size, as well as an indoor Food Hall, when the City Market was trading at its normal level. There is a suggestion in the submitted supporting document (Design & Access Statement) that there may be provision for 'Pop-up stalls' but this is not part of the application and no commitment to enabling this to happen is made in the application. We feel that for the proposed market to be an adequate replacement it should be much bigger and should also include provision for the Food Hall. The inadequacy in terms of size could be seen as warranting refusal as it would prejudice future plans for a market of an appropriate scale which may arise, on a suitable site, elsewhere in the city centre. At present no such plan exists and as the City Council is the applicant in this case and it can control the proposal through the licensing of the site in Bridge Street, it is unlikely that such a reason for refusal could be sustained.

What should be a consideration is the acceptability of more of the Gondolas and/or Pop-up stalls on Bridge Street on the stretch between this application site and Cathedral Square. Although we accept that the Planning Authority can only consider what is actually proposed we feel it is legitimate to have in mind the possibility or, perhaps, certainty that this will become a reality and if so would it be acceptable. In other words; what would be the implications of filling about half of the open areas between the Plane trees with market stalls from Bourges Boulevard to Cathedral Square?

Might we suggest that in order to make a considered decision on this application it be withdrawn and substituted with an Outline Application for a complete market relocation which would include provision for approximately 40-50 fixed and pop-up stalls, a Food Hall and amenity facilities for all traders. A new application for 12 Gondolas could then be considered.

Visual Appearance

The application site lies within a Conservation Area, which has been acknowledged in the D&A Statement and taken account of by the designers. The design of the Gondolas which consist of a grouping of 4 market traders' stalls into a single unit is well thought out and potentially attractive with scope for individual displays, colourful graphics and the traditional striped awnings. Whether or not these fulfil the current or prospective market traders requirements is not a planning matter although it is, of course vitally important to the commercial success of the enterprise and to the market traders themselves.

The mature trees overhanging the units do create a maintenance problem for the Gondolas in that their design, incorporating a fairly deep valley, will capture fallen leaves, of which Planes are well endowed. It is to be hoped that this does not cause issues with trapped rainwater, overflows onto the facades of the stalls and unsightly appearance. The careful selection of cladding material which is easy to clean is important. It might be that natural timber, as specified, is not the ideal choice.

Highways and Footpaths

The proposed Gondolas would sit comfortably within squares of completely open paving defined by Plane trees at each corner. These spaces alternate with exactly similar spaces where seats lamp-post and other street furniture items are installed. The space between the Gondolas and their extended awnings and the shop frontages is kept clear for pedestrians on both sides of the street. This space is about 6-7 metres wide and, in the absence of pedestrians, is adequate for two commercial vehicles to pass one another. There is no information in the submitted documents

about methods of servicing the market stalls. Details of how goods will be delivered to and collected from the stalls; size of vehicles, times of day when servicing is to take place, routes to be used by vehicles, access and egress from the service areas should all be stated and necessary controls stipulated. Here is obviously an inherent difficulty in servicing market stalls where they are located in a busy and long established pedestrian only area where even bicycles are not allowed to be ridden at certain times of the day.

Temporary storage and subsequent (daily) disposal of waste from the stalls has not been addressed in the application. The Gondola stalls are very compact and for some trades may not be spacious enough to accommodate self-generated rubbish. Some form of communal bin or regular collections should be provided.

Market traders will require somewhere to park their own commercial vehicles reasonably close to the site. This should not be too difficult to do but should be stated in the application. They would also need easily accessible washroom and toilet facilities. Provision should be shown in the submitted documents.

Should access be required from Bourges Boulevard there would have to be removal of some safety fencing and items of street furniture such as bollards and advertising drums and display panels. This is only perceived as a problem with regard to pedestrian safety.

Residential Amenity

A number of apartments in premises above shops overlooking the street would be affected by service vehicle noise. It will be desirable to limit early morning servicing to be complete before large numbers of pedestrians are using Bridge Street. Service vehicles should not be allowed on the street after 8.15am to avoid conflict or before 7am to minimise disturbance through noise or nearby residents. Conditions should be imposed to this effect.

Trees

The applicants have taken account of potential damage to the roots of the mature Plane trees. We note that the precise type of foundation, pad or raft, will depend on what they find below the paving. It is obviously vitally important to get this right.

Conclusion

Whilst the Civic Society is supportive of the principle of relocation, subject to some measure of assurance in relation to some of the salient issues in contention explored in earlier paragraphs, and would not seek to oppose the scheme on the narrower planning matters relating to; servicing, traders amenities, car parking, residential amenity and the general functional relationships between its component parts, it is considered that the inadequacy of a wider 'vision' leaves the proposal open to a possibly wider criticism. The proposal as set out in the application does not address the fundamental requirement to provide a replacement for a general provision market, something that has existed for centuries.

The Civic Society objects to this application and suggests that this application be withdrawn and substituted with an Outline Application for a comprehensive market relocation which could address the issues raised here.

PCC Conservation Officer

No objection – Subject to conditions with respect to securing a material schedule for the proposed units, as well as ensuring that the Council remain in control of the unit signage.

Bridge Street forms one of the City Centre's principal shopping streets and a main arterial route for pedestrians. It is also within the core of the City Centre Conservation Area and adjacent to locally listed buildings.

In recent years Bridge Street's public realm has been upgraded substantially to one that is of reasonably good quality and relatively consistent throughout the city centre.

The proposal is to provide three units, each containing four market stalls in the central area of Bridge Street. Bridge Street is made up of a central area of trees and seats, flanked by walking routes on each side. The design of the units appear well considered and will allow for a harmonious and tidy appearance, both when in use and closed. The butterfly roof when viewed end on is a positive design feature and the integral canopies are a positive, whereby they can be.

The key architectural feature within Bridge Street is the Town Hall portico, for which these units are located a suitable distance away. Siting them under the trees will reduce the dominance of these units which is positive.

The locations are considered to be spaced out enough to allow for circulation space between.

The design of the units needs to be of high quality and robust. This includes vandal proof and ease of cleaning.

The signage to the units should be as consistent in font and size the units are designed. This will ensure a clean and positive appearance of the grouping. It is likely that the traders could turnover relatively frequently and as such, ease of replacing signage tidily should be of high importance. I would recommend that the council remain in control of the signage.

PCC Tree Officer

Comments – At the time of writing the report, the Council's Tree Officer has verbally advised he notes the information contained within the submitted Design and Access Statement, which sets out broad principles and requirements for foundations. Given that there are a number of high profile trees situated along this section of Bridge Street, a detailed arboricultural impact assessment and arboricultural method statement is sought to be secured before the application is determined.

PCC Peterborough Highways Services

No objection - Experience from previous cases where similar structures have been used (Covent Garden in London for example), suggest that these assemblies are structurally robust and do not have any issues with drainage. The LHA therefore, has no objection to the proposals as presented in the drawings and documents listed above.

There are applications for BT Street Hubs in this area. It would be prudent to ensure that there is no conflict between different structures.

Local Residents/Interested Parties

Initial consultations: 81
Total number of responses: 3
Total number of objections: 1
Total number in support: 1

A letter of **Comment** has been received raising the following:

- The City Market moving to Bridge Street is supported, however, I object to the design of the stalls;
- The gondolas do not appear to be open at the sides but trestle tables are shown there when the market is in operation, which would be an invitation to shoplifters;
- The front of the gondolas appear to reduce produce display;
- The design of the stalls should be revised to allow a counter between the back of the stall and the customer. The stallholder could stand behind the counter which could have some produce on it;
- It is understood that one of the stallholders would sell hot drinks and possibly food. Therefore at least one of the gondolas would require a plumbed in water supply;
- What would happen if the weather is windy?; and
- Where would stallholders go to the toilet?

A letter of **Support** has been received raising the following:

- Good plan, and supported, but Westgate and Broadway need the same treatment as Cowgate and North Westgate;
- The Queensgate extension should have been blocked, and we would have North Westgate. Instead we have lost the best shop in the city (John Lewis), just after the extension and refurbishment. The council should have stepped in and pressured the landlord to lower the rent for a year or two. Mistakes have been made. Is there any way of getting John Lewis back and fixing the mistakes, as Covid will be in the background but the city centre has more potential. Where's the levelling up?

The third letter of representation relates to the Civic Society comments, which are set out above.

5 Assessment of the planning issues

- a) The Principle of Development**
- b) Design and Heritage Matters**
- c) Access and Servicing**
- d) Trees**
- e) Neighbour Amenity**
- f) Other Matters**

a) The Principle of Development

The proposed gondolas would provide space for up to and including 12x traders on Bridge Street, part of the City Core and main retail space of the City. The proposal would go towards improving the viability and vitality of the City Centre, therefore the principle of development would accord with Policies LP6, LP12 and LP46 of the Peterborough Local Plan (2019) and Paragraph 86 of the NPPF (2021).

A letter of representation has been receiving stating that this application should be withdrawn, and an outline planning application be put forward, setting out and securing a wider vision for the market within the City Centre.

As set out above, 33-37 Bridge Street would be converted into a new Food Hall, which would be occupied by two butchers and a fishmongers which currently occupy the existing market Food Hall. Further, should the Council decide to expand the market, it would be possible to apply for planning permission to erect additional gondolas along Bridge Street, or alternatively erect temporary stalls, which, pre-Covid, took place periodically throughout the year or farmers markets.

In short, this application would secure three gondolas, which would complement the Food Hall to be formed on 33-37 Bridge Street. This would, for all intents and purposes, form the new market core, where there would be opportunity to expand the operation in the future through additional permanent and/or temporary stalls.

In addition to this, the Civic Society have raised concerns that the existing market provides something like 100 stalls of similar size, as well as an indoor Food Hall, when the City Market was trading at its normal level. The market team have confirmed, pre-covid, that there were 21 traders occupying 65 stalls.

b) Design and Heritage Matters

The Council's Conservation Officer has raised no objections to the proposal, advising that the proposed development would not result in harm to the significance of the identified heritage assets, and the benefits of introduction 12x traders into the City Core would be a considerable public benefit.

During the day, the canopies would be extended, traders would set out their tables and wares, and would go about their daily business, providing an interesting and active frontage for this section of Bridge Street. When they are not in use, the proposed gondolas have been designed in such a

way that they would be secure but also add character and visual interest to the street scene. As such, it is not considered that during the night-time, or days when they are not in use or vacant, that the proposed gondolas would have a negative impact on the street scene.

Turning to conditions, the proposed gondolas would for all intents and purposes be temporary buildings. Should Officers be seeking to recommend approval, it would not be possible to grant a permanent permission as temporary structures can degrade over time, resulting in adverse harm to the character and appearance of an area. Given that the proposed buildings are considered to be of high quality construction and appearance, it is considered reasonable in this instance to grant a 5-year temporary consent. At the end of the 5-year period, Officers would be able to review the appearance of the structures and maintain an element of control. Such a condition is considered to meet the condition tests, as set out under Paragraph 56 of the NPPF (2021).

With respect to the signage, Officers would seek to ensure that the colour, font and letter sizing are maintained for each occupier, which would ensure a consistent and sympathetic approach.

Subject to a temporary consent and business occupiers using consistent signage design, the proposed gondolas would preserve the significance and setting of the City Conservation Area and adjacent locally listed buildings and would not have an adverse impact on the character or appearance of the immediate area. As such, the proposal would accord with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraph 130 and 202 of the NPPF (2021).

Letters of representation have raised concerns with the usability of the gondolas when compared to what stallholders were provided with historically, concerns surrounding shoplifting and crime, maintenance and materials. As set out above, The Councils Conservation Officer has raised no objections to the materials, and whilst maintenance, particularly falling leaves, is a concern, this would likely be the responsibility of the Council as landowner and landlord. With respect to the usability of the gondolas, each unit has been designed to provide space for storage of wares as well as display tables. Lastly, matters of crime and shoplifting would be the responsibility of the Police, however, this section of Bridge Street is covered by CCTV and consideration of camera locations (existing coverage and no loss of such) has been factored into the layout of the proposed development.

c) Access and Servicing

Whilst Bridge Street is pedestrianised, part of it remains public highway and otherwise must remain clear. The proposed development has been designed in such a way so that, in the event that Bridge Street was used by vehicles, access would otherwise remain unimpeded.

The proposed units would be serviced from Priestgate and Wentworth Street, which is the current arrangement for a number of units along this section of Bridge Street who do not benefit from rear access or a service yard. It is not considered that the proposed development would saturate the existing servicing arrangements

As the application site is situated within the City Centre, this is served by a range of public transport means and is otherwise a sustainable location. As such, Policies LP6 and LP13 do not require any dedicated parking for future occupiers.

Accordingly, the development is not considered to cause an adverse highway safety hazard, and the proposal would accord with Policies LP6 and LP13 of the Peterborough Local Plan (2019).

d) Trees

There are a number of mature Plane trees which are situated along this section of Bridge Street. In this instance, there would be 1x tree adjacent to each corner of each gondola. As set out within the Design and Access Statement, the gondolas would be required to be fixed in place and would require localised footings.

Further to confirmation from the Council's Natural Environment Manager, these trees were planted when Bridge Street was originally pedestrianised. The method of planting was to cut a 2m x 2m hole through the existing road. It should be emphasised that the original road had a tarmac surface with its own foundations, which could be up to 300mm deep, and the block paving which we see today was simply laid on top. As such, it is envisaged that the tree roots are considerably deeper than what would normally be expected for this species of tree.

The Council's Tree Officer has verbally advised that details set out within the Design and Access Statement are acceptable, however, an arboricultural impact assessment and method statement should be submitted pre-determination. This information would likely be submitted and discussed within the Committee Update Report, however, in its absence, Officers request delegated authority to grant planning permission, subject to securing this information pre-determination.

Subject to the securing this information, the proposed development would not have an unacceptably adverse impact on existing trees, and the proposal would accord with Policy LP29 of the Peterborough Local Plan (2019).

e) Neighbour Amenity

Neighbour amenity is a material planning consideration. There are a number of residential apartments in the upper floors of buildings along Bridge Street.

The proposed gondolas would, for all intents and purposes, operate in a similar fashion to existing units along Bridge Street, and whilst some traders may be required to set up earlier in the day than others, it is not considered that the nature or scale of development would give rise to unacceptably adverse levels of noise or disruption, which would have an unacceptably adverse impact on the amenity of adjoining occupiers. In addition to this, it is anticipated that the majority of traders would operate within the hours of a standard working day. As the units would be operated by the Council, in the event of a reasonable complaint, this could be addressed by the Authority.

As such, it is not considered the proposed development would give rise to unacceptably adverse levels of noise or disturbance, which would result in an adverse impact to neighbour amenity and would accord with Policy LP17 of the Peterborough Local Plan (2019).

The Civic Society has noted that there are a number of residential properties within the area, that the loading and unloading of vehicles should be time limited, to avoid unnecessary disturbance but also to avoid a clash with the comings and goings of traffic in or out of the City Centre during peak periods. It should be emphasised that there are no known restrictions for deliveries or servicing on neighbouring units along Bridge Street, where servicing could take place at any time during the day. As such, it is not considered that the conditions as suggested by the Civic Society would meet the planning tests, as set out under Paragraph 56 of the NPPF (2021) and is not considered to be necessary in this instance.

f) Other Matters

The following matters have been raised within letters of representation, which have not been addressed above:

- Concerns with the design of the stalls; the gondolas do not appear to be open at the sides, the front of the gondolas appear to reduce produce display, and the stalls should be revised to allow a counter between the back of the stall and the customer. The stallholder could stand behind the counter which could have some produce on it.

Officer Response: Officers consider that the gondolas would be fit for purpose.

- It is understood that one of the stallholders would sell hot drinks and possibly food. Therefore at least one of the gondolas would require a plumbed in water supply;

Officer Response: Fresh water would be collectable from the Food Hall, where foul water would be able to be disposed.

- What would happen if the weather is windy?;

Officer Response: As what would happen with any other outdoor trader. The stallholder would determine whether they wish to trade that day.

- Where would stallholders go to the toilet?

Officer Response: The Food Hall would be available for stallholders.

- The Queensgate extension should have been blocked, and we would have North Westgate. Instead we have lost the best shop in the city (John Lewis), just after the extension and refurbishment. The council should have stepped in and pressured the landlord to lower the rent for a year or two. Mistakes have been made. Is there any way of getting John Lewis back and fixing the mistakes, as Covid will be in the background but the city centre has more potential. Where's the levelling up?

Officer Response: The Local Planning Authority can only consider the planning merits of the proposal presented to us.

6 Conclusions

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

- The proposed gondola's would be situated within the City Core, where it would go towards improving the vitality and viability of the City Centre, therefore the principle of development would accord with Policies LP6, LP12 and LP46 of the Peterborough Local Plan (2019) and Paragraph 86 of the NPPF (2021);
- The proposed gondolas would not harm the significance or setting of the City Conservation Area, adjacent locally listed buildings, or character or appearance of the immediate area, and would accord with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraphs 130 and 202 of the NPPF (2021);
- The proposed gondolas would not have an unacceptable harmful impact to neighbouring amenity, as such the proposal would accord with Policy LP17 of the Peterborough Local Plan (2019);
- Subject to receiving a detailed arboricultural impact assessment and method statement, the proposed development would not have an adverse impact on adjacent trees, and would accord with Policy LP29 of the Peterborough Local Plan (2019); and
- There are no Highway safety concerns and parking and servicing could be accommodated within the City Centre, in accordance with Policy LP13 of the Peterborough Local Plan (2019)

7 Recommendation

Officers recommend that the Planning and Environmental Protection Committee delegate authority to Officers that planning permission be **GRANTED**, subject to conditions and the submission of a satisfactory arboricultural impact assessment and arboricultural method statement, which shall be submitted pre-determination.

- C 1 The gondolas hereby permitted shall be removed and the land restored to its former condition on or before 28th January 2027 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.

Reason: In order to reinstate the original use of the land or site and preserve the visual amenity of the surrounding area, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 2 No development shall commence above slab level unless and until a material schedule of the proposed Gondolas have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of any doubt, the gondolas shall utilise Heritage Green, and the signage serving the units hereby permitted shall utilise a grey background with white lettering; as illustrated under Section 3.6 of the submitted Design and Access Statement (December 2021)

Thereafter, the development shall be implemented in accordance with the approved detail, and retained and maintained as such

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 3 No development (including demolition) shall take place on the site unless and until an arboricultural method statement and protection scheme has been submitted to and approved in writing by the Local Planning Authority. The arboricultural protection scheme shall accord with BS5837:2012 Trees in relation to design demolition and construction - Recommendations methodology.

The Method Statement/Tree Protection Plan shall identify (not necessarily exclusively) the following:

- o Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the site;
- o Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable);
- o Details of facilitation pruning;
- o Location for access, material storage, site office, mixing of cement, welfare facilities etc.;
- o Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees;
- o Details of signage to be erected within the tree protection areas

Thereafter, the approved scheme shall be implemented in full, strictly in accordance with the agreed details/plans and shall be retained as such for the lifetime of the demolition/construction of the development.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy LP16 and LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as these details need to be agreed before development commences on site.

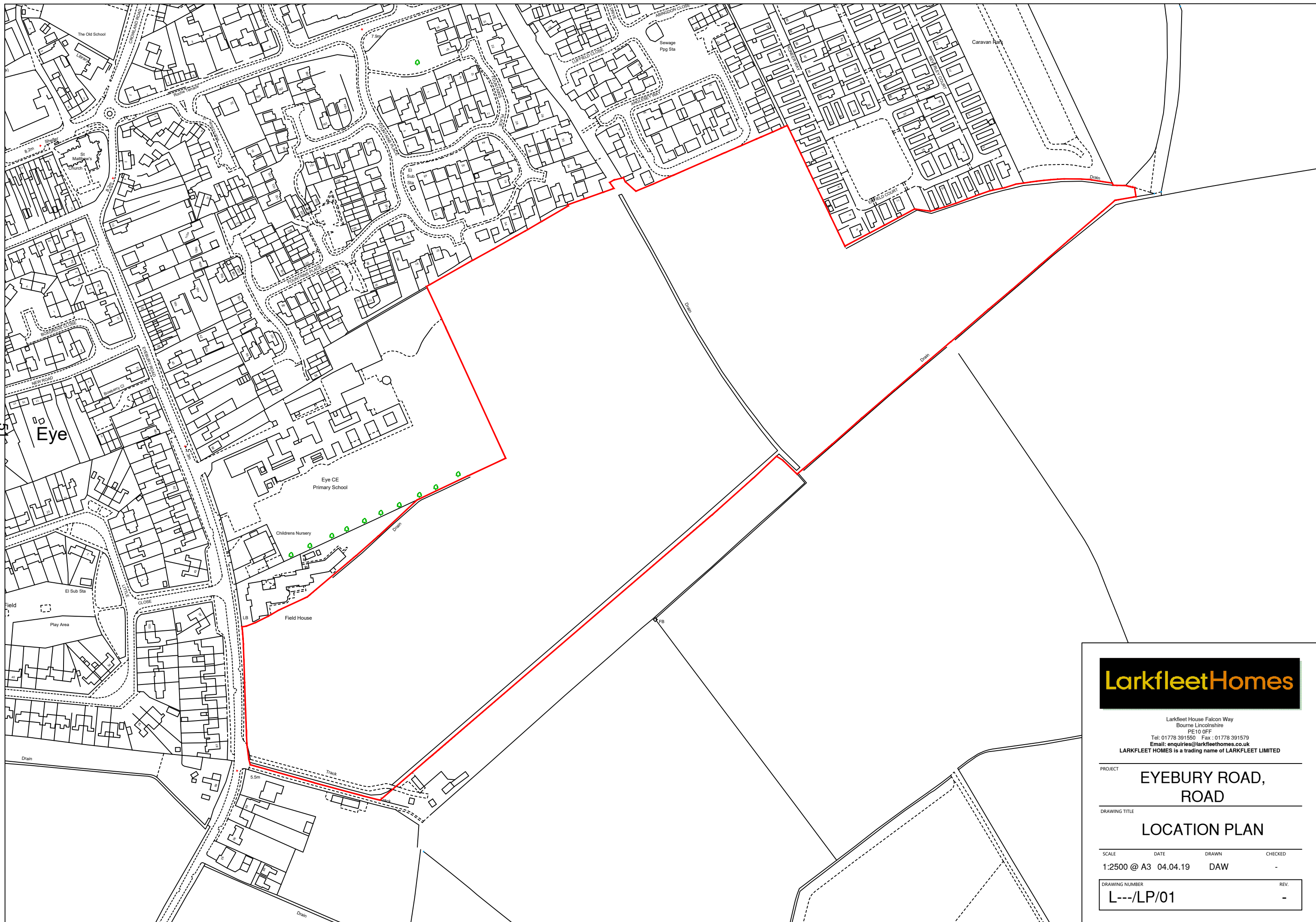
- C 4 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan - PL129-200
- Block Plan - PL129-201
- Proposed Block - PL129-101
- Proposed Plan - PL129-100
- Proposed Elevation - PL129-110
- Proposed Section - PL129-120

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

Copies to: Councillors Mahboob Hussain, Amjad Iqbal and Mohammed Jamil

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PROJECT **EYEBURY ROAD,
ROAD**

DRAWING TITLE **LOCATION PLAN**

SCALE	DATE	DRAWN	CHECKED
1:2500 @ A3	04.04.19	DAW	-

DRAWING NUMBER	REV.
L---/LP/01	-

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Application Ref:	19/00836/OUT
Proposal:	Construction of up to 265 dwellings, associated public open space, infrastructure and the provision of land for school extension with access secured and all other matters (appearance, landscaping, layout and scale) reserved
Site:	Land East Of, Eyebury Road, Eye, Peterborough
Applicant:	Mr Chris Dwan, Allison Homes
Agent:	N/a
Referred by:	Cllr Simons
Reason:	Outline planning was for 250 houses now 300. In the Local Plan Inspectorate Report it states any development in Eye should not be allowed unless sufficient infrastructure is in-place and proven. This is not the case. Eye is already overdeveloped with existing infrastructure.
Site visit:	06.09.2019 and 13.06.2021
Case officer:	Mrs C Murphy
Telephone No.	01733 452287
E-Mail:	carry.murphy@peterborough.gov.uk
Recommendation:	GRANT subject to relevant conditions and the completion of a S106 agreement. Delegated authority is requested to allow the Development Management Group Lead to agree the final planning conditions.

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

Site and Surroundings

The application site is located off Eyebury Road in the village of Eye. It is approximately 0.5 km south from the village centre and immediately adjacent to the primary school. The village centre is designated as a conservation area.

The application site extends to around 13.1 hectares (ha) and is generally level. The land is currently arable land and is split into two distinct parts divided by the central drainage ditch which runs north to south. There is a public right of way (PRoW) running down one side of it which extends along the southern border of the site.

The site is currently accessed from the existing field in the southwest corner of the site from Eyebury Road. There is a hedgerow running along this frontage and some of this will need to be removed to make way for the new access. Along the other boundaries of the site are similar intact hedgerows and trees and where possible these are intended to be retained.

There are a number of residential properties located along Eyebury Road at this point. To the north of the site lies a care home (Field House) as well as the local primary school, both located off Eyebury Road. Further east along the northern boundary are the rear gardens of Fountains Place that back onto the site. There are other properties on Anglesey Way, some of which directly front the site and are part of a recent development by the applicant.

To the east is a residential estate of 'Park Homes' and Pioneer Caravans. Further east of the site there is open countryside.

To the south west of the site are a number of residential properties which are located off Eyebury Road and beyond these is open countryside. There is also a cottage which is a Grade II listed building on the west side of Eyebury Road, opposite the south west corner of the site.

The application site is allocated for residential use under Policies LP39.7 and LP40 of the Peterborough Local Plan (2019).

An outline application (planning ref. 21/01542/OUT) has recently been submitted for Eyebury Road House, 19 Eyebury Road. The site is directly south of this application site and is for the construction of 1 no. detached dwelling with access, appearance and landscaping secured and layout and scale matters reserved.

Proposal and background

The application seeks outline planning consent for the construction of up to 265 dwellings. The application seeks approval of the access only at this stage with matters relating to the appearance and design of the buildings, scale, layout and landscaping reserved to a later stage, if outline planning permission is granted.

The application was initially a scheme for up to 300 dwellings, but this was then reduced to 284 dwellings, with a further recent reduction bringing the number of dwellings proposed down to 265. The proposal would provide 30% affordable homes.

The proposal would also provide for up to 2.54ha of public open space which would also include a locally equipped area of play (LEAP) and allotment land.

The proposal also includes an area of land (1ha) to be given over for the purposes of extending the adjacent primary school and the creation two additional access points into the school site. One will be a vehicular access along its southern boundary abutting the application site and the other a pedestrian access only on the eastern boundary of the school site south of Fountains Place.

The primary vehicular access is proposed off Eyebury Road. The access proposals include an on-site cycleway at the site access, along with pedestrian crossing improvements near the school.

Revised proposals also submitted include a footpath/ cycle way to be constructed to the north of the site on a strip of land between properties at Fountains Place and the recent Allison Homes (previously Larkfleet Homes) development linking up to Thorney Road. The cycle way would then continue in a westerly direction alongside the footpath on the south side of Thorney Road up to where it meets with Eyebury Road and the High Street. There will also be upgrades to two bus stops on Thorney Road along this section.

As required by Policy LP40, a masterplan has been submitted with the application and this also includes further details via a parameters plan, strategic movements plan and indicative public open space areas drawing. These plans would provide controls on future Reserved Matters applications.

The Local Planning Authority (LPA) has undertaken a screening opinion in respect of the outline application as to whether or not the development would require an Environmental Impact Assessment (EIA). The project falls under Schedule 2, item 10 (b) 'Urban development projects,' of the Regulations. The LPA considered that the development would not have significant environmental effects and as such an Environmental Impact Assessment was not required (ref. 21/00013/SCREEN).

Consultation

There have been four rounds of formal public consultation on the application. The first ran from 21 August to 19 August 2019. Since the receipt of the initial application in August 2019 further information and amended details as referred to above have been received, as well as a number of revised plans and documents to address comments received from technical consultees. A further 3 rounds of full statutory public re-consultation have been undertaken: 1) 7 June to 6 July 2021; 2) 4 September to 27 September 2021; and 3) 21 October to 28 October 2021.

2 Planning History

Reference	Proposal	Decision	Date
21/00013/SCREEN	Screening opinion	Comments	03.12.21

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions. The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

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

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

National Planning Policy Framework (July 2021)

Section 5: Delivering a sufficient supply of homes

Paragraph 60: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 65: Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership.

Section 8. Promoting healthy and safe communities

Paragraph 92: Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Paragraph 95: It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Paragraph 98. Access to a network of high quality open spaces and opportunities for sport and

physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Paragraph 100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Section 9. Promoting sustainable transport

Paragraph 110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Section 11: Making effective use of land

Paragraph 119: Planning decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Section 12: Achieving well-designed places

Paragraph 124: Planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.

Paragraph 126: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130: Planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities), establish or maintain a strong

sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 131: Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments and that appropriate measures are in place to secure the long-term maintenance of newly-planted trees.

Section 15: Conserving and enhancing the natural environment

Paragraph 180: Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 183: Planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Paragraph 185: Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Paragraph 186: Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Paragraph 187: Planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Section 16: Conserving and enhancing the historic environment

Paragraph 194: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 195: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 205: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Section 14: Meeting the challenge of climate change, flooding and coastal change

Paragraph 152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Paragraph 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Section 15: Conserving and enhancing the natural environment

Paragraph 174. Planning policies and decisions should contribute to and enhance the natural and local environment.

Paragraph 185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Peterborough Local Plan 2016 to 2036 (adopted July 2019)

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP02 - The Settlement 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

LP8a) 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

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

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.

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

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.

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

LP12 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.

LP21 Part B: Indoor Sports and Recreation Facilities- All residential development below 500 dwellings will contribute to the provision of 'off site' strategic indoor sports and recreation facilities

by way of CIL. For sites of 500 dwellings more a S106 Planning Obligation will be sort.

LP21 Part C: Designated Sites- Mitigation of Recreational Impacts of Development- Where development has the potential to have a significant adverse effect on the integrity of a designated international or national site for nature conservation as a result of recreation pressure, the development maybe require to provide open space of sufficient size, type and quality over and above the standards to mitigate that pressure.

LP22 - Green Infrastructure Network

The Council in partnership with others will seek to maintain and improve the existing green infrastructure. Strategic and major development proposals should incorporate opportunities for green infrastructure. Proposals will be expected to provide clear arrangements for long term maintenance and management. Development must protect existing linear features of the green infrastructure network. Proposals which would cause harm will not be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts.

LP27 - Landscape Character

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscaping setting, retaining and enhancing the landscape character.

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, over riding 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.

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. Site 39.7 Tanholt Farm, Eye is included in the list of allocation.

LP40 - Tanholt Farm, Eye

A comprehensive masterplan should be submitted for this site. In developing the masterplan there should be a high level of engagement with appropriate stakeholders and the local community. The masterplan should address amongst other matters the scale of development to be informed through a Transport Assessment, a residential led scheme, impact on residential amenity, provision of education and community facilities, access and highway works, details of long term governance. Detailed proposals will not be approved without a masterplan.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (adopted July 2021)

Policy 5: Mineral Safeguarding Areas (MSAS)

Mineral Safeguarding Areas (MSAs) are identified for mineral resources of local and/or national importance. The Mineral Planning Authority must be consulted on certain development proposals.

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

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

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

4 Consultations/Representations

PCC = Peterborough City Council

Environment Agency

No objection, no comments to make.

Natural England

No objection

The proposal in this location triggers Natural England's Impact Risk Zone (IRZ) for the Nene Washes swan functional land. Based on the information provided, it is not considered that the development site and surrounding area to be functionally linked with the Nene Washes SPA Ramsar & SSSI.

Recommends consideration of recreational pressure based on the updated Impact Risk Zones (IRZs).

PCC Wildlife Officer

No objection, subject to conditions requiring an ecological design strategy, construction environmental management plan, soft landscaping plan and provision of locally native species. Ecological enhancements are required as part of these provisions.

PCC Archaeological Officer

No objection, providing that a programme of archaeological work is carried out predetermination comprising a geophysical survey possibly followed by an evaluation by trial trenching to be informed by the results of the geophysical survey.

PCC Senior Landscape Technical Officer

Objection

Does not wish to see the Allotment provision split over two sites within a single development. Proposed LEAP needs to be referred to as Super LEAP (SLEAP). POS needs to be able to be used for informal recreational activity. The retention of areas within the POS/around the dry ponds as SUDS/Wetland habitat is needing to be removed. Clarification is required on how the natural green space (NGS) will be implemented within such a narrow strip of land (minus the drain and footpath) to deliver appropriate NGS. If the provision of NGS is not achievable onsite, an offsite contribution will be considered.

PCC Conservation Officer

No objection, subject to conditions to ensure that materials respect and reflect the positive material palette of Eye and a robust landscaping scheme to ensure that the countryside facing site boundaries are delineated by native planting, not close boarded fencing, as Eye is a historic conservation village.

PCC Tree Officer

No objection, following receipt of amended information. Subject to conditions requiring a landscaping scheme. Recommends that the proposed access into the school site should not affect Tree T5 Horse Chestnut nor any trees be removed from Group G8 until such time as an appropriate and suitable route has been identified on site, marked out and a no dig solution, as discussed within the AIA, for the path construction has been considered and submitted for approval. Detailed advice on tree planting is provided.

PCC Pollution Control Officer

No objection, subject to conditions requiring a detailed noise assessment and associated mitigation measures. An Air Quality Assessment would be required if the change of Light Duty Vehicles (LDV) flows are more than 500 Annual Average Daily Traffic. Due to the size of the development and potential for disturbance during construction a condition requiring a construction management plan for prior approval is also recommended.

Cambridgeshire Fire & Rescue Service

No objection, requests that adequate provision be made for fire hydrants, by way of Section 106 agreement or a planning condition.

Police Architectural Liaison Officer (PALO)

No objection, provides details comments on how community safety and vulnerability to crime is addressed at an early stage.

PCC Housing Officer

No objection, subject to provision of 30% affordable housing based on an acceptable tenure split.

PCC Planning Obligations Officer

The proposal is CIL liable, the amount due will be calculated at the approval of Reserved Matters when the Gross Internal Area of the development is confirmed.

PCC Place Planning and Sufficiency Officer (Education)

No objection

First Comments

The development of 300 houses is forecast to generate 90 0-3 year olds, 120 primary aged children and 75 secondary aged children.

Early Years - There is currently no planned expansion project for Early Years provision in Eye. Officers would need to explore potential projects in order to establish costs.

Primary - A potential project to expand the school by 210 places (1 form of entry). This will require a financial contribution in addition to the land the developer is offering. The cost of this is currently unknown. The boundary for this land will also need to be changed in order to fit the required sports pitches.

Secondary - Manor Drive Secondary Academy is a new planned 6FE school to be built on the Paston Reserve development. It is due to open in September 2022. The school at Paston Reserve will cater for 6FE at the cost of £20m. The cost per pupil is £22,222. The cost to provide 75 secondary places at £22,222 per place is £1,666,650.

The masterplan designates a piece of land for the proposed school extension. The Council commissioned a RIBA Site Capacity Study to explore options for this extension. The current designation of land is not of sufficient size to fit sports pitches which meet Sport England guidelines. The Council proposes that the site boundary is adjusted and made rectangular in order to accommodate the pitches.

The masterplan proposes a school pedestrian/cycle access from the development site onto the school site. This proposal would mean the access goes directly across the planned sports pitches. The Council would prefer the access to come from Fountains Place. This would allow use of the pitches and access simultaneously and ensure an improved community link to Eye village.

Final Comments:

Further development within this location and the resulting additional children requiring childcare and funded entitlements will result in pressure on local providers and create capacity issues. From a primary school perspective, 2021 catchment and admissions data show there are already more children living in the catchment than there are places at Eye Primary School and that the situation will become increasingly problematic over the forecast period. A feasibility study conducted on behalf of the local authority in 2019 gives Education/School Place Planning and Education Capital colleagues to understand that the developer proposals to provide a new access into the school site and additional land (as shown on submitted plans) to ensure that the school has appropriate vehicular access and site area to support an expansion by one form of entry is viewed as sufficient.

From a secondary perspective, the catchment school, Arthur Mellows Village College, pupil roll forecasts also indicate rising pressures as younger cohorts progress up the school, with high numbers in Y7 ageing forward. Numbers are above PAN capacity.

Further development in this area will put increased pressure on childcare, primary and secondary school infrastructure, above capacity.

Anglian Water

No objection

Assets - Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement, including a sewage pumping station located within 15m of the site. This must be taken into account in the layout of the development including providing access for maintenance and achieving a 15m separation distance to the nearest residential property to avoid nuisance in the form of noise, odour or general disruption from maintenance work.

Foul Water - 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

Surface Water - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

PCC Peterborough Highways Services

No objection, subject to conditions and informatives in respect of a Travel Plan, offsite highway works, on-site sustainable travel provision, access, vehicle to vehicle visibility splays, provision of adequate space for parking and turning, wheel wash on large development, construction management plan and pre-condition highway survey.

PCC Public Rights of Way Officer

No objection, the public rights of way which border the site and also run through the site will need to be kept unobstructed and open during construction unless a temporary diversion regulation order is requested. The footbridge into the site will need replacing at the developers cost as part of this development in order to make the route more accessible for the extra users which will be generated by the additional housing. The upgrade to the footpath / cycleway heading out of the site should include a surfaced footpath. New bridges to be provided on the footpaths from the site linking into the countryside. Given the volume of housing on this site a fully surface path/cycleway should be available all the way to the school from all areas within the site.

North Level District Internal Drainage Board

No objection, following receipt of amended plans and provision of detailed comments on the proposed cycleway and PRow.

PCC Drainage Team

No objection, following receipt of additional plans and removal of the IDB objection, subject to conditions relating to details of a sustainable drainage scheme.

Reserved matters applications would be expected to provide details on access to riparian watercourse for maintenance, overland flood and exceedance routes for the additional school land and any details of any mitigation measures required and overland flood flow routes, exceedance routes, proposed finished floors levels and details of the construction of the pond in relation to the eastern wetland pond, in order to demonstrate that flows will be directed away from the properties in the event of a system failure or exceedance event.

PCC Travel Choice

No objection, agree with the Travel Plan submitted.

Peterborough Cycle Forum

Detailed comments are provided on the proposed cycle routes and cycle storage provision.

National Highways (formerly Highways England)

No objection, further documents have been received from the applicant, including revised details. The revised information has no material impact upon the Strategic Road Network, and therefore National Highways retain their no objection to the application.

Sport England

No objection, in terms of quantity, approximately 0.49 hectares of playing field will be lost to accommodate the new car park, but the new playing field covers an area of approximately 0.95 hectares, thus a quantitative gain. As it will be a new playing field, the qualitative requirement can be covered by a planning condition, and management will be as existing.

Sport England are supportive of the application because it will provide new pitches for sport, in line with our Planning Objective 3, together with parking and access. Subject to conditions to control the programming of the replacement playing field prior to the loss of the existing playing field and a detailed assessment of ground conditions for the new playing field.

PCC Minerals and Waste Officer

No objection, the proposal site is located within a Minerals Safeguarding Area (MW Local Plan policy 5), and as such there is no requirement to consult the MPA on proposals that are consistent with the Development Plan for that area.

Eye Parish Council

First Comments - Objection

- The Planning Inspectors report recommended that 250 houses or less for this site and this application is up to 300 houses with 283 being shown.
- Eye has been promised by Peterborough City Council that no further development will take place in the village of Eye until the infrastructure is improved. There are currently 100 houses under construction over 3 sites in the village.
- We note the objections from the North Level Drainage Board and fully support their comments.
- Roads - the road system in and out of Eye are clogged with traffic, especially in the morning and evening rush hour and at school times. The safety of our children is paramount and with potential 600 more vehicles from this development next to Eye Primary School is of a great concern and of the pollution from the vehicles and the potential noise pollution.
- Eyebury Road past the school towards Peterborough is only a single track road.
- Eye Primary School is almost full.
- The doctors surgery is near to capacity.
- The Post Office has just closed.
- Youth Facilities - more and better facilities required. More youngsters coming to live in the village and police statistics show that without such facilities anti-social behaviour increases.

Second Comments - Objection

- The infrastructure of the village needs improving before such a large development takes place. The school, doctors surgery, dentist and youth facilities are all over subscribed now.
- Eyebury Road is a very heavily used road and goes into a single track road as it leaves the village. This goes by the primary school and a further 250+ houses with at least 2 vehicles per house will greatly increase pollution and noise pollution. The Red Brick Farm development at the other end of Eyebury Road has just been approved which will further increase the volume of traffic to it along Eyebury Road in Eye. Traffic is very heavy on all routes out the village now and need upgrading before any further such developments take place.
- Access to the development is of a concern.

Third Comments - Objection

- Eye Parish Council strongly object to this application as they have done since the original application was made in 2019.
- The original inspectors report recommended 250 houses or less - the application is for up to 280.
- We agree with the objections from the North Level Drainage Board, Peterborough City Councils Open Space Management Officer and share the concerns from Anglian Water that the application shows houses within 15metres of the sewage pumping station.
- Eyebury Road is a busy "rat run" passing the Primary School and goes into a single track road to Eastern Industry where the large Red Brick Farm Development has recently been approved and this will only add to the volume of traffic.
- The traffic survey shown was undertaken during the school holidays and during Covid Restrictions making it totally meaningless.
- Increase pollution and noise pollution from the proposed development next to our primary school and in the centre of our village is of concern,
- Infrastructure within the village is overstretched already with villagers struggling to get in and out due to the road system both on the A47 and the A1139.
- Doctors/dentists books at capacity, Youth Facilities and support well over stretched.
- The drainage system throughout the village needs improvement as demonstrated with recent rains caused flooding for many villagers.

Paul Bristow – MP for Peterborough

There is a need for more housing in Peterborough, but it must be the right housing and gone about the right way. This includes key improvements to our road and transport infrastructure, with extra capacity for our health facilities and schools.

My objections to this outline application include:

- The Local Plan allocation is for 250 dwellings or fewer. At 300 dwellings, the scheme is an overdevelopment of the site, which prevents sufficient open space from being incorporated and would have a significant impact on the village.
- The transport assessments undertaken to date are inadequate and understate the existing pressures. Fundamental problems in the scheme's design cannot be remedied by a later, more detailed transport plan or a slight reduction in dwellings.
- There is no provision of extra-care or supported housing to meet the needs of the area's aging population.
- Eye Primary School needs more land than is currently allocated for new facilities and appropriately sized sports pitches.
- There is inadequate information on the s106 contributions required to increase primary and secondary school capacity and provide sufficient community health and GP coverage.
- Flooding and drainage risks have not been addressed.

I believe that the local community in Eye would be best served by the developer withdrawing this application, in order to rethink their proposals and reengage with residents.

Cllr Nigel Simons - Eye, Thorney and Newborough

First comments

Along with my fellow councillors Cllr Steve Allen and Cllr Richard Brown, We would like to very strongly object to the application. Outline planning was for 250 houses now 300. Also in the local plans inspectorate report it states Eye any development in Eye should not be allowed unless sufficient infrastructure is in-place and proven. We do not believe this to be the case. Eye is already overdeveloped with existing infrastructure. We kindly ask for this application to go before planning and environment committee.

Subsequent Comments:

I would like to register my strong objections to this application. As indicated by our highways department, the access to the proposed site is unsuitable. Also LP40 requires all reserved matters to be agreed at outline stage, although Larkfleet are very much aware of this seem to have total disregard for the planning process agreed by the inspectorate. I can never support this application until an alternative access road is to be arranged, as discussed some two years ago. With the then leader of the council and Larkfleet. Also the inspectorate recommendation with regard to the village's infrastructure has certainly not been considered.

Cllr Steve Allen - Eye, Thorney and Newborough

First Comments

Specifically I wish to register my concern that the original application for 250 houses has been increased to 300. The local plan recommendations state any development in Eye should not be allowed unless sufficient infrastructure is in-place. I do not believe this has been addressed, and I need to see further evidence that the proposed East / South relief road is being prioritised.

Second Comments

- LP allocation for 250 houses has been increased to 300. This being an overdevelopment of the site.
- The village should not be further burdened with large scale housing developments without real infrastructure improvements including an East /South relief road(from the A47 to Eastern Peterborough) to take traffic away from the village centre and Eyebury Road.
- Eyebury Road is already overburdened with traffic and the additional vehicle movements will create gridlock on a road which is effectively a one track lane between Eye and Peterborough's

Eastern Industry Zone. An overburdened rat run now – additional vehicle movements will further exacerbate the problem.

- Although the planning proposals indicate provision of extra intake to the school, the site plan shows insufficient/inadequate playing field space being provided. Additionally it should be recognised that more pupils will be added to the roll of a school which has been added to on an 'ad hoc' piecemeal basis over recent years and is now already suffering from overcapacity and pressure on its facilities.
- Access to the school car park and drop off area needs to be reviewed. Traffic movements from and to Eyebury Road will add to further congestion – in particular to the morning commute and school run.
- The proposals show only small pockets of open space and play facilities – insufficient and inadequate for the size of the development.
- Eye has serious pressures with the medical facilities currently in place and this substantial increase in population will place further burden on the availability healthcare in the village.

Believes that the developer should reconsider the proposals and look again at the site with a more considered approach, taking into account what is right for Eye.

Third Comments

The road infrastructure is inadequate to handle the additional traffic movements which will inevitably be generated by the proposed 284 dwellings.

Eyebury Road is already an acknowledged 'rat run' for traffic between the A47 and Peterborough's Eastern industry which will be further impacted by the pending development at Red Brick Farm. Eyebury Road is restricted to a single line carriageway with passing points between Pearces Road and Eyebury Grange. The demands from additional houses combined with increased commercial and industrial traffic will see the route becoming chaotic gridlock at times of peak demand; this on road with a busy school already generating traffic and parking issues morning and afternoon during term times. The level of traffic passing the school gates contradicts the Safe School Routes initiative.

I will put on record I am unable to support any development at this location until the issue of improved infrastructure is addressed; specifically, the provision of a relief Road - from the A47 to Eastern Industry by-passing the Village, as discussed at a meeting with the former Council Leader, representatives of Larkfleet, Planning Officers and fellow Ward Councillors some 2 years ago. In addition to the infrastructure issues, I have real concerns regarding overdevelopment of the site - 284 dwellings rather than the 250 (or less, as approved by the inspectors); the mix of housing not including bungalows and supported living to accommodate 3rd age and the elderly in the community, and what appears to be an under provision of Open Space and Children's play facilities.

Cllr Richard Brown - Eye, Thorney and Newborough

First Comments

I wish to support my fellow Councillors with my objections to the proposed new development of 300 houses in Eye. I agree with all the points mentioned regarding the increase number from the original quoted of 250 and the need for further infrastructure to be planned.

Subsequent Comments

Feel that an addition of 284 houses with maybe 3 cars per house is an amount of traffic that cannot be justified on a very busy road. Where the plans for an alternative road ever considered that was discussed 2 years ago.

Local Residents/Interested Parties

A total of 381 individual written responses have been recorded predominantly objecting to the

proposal. These are as follows:

Consultations: 206 separate addresses, increased to 307 addresses in later stages to reflect the need to consult wider on the proposals due to the proposed pedestrian/ cycleway upgrade

Total number of individual responses: 381

Total number of objections: 378

Total number in support: 3

Due to the large number of representations received from the local population and their detailed nature in parts, a copy of the summaries of these are set out separately in Appendix 1.

5 Assessment of the planning issues

The main considerations are set out under the headings below.

1. The Principle of Development
2. Highways impacts and parking
3. Design and layout (including impact on heritage assets)
4. Ecology, trees and landscaping
5. Drainage and flood risk
6. Planning obligations - S.106 and CIL matters
7. Others matters (contamination, construction management etc.)
8. Miscellaneous

1. Principle of development

Development proposal

As indicated under Section 1, this is an outline application for up to 265 dwellings with only the principle of access being established at this stage.

In planning policy terms, Eye is identified in Policy LP02 of the Peterborough Local Plan within the settlement hierarchy as a large village, second only to the urban area of Peterborough City. The site is allocated for residential use under Policy 39: Large Village Allocations (reference 39.7 Tanholt Farm refers). This allocation has established the principle of developing housing on this site and it cannot be re-visited through this application.

Due to the complex nature of the site, there is a specific allocation policy for it. Policy LP40 sets out a number of guiding principles for the site and requires that prior to the approval of detailed proposals an outline planning application comprising, amongst other matters, a comprehensive masterplan for the whole area should be submitted and approved by the LPA to demonstrate achieving how future development would accord with these principles.

A masterplan which covers the whole of the allocation has been submitted in support of this application to demonstrate how the site could be developed and meets these key principles.

Policy LP40 also states that, with the exception of minor proposals of very limited consequence to the overall redevelopment of the entire site, the Council will not approve any detailed planning proposals for any parts of the site until, and subsequently in accordance with, a comprehensive planning permission for the entire site has been achieved (including any agreed Planning Obligation to ensure specific elements of the wider scheme are guaranteed to be delivered). The applicant has advised subject to the granting of outline consent for the entire allocated area, it is expected that a reserved matters application will be submitted shortly after. It is most likely that a

single reserved matters application will be submitted for the entire site, although due to the number of dwellings envisaged these could be constructed in different phases.

To provide more clarity in terms of the design approach being followed, the masterplan is accompanied by a parameters plan and a strategic movement plan.

- The parameters plan sets out the built form parameters, indicative areas of public open space as well as access and movement parameters.
- The strategic movement plan shows the approximate primary and secondary vehicle access corridors, including linkages to neighbouring land.

These layouts have been considered but only insofar as to determine whether the masterplan adequately addresses the constraints of the site, and whether the number of dwellings proposed is acceptable.

Officers are of the view that the masterplan is acceptable in principle and shows the site could satisfactorily accommodate up to 265 units, together with appropriate levels of open space, sustainable drainage features (SuDS), circulation space and the provision of land for the expansion of the school. The submission is, therefore, considered to be a comprehensive masterplan for the overall allocation area and in accordance with the requirement of Policy LP40 in this respect.

Further assessment of how the application complies with the 8 key principles set out in Policy LP40 are covered in the following sections.

Quantum of development

The Local Plan allocation sets out an indicative number of 250 dwellings for the site. The indicative scheme proposes up to 265 no. new homes. The precise number of dwellings will be determined at the reserved matters stage. For instance, if there is a demand for larger properties, then fewer properties could be accommodated across the site. Conversely, if smaller units are required then the overall numbers of dwellings would be upper end of the limit. The proposals for up to 265 new homes represent an increase of 6% over the 250 dwelling figure the indicated in the Local Plan which is a modest amount.

It should be noted that the figure in the Local Plan is indicative only and does not fully take account of the further assessment required to assess the amount of housing that the site is capable of providing. This work has been carried out as part of this application.

Key principle 1 under Policy LP40 specifies that the scale of residential development would need to be subject to a detailed transport assessment (TA) and travel plan which will demonstrate that the quantity of homes proposed is deliverable taking account of safe and suitable access to the sites, and cost effective and necessary improvements to the transport network. It was anticipated that the scale would be around 250 dwellings but potentially less following the outcome of the transport assessment.

The findings of the TA concluded that additional traffic from the development of up to 300 dwellings would not unduly impact on the surrounding local and strategic highway network, with some mitigation measures. Both the Local Highway Authority (LHA) and National Highways have confirmed a position of no objection. The scale of residential development is regarded as appropriate in this instance taking into account matters such as the provision of a safe and suitable access to the site and cost effective and necessary improvements to the transport network. This is set out in more detail below under 'Highway Impacts'.

The net residential area (taken as generally 60% for this size of site) equates to a density of around 33 dwellings per hectare, which would be in keeping with the village character and immediate context. This is comparable to the density envisaged for the site in the Local Plan

evidence base i.e. 30 dwellings per ha based on approximately 250 dwellings. Officers are therefore satisfied that the quantum of proposed development is appropriate.

Meeting housing needs

Policy LP08 requires the provision of 30% affordable housing on developments of 15 or more dwellings. All dwellings are required to be Building Regulations Part 4(2) compliant in respect of accessible standards and on developments of 50 dwellings or more, 5% of homes are required to meet Building Regulations Part M4(3)(2)(a).

Key principle 2 of Policy LP40 requires a residential led scheme, of a range of types and tenures that meet needs and respects the surrounding context.

The application proposes 30% affordable housing and appropriate tenure split with an appropriate tenure split of 70% affordable rented tenure and 30% intermediate tenure which will need to be secured by a S106 Agreement. The provision of the necessary access standards to meet the changing needs of people over time can be secured via planning condition.

Subject to the above, the proposal is considered to be in compliance with Policy LP08 and Policy LP40 of the Peterborough Local Plan (2019).

Public Comments

A number of objections have been raised regarding the proposed number of dwellings. The public representations query why the application has been made in excess of the 250 housing figure and it should in fact be less than this. To re-iterate this figure the Local Plan figure is only an estimate and not a target or a prescribed upper limit, subject to further assessment of the transport impacts.

It is acknowledged that a significant number of the objections received are in relation to what impact the development will have in terms of pressures on existing local services/ facilities and that there are already insufficient for the local population. Whilst these concerns are noted, the site is allocated for development therefore the principle of locating development at this location has been established through the local plan process.

In accordance with the Local Plan, the development will need to make a payment toward local infrastructure under the Council's Community Infrastructure Levy (CIL) and this will be determined against the number of plots proposed at the reserved matters stage.

There have been objections made that the housing does not provide for an adequate range of types and tenures, do not respect the surrounding context or reflect the local need. Further details on the intended housing mix will become forward through a reserved matters application. At this stage, only the amount and tenure of the affordable housing can be agreed.

The City Council could also not reasonably insist on bungalows in the proposed housing mix. There is no guarantee that changing the house types, such as to bungalows would result in any reduction in the total number of residents nor that there would be less children occupying the development.

Conclusions

In summary, the illustrative masterplan and technical reports (including TA) are considered to demonstrate that the site could be developed in an acceptable way and for the scale of development proposed.

As demonstrated above, the application has satisfactorily addressed the requirements of key principle 1 of Policy LP40 in respect of confirming the suitable quantum of development for the site through an assessment of the highway network and that safe and suitable access to the site can be achieved.

The development proposed is residential led but also allows for the extension of the school and the provision of an improved access for the school. The application will provide for affordable housing and accessible accommodation in line with Policy LP08. Details of the housing mix and their tenures will be provided and further considered at reserved matters the site and would be capable of providing the necessary range of accommodation and tenures.

The masterplan shows the site can satisfactorily accommodate 265 units, together with appropriate levels of open space, sustainable drainage features (SuDS), circulation space and the provision of land for the expansion of the school, subject to further details at reserved matters. At this stage, the masterplan is considered to adequately respond to the constraints/ context of the site and the requirement of both key principles 1 and 2 of Policy LP40.

For the purposes of determining this outline application, the key provisions will be secured through the conditions and the legal agreement to ensure future detailed reserved matters deliver the essential requirements of the scheme. The principle of development is therefore considered to be acceptable in accordance, subject to conditions with Policies LP02, LP08, LP39.7 and LP40 of the Peterborough Local Plan (2019).

2. Highway impacts and parking

Transport Assessment

A TA has been submitted in support of the application for up to 300 dwellings. This has assessed whether the highway network has capacity to accommodate the level of development proposed and/ or whether any mitigation/ off-site highway works are required. Revised versions of the TA have been submitted to address comments made, in order to adequately assess the impacts of the proposed development. It has continued to be based on a proposal for up to 300 dwellings.

The LHA as the highway body responsible for the local road network and National Highways who has responsibility for the strategic road network of the A47 truck road nearby, have both concluded that they raise no objections to the application and the impact of the development on these roads is acceptable.

The LHA has stated that whilst the TA has identified that the roundabout within Eye north of the site at the junction with the High Street/ Thorney Road/ Crowland Road) is already near/ at capacity in peak hours, the additional traffic from the development has little impact alone (when taking into account the background traffic growth, and other permitted developments nearby). It cannot be considered to be severe enough to warrant a LHA recommendation of refusal for the application. Nevertheless, it is important to maximise the opportunities to promote the use of sustainable travel modes, particularly for local journeys, to assist in mitigating the impact on that junction. These measures are explained further below.

National Highways has responded that whilst parts of the nearest junctions on the A47 trunk road to the proposed development are predicted to operate near to or at capacity, the additional trips generated are likely to worsen conditions only by a small amount. Consequently, based on sustainable transport measures to be incorporated with the development, which will lessen the impact, they do not object to the application.

Off-site Highway works

Based on the findings of the TA, the LHA has requested a number of mitigation measures to improve sustainable travel links from the development to local facilities and public transport provision. These are:

- Amendments to the existing traffic calming scheme on Eyebury Road, including provision of the upgraded pedestrian crossing.
- The provision of a cycle link through the site and along with the existing PRow footpath to the north of this will enable convenient pedestrian and cycle access to the existing primary school for residents of the housing along Thorney Road.
- An off-site cycleway upgrade to the existing footway along the southern side of Thorney Road to improve sustainable travel links from the development to local facilities and public transport provision.
- Upgrades to identified bus stops on Thorney Road and provision of real time public information (RTPI) equipment on Thorney Road. A Travel Plan will encourage bus use.

The applicant has agreed to include these measures and revised plans have been submitted. The proposals also now include satisfactory details of access to and from Eyebury Road and the on-site cycleway at the site access, along with pedestrian crossing improvements near the school.

It should also be noted, that Peterborough Cycle Forum is also supportive of this scheme providing for a good level of permeability for cyclists and pedestrians, including the link to Thorney Road to enable and encourage local journeys to be made by cycle.

Planning conditions are appended to ensure that necessary further design details are approved for these measures and in addition for their implementation.

The provision of the cycle link will need to be secured via S106 Agreement, in recognition that there are some possible site constraints to converting the footway along the southern side of Thorney Road and so to ensure every effort is made to deliver this cycle link. As this is an outline application the S106 will need to cover further design details required based upon the concept drawings submitted as well as a suitable timetable for its delivery. Also, the provision of fallback option in the event that that this link is only able to be delivered in part ie from the north of the site up to Thorney Road, or in the event of a suitable design not able to be achieved as a whole. It is also recommended that the necessary upgrades to the bus stops on Thorney Road as part of these identified mitigation measures are also covered within the S106.

Other Highway matters

Access to school land

In terms of the access to the additional school land, this will need to be carefully managed to ensure that occupants of the new dwellings are not impacted upon as the access could potentially still be required for a period of time by construction vehicles through the residential development site. A planning condition requiring details of the timetable for the phasing of the development will ensure this matter is satisfactorily addressed.

Travel Plan

In conjunction with improvements to encourage the use of more sustainable modes of travel, for developments of multiple dwellings the Council requires a Travel Plan to help occupiers to make such informed decisions. The Travel Choice Team has agreed to the Travel Plan that has been submitted with the application.

Parking

The parking for the proposed dwellings would be subject to a future reserved matters application, however, that all future layouts would be required to adhere to the Council's current adopted minimum parking standards, including for visitor parking, under Policy LP13.

In addition, the detailed design of the site will need to accommodate the necessary cycle parking and appropriate numbers of electric vehicle chargers along with ducting to enable the future installation of additional chargers as required in the future.

Policy LP13 sets out minimum standards for cycle parking in residential developments, and national cycle parking guidance LTN 1/20 also details levels which should be provided. The applicant has been made aware of these requirements for the detailed design stage.

PRoW

In respect of the PRoW footpaths which cross and border the site, the Council's Rights of Way Officer has commented that these will need to be kept free of obstruction and open during the construction or alternative temporary diversions be made. This will be included as a planning condition.

In order to make the route across the site more accessible for the extra users which will be generated by the development, it has been requested that a fully surfaced path should be available to the school for all areas within the site. New bridges should be provided on the footpaths from the site into the countryside. The upgrade to the footpath/ cycleway heading out of the site to the north should also be upgraded to include a surfaced footpath.

Discussions on the nature of these improvements being sought are still taking place with the applicant. Further details will be provided in the Update Report, as necessary.

Public Comments

It is acknowledged that a significant amount of objections received are concerned about the overall increase in traffic which the development would create and, also as the site is adjacent to the local school which generates traffic pressures at times on Eyebury Road. Some additional commentary is provided below to clarify in relation to the representations made.

- *Traffic in the area is extremely busy without this additional development*

There will be some level of increase in traffic with more car journeys and potential for congestion as a result of the development. However, the TA has not concluded that this would be severe and the issue of Eyebury Road being a 'rat run' cannot be considered as a development issue.

It has been acknowledged by the LHA that the school drop-off and pickup traffic and also traffic using Eyebury Road to access the Eastern Industry area of Peterborough are existing issues and that the development traffic will cause additional pressure in this area. The proposed improvements to pedestrian and cycle facilities in the area of Eyebury Road and designed to encourage trips from the new development to be undertaken by walk and cycle modes rather than by car thus reducing the development impact in this area to an acceptable level. It should be borne in mind that the LHA cannot require developers to mitigate existing issues. The provision of the new access will help to alleviate the existing problem at drop off / pick up times by providing a better solution for the school.

The LHA are of the view that a new pedestrian/cycle facility is required along Thorney Road to alleviate the impacts of the development. This will not only provide a safer environment for existing users along Thorney Road but also will provide a safe and convenient route to the centre of Eye from the development. This will encourage more pedestrian and cycle traffic and thus reduce the impact of the development further on Eyebury Road in terms of vehicular traffic. It is considered that this scheme is a critical element of mitigation in order that the development may be considered acceptable in transport terms.

The road safety implications of the development have been assessed as part of the Transport Assessment. There is no evidence to suggest that there are any existing road safety issues in the area around the school or on Eyebury road, particularly with reference to pedestrians, cyclists and

vulnerable road users. Furthermore, the implementation of enhanced walking and cycling facilities as previously mentioned will serve to create a safer environment for pedestrian/cyclists and vulnerable road users.

- *Criticisms of the TA and the survey information*

The TA has been amended to take account of any comments from the highway authorities. It has assumed the development would be for up to 300 dwellings and not the reduced number of 265 dwellings.

The developer has worked with the Local Highway Authority and PCC to produce a Transport Assessment that is now considered to be acceptable for the purposes of this application. The restrictions associated with the COVID 19 pandemic has given rise to the need to consider an alternative methodology of validating the base modelling to that which might have been requested under 'normal' circumstances. However the work undertaken has shown that the model does replicate the current situation on site within acceptable parameters. The future year modelling shows there is pressure on the network particularly in the vicinity of the A47 and the A1139 and Crowland Road junctions.

Highways England have been involved in the process of reviewing the Transport Assessment and they are aware that there will be an impact on the A47 and the aforementioned junctions. It is considered that the problems on the A47 including the additional pressure created by this development could not be mitigated by localised junction improvements and that a comprehensive scheme is required in this area to alleviate the current and future congestion issues. They are planning to undertake a study to assess the most appropriate solution. However, as a scheme has not yet been identified, contributions towards such a scheme could not reasonably be sought in associated with this planning application.

In respect of the local network around Eye village, the LHA are aware that there are congestion issues on Eyebury Road which will be exacerbated by the proposed development and thus a package of mitigation is being sought which comprise improvements to walking, cycling and passenger transport infrastructure. This will reduce the impact of the development to an acceptable level.

The traffic impacts of the development both close to the site and further beyond have been assessed and found to be acceptable in all respects, subject to the mitigation measures to improve the infrastructure and accommodate demand; in particular for local journeys generated by this development to be more sustainable and minimise impacts along Eyebury Road and connecting roads.

Summary

The traffic concerns in respect of this development are noted. Careful consideration of vehicular access to and from the site, the traffic implications for the wider Eye area and junctions on the A47. This is also a requirement of key principle 6 of Policy LP40. The evidence base has been scrutinised by the LHA and National Highways, neither of whom have objected to the scheme.

The proposal will ensure that the site will be accessible by a choice of means of transport through further enhancements and the proposal demonstrates that safe and convenient access for all users can be achieved. This adequately covers key principle 7 of Policy LP40 which potential off-site provision, of high quality access for pedestrians and cyclists from, and within, the site to the key community facilities and services in Eye.

Having assessed all of the above matters and subject to the imposition of appropriate highway conditions/ informatives and identified mitigation measures, Officers are satisfied that the proposal of this scale complies with Policy LP13 of the Peterborough Local Plan (2019).

3. Design and layout

This application seeks outline permission with detailed matters relating to appearance, landscaping, layout and scale being reserved. The masterplan sets out the overarching framework layout for the site's development, including the parameters of the residential areas, open spaces and roads. However, the detailed layout of the development (e.g. building and road positions) would be included within future reserved matters applications and as such, cannot be considered at this time. Accordingly, some of the comments from objectors cannot be taken into account because the application is in outline only. The masterplan and associated plans will be approved via planning condition to inform the detailed design and layout of the site.

The applicant has indicated that the development would comprise dwellings of varying sizes and design. All would be 2 to 2.5 storey in order to reflect the surrounding development and that the site is on the edge of the settlement with surrounding countryside. A planning condition will be appended to require further details of such.

Officers will seek to ensure that the design and appearance of any future development maintains and respects the character of the village and the local vernacular, particularly because it is on the edge of the settlement and surrounded by open countryside.

The materials to be used in the external elevations of the dwellings would be dealt with by condition, however, the surrounding development comprises a mixture of buff and red brick and therefore the development would be expected to complement the existing development to be sympathetic to the surrounding character. A planning condition will be attached stipulating further details of the buildings are to be submitted and agreed by the LPA.

The masterplan outlines key features that will need to be established within the detailed design, such as the care home, park homes and Fountains Place buffer zones, the access corridor to the neighbouring property to the south of the site, the IDB easement area through the centre of the site, the key footpath links, the agreed school site extension linkages etc.

Based on the abovementioned plans, the final overall masterplan drawing identifies the likely block structure of the development delivery along with the likely locations for relevant open space delivery, including the allotments, the likely location of the drainage attenuation basins etc.

It is considered that the development would make effective and efficient use of the land, would respect the surrounding character and would be an enhancement to the street scene along this part of Eyebury Road.

Impact on Heritage Assets

The Conservation Officer has commented that this is a large development which will be prominent on the approach from the south to the Eye Conservation Area.

There is also a Grade II Listed building opposite the south-west corner of the site and due to the fenland landscape there are long distance views to the south. The Conservation Officer has advised that the scale of the buildings fronting Eyebury Road should not exceed 2 storey and the mature hedgerows on the boundary of the site are both retained and added to in weaker areas (where the existing field entrance is) as part of a landscaping scheme, the impact on the setting and significance of the listed building will be minimal.

With any subsequent application mitigation measures will have to be proposed to ensure there is no substantial impact upon these assets/ views.

Overall, it is considered that any impact on the heritage significance of the Listed Building and the

Eye Conservation Area, is of no harm or would materially affect its heritage significance.

It is agreed that the scale of buildings fronting on to Eyebury Road should not exceed 2 storeys and dwellings generally across the site should not exceed 2.5 storey in height given the edge of village location and in order to retain the context of the wider village of Eye.

The Conservation Officer has advised that a robust landscaping scheme should ensure that the site boundaries of this edge of settlement location do not comprise close board fencing facing directly onto the open countryside. This would have a substantial impact on the approach to this historic conservation village.

The same efforts should be made to soften the frontage of the site also and the introduction of the area of green space onto Eyebury Road being extended is positive as it provides a better level of relief to the street scene.

Eye's positive character largely consists of buff stock brick and slate roofs dating from the C19. As outlined above, materials should follow this palette and consideration should be given to a quality brick and slate roof. To retain local distinctiveness, elements of design and material palette from the village vernacular should be used.

Archaeology

The Council's Archaeologist has advised that archaeological evaluation is required pre-determination due to the known archaeological context of the site. However, it can instead be secured by condition and a written scheme of works will be required to be agreed.

In summary, the Council has had regard to its special duty under sections 66 and 72 of the Town and Country Planning (Listed Building and Conservation Area) Act 1990 in assessing the application concluding that the setting of the nearby Conservation Area and Listed Building would be preserved. The proposal would not have any harm on the surrounding historic environment or heritage assets, in accordance with the provisions of the NPPF (2021) and Policy LP19 of the Peterborough Local Plan (2019).

Impact upon existing residents

As this is an outline application, the detailed internal layout of properties is reserved for future consideration. However, from masterplan details provided it is considered that it does show that an acceptable relationship to the neighbouring properties can in principle be achieved recognising that there are existing residential properties and associated gardens which border the site, specifically along the northern and eastern boundaries.

Notwithstanding this, Officers have requested that a suitable amount of detail be shown on the masterplan, due to constraints upon the development. For example, the relationship of the proposals with existing properties located to the north and east sides of the site. Adequate separation distances between the existing development around the edge of the site and any proposed new dwellings are required to prevent unacceptable overbearing, overshadowing and overlooking impacts.

As shown on the parameters plan, for the area south of Field House Care Home the masterplan provides for a buffer to ensure that dwellings will not to be built within 26m of main windows of care home. This is because the southern elevation of this home is heavily fenestrated with windows serving bedrooms and the main communal living areas. Furthermore, the garden depth to the care home is relatively short and runs along the entire southern boundary. The separation distance is considered to be sufficient to prevent unacceptable harm to the amenity of the occupants through overbearing, overshadowing and overlooking impact.

The relationship to residential dwellings on Fountains Place is also important to consider. Some of these properties which are 2 storey in height have relatively short gardens. The separation distances will need to be greater than the normal required and the parameters plan indicated that dwellings should not be built within 23m of main windows of dwellings along Fountains Place.

To address the relationship of the proposed development with the mobile home park to the north-east any dwellings are not to be built within 17m of the boundary of this park. The mobile homes are single storey and the buffer zone indicated reflects this.

The masterplan also suggests that areas of open space may be used, such as allotment land, instead of new dwellings being positioned along all the edges of the north and eastern edges of the site. As it is not confirmed at this stage that public open space will be located in this area, the requisite buffer zone is extended along the entire length where the mobile home park adjoins the site. A suitable landscaping scheme will also be required along these boundaries to minimise potential impacts.

Overall, the separation distances shown along these boundaries are considered appropriate in this context. It is not considered that the development would, therefore, result in an unacceptable overbearing impact or result in unacceptable overlooking or loss of privacy for the future occupants.

The requirements of key principle 3 of Policy LP40 to ensure the quality of life of adjacent users, especially residential users which abut the site, are respected has been demonstrated satisfactorily in that the proposals are capable of achieving an appropriate relationship with the adjacent established neighbours.

Comments from objectors in relation to the position of the proposed dwellings cannot be taken into account. These would be for consideration as part of any future reserved matters consent application, which would be subject to further statutory public consultation.

Subject to the above, it is deemed that the development could be accommodated without impacting on the amenity of neighbouring occupiers and therefore accords with Policy LP17 of the Peterborough Local Plan (2019).

Amenity of the new development

Having reviewed the masterplan it is considered that the site can be laid out in such a way as to provide the future occupiers with an acceptable level of amenity in terms of daylight, sunlight and privacy through adequate separation distances. Further details to ensure that there is sufficient private amenity space and appropriate separation distances between properties, as well as bins and cycle storage will need to be addressed at the detailed design stage.

Noise

The Council's Pollution Control Team raises no objections to the principle of development in this location, but there are a number of identified potential off-site noise sources of varying distances (namely, the school, distribution centre, quarries) that may affect the development site. For this reason, a condition requiring a detailed noise assessment to identify any associated mitigation measures if necessary is recommended. Subject to this, the proposal is considered to be in accordance with policy LP17 of the Peterborough Local Plan (2019) and paras 174 and 187 of the NPPF (2021).

Comments have been made regarding the noise implications of the proposal during construction. As is usual for the scale of the development and the potential for disturbance during the

construction period, a condition requiring the submission and approval of a Construction Management Plan (CMP) is recommended via planning condition. This is in order to protect the amenity of adjacent residents and is recommended by both the Council's Pollution Control Team and the LHA.

Air quality

At this stage an air quality assessment has not been carried. The application site and its environs do not fall within an air quality management area. However, the Council's Pollution Control Team has advised that the guidance from Environmental Protection UK and the Institute of Air Quality Management (consideration of air quality within development control processes), suggests that an air quality assessment is identified as being required where development has the potential to cause a significant change in Light Duty Vehicle (LDV) traffic flows on local roads with relevant receptors (LDV = cars and small vans < 3.5t gross vehicle weight). The indicative criteria to proceed to an Air Quality Assessment is the change of LDV flows being more than 500 Annual Average Daily Traffic.

If the development meets this criteria, then an air quality assessment of the impacts of a development in the local area is required. The applicant has been made aware that further assessment is required in order to assess any impacts and appropriate mitigation identified at the more detailed design stage. This can be dealt with via a planning condition.

There has been public representation made regarding ignoring air quality impacts and potential health issues by allowing new development around the existing school and care home. As stated above, the site does not fall within air quality management area but there is a need to further consider any negative effects on air quality within the local context through further assessment.

In addition, the Travel Plan and the mitigation measures to improve pedestrian and cycle access within and beyond the site will encourage travel by a choice of means of transport which will help to minimise car journeys.

Community Safety and Security

There are no objections to the outline scheme from Cambridgeshire Constabulary, however, there is a need ensure that community safety and vulnerability to crime is addressed at an early stage in looking at the site layout, in accordance with the requirements of Policy LP17 of the Peterborough Local Plan (2019).

Open space provision

Given the location of the site it is considered that on-site provision including for play should be made. The illustrative masterplan shows 2.54ha of public open space (POS) which is in excess of the policy requirement of 1.8ha based on the maximum number of dwellings for this application. To clarify, the land to be given to the school is not included within this POS calculation.

The overall POS provision and relevant split between the different categories will be dependent upon the number of dwellings confirmed as part of the scheme at the appropriate reserved matters stage but this demonstrates at the masterplan stage that the site can accommodate the level of POS required commensurate to the size of the development.

The masterplan shows the indicative locations across the site for this provision to include allotments, a play area including a LEAP, natural green space etc. This can be secured via a condition and S106.

It is noted that comments from the Council's Senior Landscape Technical Officer has raised a number of points over the proposed provision. These matters have also been picked up through the public consultation.

Firstly, these relate to the allotment provision split over two sites within a single development. The applicant has responded that from a design perspective, it helps alleviate two notable constraints to development – the need for the park home buffer area and the awkward shape of the development parcel within the eastern corner.

A super LEAP (SLEAP) has also been requested, however, this is not a formal category of open space as set out in the Council's adopted space standards.

The applicant is aware that the POS needs to be able to be used for informal recreational activity and has responded that the retention of areas within the POS around the dry ponds as SuDS/ Wetland habitat. They have confirmed the intention is for the LEAP area to be sited away from the SuDs / wetland habitat, with the relevant attenuation basins to be designed to be dry outside of extreme weather events.

The areas identified as Natural Green Space (NGS) on the indicative POS areas plan provide for an over provision when considered against the policy requirement. Based upon the likely population generated by a 265 dwellings scheme, the NGS requirement is likely to be circa 0.36ha. The masterplan drawings currently identify the provision of approximately 1ha of NGS. The planting restrictions around the IDB drain will not undermine the ability to adhere to the requirement for NGS planting.

The scheme will require further refinement at the detailed design stage including discussion with the Council's Natural Environment Team on the precise location and size of individual areas. For the purposes of this outline planning application, the public open space is capable of being overlooked by the primary aspects of properties to allow for passive surveillance of the spaces.

The masterplan demonstrates that a sufficient amount and of different types of POS can be achieved on site and therefore will accord with Policy LP21 of the Peterborough Local Plan (2019).

4. Ecology, Trees and Landscaping

Arboricultural and Landscape Impacts

The application is accompanied by an arboricultural impact assessment (AIA). The Council's Tree Officer has confirmed the submitted AIA is accepted in principle given the outline nature of the application, however, this document will require updating with any future application along with a full and detailed Arboricultural Method Statement and Tree Protection Plan.

The Tree Officer has provided comments regarding the retention of certain individual trees and groups along the boundaries of the site which will need to be regarded further at the detailed design stage. The applicant has addressed the issue of a tree (T5 Horse Chestnut) which was affected by the proposed access into the school site which has been moved a short distance as shown on the masterplan, so it is now outside the root protection area to avoiding any unnecessary damage to the roots of this tree.

A number of conditions are therefore recommended relating to updated arboricultural information required. A full and detailed landscaping scheme for the site is also necessary, reflecting the indicative masterplan, including tree, shrub and hedgerow planting throughout the entire development including in both front and rear garden areas, with regard to the Council's Local Plan Policies LP16 and LP29 of the Peterborough Local Plan (2019).

Queries have been raised through the public representations regarding the intended boundary treatment along the boundaries of the site. The details of these boundary treatments will be secured by condition to ensure the amenity of neighbouring occupants is protected.

Ecology Impacts

Ecology assessment

In terms of biodiversity, a Phase 1 ecological report has been submitted and latterly updated by a site walkover. The original report still adequately reflects the current ecological position as there has been no significant changes to the site. The site is still dominantly arable, with both fields being used to grow wheat. The habitat within the site consists of arable, hedgerows, ditches and semi-improved grassland. The majority of the site is of low ecological value.

The Council's Wildlife Officer has advised that this preliminary ecology assessment (PEA) does not provide much in the way of ecological enhancement recommendations, nor does it show that the development achieves no net loss in biodiversity. Both of these factors will need to be incorporated within a detailed Ecological Design Strategy (EDS) and the soft landscaping details i.e. use of native species, by way of planning condition.

In addition, as there is potential for the disturbance of ecological features and habitats during the construction period, a condition requiring the submission and approval of a Construction Environmental Management Plan (CEMP) will be attached to cover number of precautionary measures when development proceeds on site.

Designated sites

The ecology report identifies Eye Green Local Nature Reserve / County Wildlife Site as being located within 300 metres north of the application site. As this site is relatively far away and the impacts could only be regarded as minimal as the development is also not of a strategic scale; it is not considered that there would be an adverse impact on this wildlife site.

As the application site is being located within an Impact Risk Zone (IRZ) for Dogsthorpe Star Pit SSSI, Natural England has been consulted to ensure that the proposed development will not negatively impact on this statutory site. Due to the distance between the site as well as other designated nature conservation sites in the local area the ecology report concludes is highly unlikely that there will be any adverse effects on these sites as a result of the development. On balance, Officers agree with this position.

In their response, Natural England has also required consideration about the potential impacts of the development on the Nene Washes SPA and SSSI as the application site falls within the IRZ of the designated site. There are two aspects of potential impacts raised by Natural England; firstly in relation to the loss of potential Functionally Linked Land (FLL) that may be used by Qualifying Features of the SPA and secondly the potential for recreational pressure on the SSSI as a result of the increased residential population within the site.

The applicant's ecologist has advised that in relation to the issue of FLL, the Qualifying Features that may use the application site in connection with the SPA are Bewick Swans, which overwinter within the Nene Washes and may move on to farmland for grazing during the daytime. This grazing provision supports the population of Bewick Swan within the SPA and as such, the land is considered 'functionally linked' to the SPA.

The application site is predominantly arable and is situated approximately 4.5km to the north of the SPA and at the southern extent of existing residential area of Eye. The application site forms the last area of arable fields and is traversed by public rights of way, which are regularly used by dog walkers, who have been observed on both occasions that ecological site visits were undertaken.

On this basis, whilst it is possible that Bewick Swans would travel the 4.5km from the SPA to the application site, the regular disturbance by dog walkers and close proximity of the application site to existing residential areas suggests that this area would be less favoured by these birds. In addition, the remaining landscape to the south, between the application site and the SPA, is an agricultural landscape dominated by arable habitat that would provide sufficient opportunities for foraging Bewick Swans.

Officers are of the view that the application site, based on this analysis of the conditions and location, it is unlikely to be frequented by swans. Natural England has been consulted and they concur that the development site and surrounding area are not considered to be functionally linked with the Nene Washes SPA Ramsar & SSSI.

In relation to the recreational pressure on these nearby sites, the applicant ecologist has stated that the provision within the indicative masterplan will provide recreational facilities for the predicted number of residents to undertake daily exercise with access to wider public rights of way which already cross the application site. There is only one car park that supports the SPA, which is Eldernell Lane, close to the RSPB reserve and this is, on average, a 25 minute drive from the application site by car and, depending on the route taken, around a 20km journey. It is considered unlikely that the residents of the application site would travel this time and distance from the application site to use the SPA for daily recreational activities and as such the provision within the indicative masterplan would be sufficient. Again, Officers agree with this position.

Public Comments

Concern has been made regarding the loss of wildlife and the countryside once the development is implemented. This is an allocated site and therefore the principle of residential development on this site has been agreed. The above consideration of trees, landscape and ecology matters will ensure the proposed development will have a positive impact on biodiversity.

It is therefore considered that the above matters can reasonably be addressed via conditions on the outline planning permission and that the development will accord with Policies LP27 and LP28 of the Peterborough Local Plan (2019).

It is therefore considered that the above matters can reasonably be addressed via conditions on the outline planning permission and that the development will accord with Policies LP27 and LP28 of the Peterborough Local Plan (2019).

5. Drainage and Flood Risk

Flood Risk/ Surface Water Drainage

The application is supported by a detailed Flood Risk Assessment (FRA) and preliminary drainage strategy. The site is currently a greenfield site with no existing drainage and is located within Flood Zone 1 (defined as low probability having less than a 1 in 1000 or greater annual probability of flooding). The Environment Agency has not commented on the application as for planning purposes the site is within the lowest risk area in terms of flood risk.

The Tanholt Drain which crosses the centre site is the responsibility of the North Level IDB. The IDB has been consulted on the amended plans which now shows there will be the required easement and has withdrawn their previous objection. However, they would still prefer to see the public footpath moved from the brink of the Tanholt Drain to between 6m and 9m away to minimise pedestrians going too close to the drain. They have also asked that the proposed cycleway on the northern end of the drain be moved to a minimum 6m away from the open watercourse. This is to prevent any possible damage being caused when their maintenance plant access the open watercourse. The applicant has been made aware of this request.

The IDB has confirmed in principle it agrees to the piping of a short section of the Tanholt Drain at the northern end, however, a formal application for consent to alter this watercourse will be required and request that this is conditioned to ensure agreement is reached before any work commences on site, as the details regarding this work are yet to be finalised.

It is proposed that any unattenuated surface water would be drained into the Tanholt Drain within the site. A development levy will be paid to the IDB who will manage the surface water on behalf of the proposed development.

The Council's Drainage Team, in its capacity as the Lead Local Flood Authority, has raised no objection to the most recent details submitted. The proposal is acceptable subject to the detailed design, maintenance and management regime being secured by condition. This is in order to ensure that the principles of sustainable drainage are incorporated within the development. This is considered to be a reasonable request and will be secured by condition.

Foul Water Drainage

Anglian Water has confirmed that the foul drainage from this development is within the catchment of Peterborough (Flag Fen) Water Recycling Centre and that will have available capacity for these flows. A condition requiring full details of the proposed foul water disposal scheme is recommended.

Anglian Water has also confirmed that there are assets or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Therefore the detailed site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus.

The development site is also within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that 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, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created. The applicant has amended the masterplan accordingly to reflect this requirement.

Public Comments

There have been concerns raised regarding the current state of flooding in the area, particularly around the edges of the site, as well as sewage issues that exist in the village. As set out above, the drainage requirements of the scheme have been considered in some detail by the relevant organisations and the necessary planning conditions requiring further details to be submitted at the detailed design stage are required.

Subject to the above conditions, the proposal accords with Policy LP32 of the Peterborough Local Plan (2019) in respect of drainage and flood risk matters.

7. Planning obligations - S.106 and CIL matters

As indicated above the provision of 30% affordable housing, the proposed cycle link and bus stop improvements will be secured through a S106 Agreement.

At present, the open space provided by the development along with elements of the SuDS are intended to be handed over to a management company owned by the residents of the scheme. However, the S106 will also provide for an alternative option for the open space to be offered for adoption by the Council.

The school land to be transferred to the local authority will be included in the S106. For the roads and some elements of the SuDS it is the applicant's intention they would be adopted by the Council.

In accordance with the Council's Community Infrastructure Levy (CIL), the development will also be liable to pay a financial contribution to meet the infrastructure needs arising from it including for items such as additional school places either on or off site. The amount due will be calculated at the approval of Reserved Matters when the Gross Internal Area of the development is confirmed.

Key principle 4 of Policy LP40 requires ensuring satisfactory provision of education facilities are available, and if not, address these deficiencies on-site.

The Local Education Authority (LEA) has responded that the development will result in additional children requiring childcare and funded entitlements and this will result in pressure on local providers and create capacity issues and is seeking address capacity issues at the school. The LEA is of the view that the application proposals will provide for appropriate additional access points and the site area of the land provided will be sufficient to support an expansion of the school by one form of entry. This will address current and future demand for school places. Notably, the scheme proposals also include the provision of a new access for the school, away from Eyebury Road. This is important, as the new access for the school is necessary to facilitate the extension required. This land may potentially be used further car parking/drop off areas.

As advised in Sport England's final response, any additional requirements to meet the necessary new or replacement playing fields provision arising from the expansion of the new school, will need to be dealt with via a separate planning application for the school expansion and is therefore not under consideration in this current application.

In accordance with key principle 5 of Policy LP40, consideration has been given to assessing other wider community facilities that may be required, subject to viability deliverability and consideration of the long term management of such facilities.

Key principle 7 of Policy LP40 requires further details of the long term governance structure for the development, addressing issues such as community involvement and engagement and any financial arrangements to ensure long term viability of facilities. It is considered that all these matters have been satisfactorily addressed in the application as set out above.

The above contributions would allow the delivery of the necessary and appropriate infrastructure which would be required as a result of the development and therefore is in compliance with Policies LP14 and LP40 of the Peterborough Local Plan (2014).

Public Comments

There have been concerns regarding the impact on the services of the village ie doctors, dentists and education provision. The site is located in close proximity to services and facilities necessary to meet residential needs both within the village or more Peterborough wide. However, it is not

considered that the development would put undue pressure of these existing facilities / services as the impact on local services by the development would be covered by the CIL payment.

A proportion of the CIL monies would contribute to increasing the capacity of the schools, where necessary, either by increasing staffing or buildings on site. In addition, the application includes providing the local primary school with land to expand in the future.

8) Other Matters

Public Consultation on Proposals

Policy LP40 states that in developing the masterplan there should be a high level of engagement with appropriate stakeholders including the local community. The application is in outline form only and thus further consultation on the more detailed aspects of the development will need to be undertaken by the applicant in future, in accordance with the Council's Statement of Community Involvement (SCI).

The application is accompanied with a SCI which provides a summary of the pre-application public consultation process undertaken between April 2017 and August 2018. This involved consulting and meeting with stakeholders and the local community about the proposals. This included a public exhibition held which was attended by 130 people, and 90 people provided feedback. There was also other consultation including meetings with key stakeholders. A dedicated web-site was also set up and there was media coverage in the local press.

Of those respondents who commented on the proposals, the most frequent concerns raised about the proposals were:

- The impact of additional traffic from the proposed development on the road infrastructure, in particular on Eyebury Road.
- The proposed site should not be accessed via Eyebury Road.
- Additional strain on services such as primary and secondary schools, the doctor's surgery and dentist.
- No more houses are needed in the area.

These reflect the general nature of comments that have been received during the course of the formal application and appropriate responses are provided in this report.

Some time has now passed since the public consultation events, but further engagement has deferred to the relevant statutory consultation process and receipt of local resident responses in order to maintain an understanding of the local resident views and stakeholders; as is the standard approach post submission. The applicant has advised that progress on the application has been delayed, primarily as a result of the Covid lockdown periods.

The applicant has confirmed more recently that meetings have been held with local Ward Members and the local MP further to the comments they had made with respect to the application. These are considered to reflect the views of their local electorate when viewed alongside the local resident responses provided at the appropriate statutory consultation stages. Direct liaison has been ongoing throughout with key stakeholders such as with the LHA, North Level IDB, LEA etc.

Accordingly, it is deemed that meaningful consultation for the purposes of this outline application has been undertaken with the local community throughout, and this is reflected by the number of scheme proposal changes actioned through the decision period, in particular the plot number reduction. Furthermore, Officers will seek to ensure the feedback gained through the formal consultation process will also be used to refine the masterplan and any subsequent reserved matters application.

Contamination

Given that this is a greenfield site there should not be any significant contamination but a condition requiring the reporting of any unsuspected contamination is recommended.

Fire Hydrants

The Fire Service has requested that provision be made for fire hydrants. This is a reasonable request and will be secured by condition.

9. Miscellaneous - items not covered in the above report

Previous development is badly built and practices of the developer – These matters are not material planning considerations and cannot be used as reasons for resisting the current proposal.

Potential for future parking issues on neighbouring roads – This representation claims the improved pedestrian access to the north of the site will create alternative drop off / pick up points on neighbouring residential roads, such as at Fountains Place, defeating the purpose of this measure causing noise, disruption and pollution for residents. The LHA has advised that traffic management orders can be used to deal with parking issues on residential streets which may arise, but there is nothing to suggest this would occur. Improved routes will provide residents of Fountains Place and the surrounding streets who currently have no choice but to use Eyebury Road with opportunities to make on-car journeys this way.

Land access issues – Representations have been received making claim to ownership of part of the application site and the proposals will affect access to this land. To ensure the correct notice of ownership has been served for the extent of the area subject to the planning application, the applicant has provided satisfactory evidence via copies of the Title plans from the Land Registry. Access to this land appears to be via the adjacent public footpath and not the application site.

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 is an allocated residential site therefore the principle of housing is considered to be acceptable and in accordance with Policies LP02, LP39.7 and LP40 of the Peterborough Local Plan (2019).
- Subject to conditions and mitigation, the impact on the highway network is considered to be acceptable, in accordance with Policy LP13 of the Peterborough Local Plan (2019).
- The application would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area including the preservation of Eye Conservation Area. In accordance with Sections 66(1) and 72 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), NPPF (2021) and Policies LP16, LP17 and LP19 of the Peterborough Local Plan (2019).
- It is considered that the site can be developed without any unacceptable adverse impact upon neighbour amenity and that it can afford the new occupiers a satisfactory level of amenity, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

- Issues of noise, air quality, contamination and drainage can be suitably dealt with by way conditions in accordance with Policies LP17, LP28 and LP32 of the Peterborough Local Plan (2019).

- A policy compliant position in respect of affordable housing and other contributions can be achieved. The development will also pay CIL in accordance with Policy LP14 of the Peterborough Local Plan (2019).

- The development will not have any unacceptable ecological and trees/ landscaping impacts. The layout can also be designed to accommodate existing on-site trees and hedgerows with new landscaping and biodiversity enhancement measures proposed. The proposal therefore accords with Policies LP27, LP28, and LP29 of the Peterborough Local Plan (2019).

7 Recommendation

The Executive Director of Place and Economy recommends that Outline Planning Permission is **GRANTED** subject to the completion of a S106 agreement and the following conditions:

C1 Approval of details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy.

C2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C3 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C4 Not more than 265 dwellings shall be built pursuant to this outline planning permission.

Reason: In order to ensure that the development complies with the provisions of the outline permission, including the transport assessment.

C5 The details to be submitted as part of the reserved matters scheme under condition 1 above shall include the following details to demonstrate:

- all of the dwellings should meet Building Regulations Part M4(2);
- 5% of the dwellings shall meet Building Regulations Part M4(3)(2)(a); and
- all rented tenure affordable housing to meet the minimum National Space Standards (as defined by Building Regulations)

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

Reason: In order to ensure that the development accords with Policy LP08 of the Peterborough Local Plan (2019).

- C6 Prior to the commencement of any development a phasing plan and timetable for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover the phasing of the dwellings, new accesses to be created for the adjacent school land, all roads and cycle ways, SuDS features, landscaping and public open space areas. A timetable for their implementation shall demonstrate that the works are aligned with the proposed phasing of development.

The development shall thereafter be carried out in accordance with the approved phasing plan or any revisions to this which may be subsequently agreed.

Reason: In order to ensure that the development can be appropriately delivered in accordance with policies Local Plan Policies LP13, LP16, LP17, LP21, L28; LP29; LP32 and LP40. This is a pre-commencement condition as the phasing of the site needs to be agreed at the outset of the development.

- C7 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

- Drawing L---/LP/01 - Location plan
- Drawing L---/MP/01 Rev.E - Indicative Masterplan
- Drawing L---/MOVE/01 Rev.B - Strategic movements plan
- Drawing L---/PARAMETERS/01 Rev.A - Parameters plan
- Drawing L---/POS/01 Rev.A - Indicative POS areas
- Drawing EYE-BWB-GEN-XX-DR-TR-100-S2 P7 - Proposed access arrangements
- Drawing EYE-BWB-GEN-XX-DR-TR-102-S2 P3 - Potential traffic calming scheme
- Drawing EYE-BWB-GEN-XX-DR-TR-104-S2 P3 - Proposed cycle footway
- Drawing EYE-BWB-GEN-XX-DR-TR-110 S2-P4 - Swept Path Analysis
- Drawing MA11261-250 - Preliminary SWS Drainage Strategy Sheet 1
- Drawing MA11261-250 - Preliminary SWS Drainage Strategy Sheet 2
- Drawing IDB Drain Section
- Transport Assessment Rev.P2 (BWB, dated 31/05/2019)
- Transport Assessment addendum Rev. P2 (BWB, dated 27/04/21)
- Junction Validation technical Note (BWB, dated 20/07/21)
- Flood Risk Assessment MA10525-FRA-R01 (Millward, dated October 2017)
- Extended Phase 1 Ecology Report (Lockhart Garratt, dated May 2017)
- Updated ecological walkover survey (Lockhart Garratt, dated 06/07/21)
- Arboricultural Impact Assessment (Lockhart Garratt, dated 13/12/17)
- Archaeological Desk- Based Assessment (PCAS, dated May 2018)

Reason: In order to ensure that the development complies with what has been applied for and to ensure the key principle and parameters of the development are comprehensively followed through the development for an acceptable design, appearance and amenity within the development in accordance with Policies LP16, LP17, and LP21 of the Peterborough Local Plan.

- C8 No development other than groundworks and foundations shall take place on each phase as identified on the approved phasing plan secured under condition C5, until details of the

following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing;
- Windows and doors;
- Rainwater goods;
- Cills and lintels; and
- Soil flues and vents.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: In order to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019). This is a pre-commencement condition as materials need to be agreed before work progresses.

- C9 Prior to the commencement of the development or any associated site clearance, a Construction Management Plan (CMP) for each phase, as identified on the approved phasing plan secured under condition 5, shall be submitted to and approved in writing by the Local Planning Authority.

The CMP shall include the following:

- a) A scheme for the monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of the location and specification of a fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmacadam, to be maintained free of mud, slurry and any other form of contamination whilst in use. A contingency plan including if necessary the temporary cessation of all construction operations to be implemented in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery.
- e) Measures to ensure that vehicles can access the site upon arrival so there is no queuing on the public highway.
- f) Details of site compounds, storage area and contractor and visitor parking.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation that tree protection measures are in place.
- i) Confirmation that any demolition/construction will be carried out in accordance with the ecological management plan/method statement.
- j) A scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.

The CMP shall thereafter be adhered to throughout the relevant period of construction.

Reason: In the interests of highway safety and residential amenity in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the details to be approved are required to be put in place before development commences for the duration of the development.

- C10 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- a) Summary of potentially damaging activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity enhancement in accordance with Policy LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the CEMP needs to be in place from the duration of the development.

- C11 If, during development If during any phase or sub-phase of 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 Policy LP33 of the Peterborough Local Plan (2019) and paragraph 178 of the National Planning Policy Framework (2019).

- C12 The development hereby permitted shall be constructed to ensure that each residential unit achieves water usage of no more than 110 litres per person per day.

Reason: In order to reduce the impact of the development upon the water environment, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

- C13 The plans and particulars to be submitted as reserved matters under condition 1 shall include details of existing and proposed site levels including the finished floor levels. The plans shall include details of all finished floor levels, levels for associated garages and gardens, details of any earthworks, retaining features and confirmation that level access can be achieved. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenity in accordance with Policies LP16 and LP17 of the Peterborough Local Plan.

- C14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment. The plans to be submitted for reserved matters approval under condition 1 shall confirm how the development complies with the approved assessment and include details of all on site attenuation features. The development shall thereafter be

carried out in accordance with the approved details prior to first occupation of any dwelling to which they relate.

Reason: In order to ensure that the site can be adequately drained, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C15 Prior to the commencement of development (other than ecological investigation and surveys), a detailed scheme of the design, implementation, maintenance and management of the sustainable drainage scheme based on the approved preliminary SWS Drainage Strategy have been submitted to and approved in writing by the local planning authority. Those details shall include, but are not limited to:

- A full and up to date sustainable drainage strategy and plan;
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- Construction/technical details of all drainage assets;
- Hydraulic calculations;
- Overland flood flow and exceedance routes, both on and off site;
- A timetable for its implementation;
- Maintenance and management schedules for all drainage assets, which includes details of the parties responsible for said maintenance throughout its lifetime. Consideration needs to be given to the access for maintenance for all drainage assets, which includes but is not limited to the wetland ponds and outfalls; and
- Demonstration that it meets the government's national standards.

The development shall thereafter be carried out in accordance with the approved details before the dwelling to which it relates is first occupied.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with Policy LP32 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the foul drainage needs to be agreed at the outset of the development.

C16 Prior to the commencement of development (excluding site clearance works), a detailed scheme of foul drainage including details of any phasing or off-site connections/ infrastructure improvements 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 before the dwelling to which it relates is first occupied.

Reason: In order to ensure that the site can be adequately drained, in accordance with Policy LP32 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the foul drainage needs to be agreed at the outset of the development.

C17 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include details of open space provision which shall broadly accord with the amount of open space shown on Drawings L---/MP/01 Rev.E – Indicative Masterplan and L---/POS/01 Rev.A – Indicative POS areas and include a LEAP and allotments.

Prior to the first occupation of the first dwelling on the site, details of the proposed play equipment shall be submitted to and approved in writing by the Local Planning Authority along with a timetable for the delivery of the open space(s) including the play area.

The open space and play area shall thereafter be carried out in accordance with the approved details and be ready for use in accordance with the approved timetable. The open space and play area shall thereafter be retained and maintained and be available for public use.

Reason: In order to ensure sufficient public open space and provision of play equipment to serve the new development, in accordance with Policy LP21 of the Peterborough Local Plan (2019).

- C18 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include a noise assessment based on the reserved matters layouts and shall include full details of any proposed mitigation measures. The development shall thereafter be carried out in accordance with the approved mitigation measures which shall be installed prior to the first use of the dwelling to which they relate, and shall thereafter be retained as such.

Reason: In order to ensure adequate amenity for the future occupiers in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C19 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include an air quality assessment based on the reserved matters layouts and shall include full details of any proposed mitigation measures. The development shall thereafter be carried out in accordance with the approved mitigation measures which shall be installed prior to the first use of the dwelling to which they relate, and shall thereafter be retained as such.

Reason: In order to protect and safeguard the neighbouring occupants and future occupiers of the development, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C20 Details of the hard landscaping scheme to be submitted as plans and particulars under condition 1 shall include the following details:
- External paving and surfacing materials;
 - All boundary treatments and enclosures including those on the edges of the site;
 - Street furniture including bins and signage; and
 - External lighting to all highways and private driveways.

The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the area or building to which they relate or in accordance with any alternative timeframe as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual and residential amenity, in accordance Policies LP16 and LP17 of the Peterborough Local Plan (2019).

- C21 The soft landscaping scheme reflecting the approved indicative masterplan to include details for front and rear gardens, shared communal open spaces etc. to be submitted as plans and particulars under condition 1 shall include the following details:
- Planting plans including retained trees, species, numbers, size and density of planting;

- An implementation programme (phased developments).

The development shall thereafter be carried out in accordance with the approved details no later than first available planting/seeding season following first occupation of the dwelling(s) to which the planting relates or in accordance with any alternative timeframe as maybe agreed in writing by the Local Planning Authority apart from the open space which shall be laid out in accordance with the requirement of condition 17.

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die are removed, become diseased or unfit for purpose in the opinion of the LPA 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 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 area and for future occupants of the development and the enhancement of biodiversity in accordance with Policies LP16, LP21 and LP29 of the Peterborough Local Plan (2019).

C22 Prior to the first occupation of any dwelling within the development, a Landscape Management Plan (LMP) shall be submitted to and approved in writing by the Local Planning Authority. The LMP shall include, but not limited to:

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

The LMP shall be implemented in full following the planting of any of the soft landscaping secured under condition 21.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies LP16 and LP21 of the Peterborough Local Plan (2019).

C23 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include an updated Arboricultural Impact Assessment and Tree Protection Scheme. The development shall thereafter take place in accordance with the approved details and tree protection measures.

The tree protection measures shall be erected prior to the commencement of development or site works and thereafter retained until development within that area is completed.

Reason: In order to protect retained trees and hedges on the site, in accordance with Policy LP29 of the Peterborough Local Plan (2019).

C24 The submitted Residential Travel Plan, prepared by BWB (ref: EYE-BWB-GEN-XX-RP-TR-0001_RTP-S2-P2) received on 2 July 2019, shall be implemented prior to the first occupation of any dwelling. The development shall thereafter be occupied in accordance with the submitted Residential Travel Plan or a plan as subsequently modified and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable transport and development, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C25 Prior to commencement of development, further details of the works to Eyebury Road and a timetable for its implementation, in accordance with the principles set out on EYE-BWB-GEN-XX-DR-TR-100-S2 P7 and EYE-BWB-GEN-XX-DR-TR-102-S2 P3, and in LTN 1/20, shall be submitted to and approved in writing by the Local Planning Authority.

No dwelling on the development shall be occupied until all of the works have been completed in accordance with the approved details.

Reason: In the interest of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require separate approval from the Highway Authority under the Highways Act.

- C26 The site access from Eyebury Road hereby approved shall be provided in accordance with the details shown on drawing EYE-BWB-GEN-XX-DR-TR-100-S2 P7 prior to first occupation of the dwellings. It shall thereafter be retained in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with Policy LP13 of the Adopted Peterborough Local Plan.

- C27 Vehicle to vehicle visibility splays measuring 2.4 metres measured along the centre line of the minor arm from the channel line of the major arm by 43 metres measured from the centre line of the minor arm along the channel line of the major arm in both directions shall be provided at the new junction on to Eyebury Road prior to first use of the road and shall thereafter be maintained in perpetuity and retained free from any obstructions over 600mm in height above ground height.

Reason: In the interest of highway safety in accordance with Policy LP13 of the Adopted Peterborough Local Plan.

- C28 Adequate space shall be provided within the site for parking and turning in order to:

- Enable residents' vehicles to park clear of the public highway;
- Accommodate appropriate levels of visitors' car parking;
- Provide electric charging points, and the ducting to enable future provision of chargers in locations where the charging points are not provided;
- Accommodate the necessary number of cycle parking spaces within the curtilage of each dwelling; and
- Enable vehicles to enter and leave in forward gear.

This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority as part of a reserved matters application for the relevant areas of the site as required under condition 1.

Reason: In the interests of Highway safety and to promote the use of sustainable modes of transport, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C29 Each dwelling must be provided with cycle parking in accordance with the standards set out in Policy LP13 and Local Transport Note 1/20.

Reason: In the interests of promoting sustainable transport and development from the outset, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and LTN1/20.

C30 The developer must contact the Highway Control Team to agree the extent of a pre-condition highway survey and carry out a joint inspection of the condition of the public highway before site traffic uses the road/s. A similar inspection will take place on completion of the road.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C31 No dwelling within any phase or sub-phase shall be occupied until the vehicle access linking that dwelling to the public highway has been completed to a minimum of base course level and footways / cycleways shall be completed to surface course level. In the event the dwelling is occupied with the roads at base course level then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The roads shall thereafter be completed in accordance with the approved timetable and phasing plan.

Reason: In the interests of providing a safe means of access to the development which does not prejudice the safety of the users of the existing public highway, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C32 Notwithstanding the submitted information prior to the implementation of any trees located within 4.5 metres of the highway, details of the proposed tree pits 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.

Reason: In the interests of visual amenity and biodiversity enhancement in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019).

C33 Notwithstanding the submitted ecological documents, prior to the commencement of development an ecological design strategy (EDS) addressing the creation of mitigation and compensation habitat both on and off site. The EDS shall include the following:

- Purpose and conservation objectives for the proposed works;
- Review of site potential and constraints;
- Detailed design(s) and/or working method(s) to achieve stated objectives;
- Extent and location/area of proposed works on appropriate scale maps and plans;
- Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance;
- Details for monitoring and remedial measures; and
- Details for disposal of any wastes arising from works.

The EDS should include provision for at least 8% of structures to include at least one bird/bat box of appropriate design and installation.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of biodiversity enhancement in accordance with Policy LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the CEMP needs to be in place from the outset of the development.

- C34 No development other than groundworks and foundations shall take place until provision has been made for fire hydrants in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Prior to the first occupation of any dwelling (or building where appropriate) to be served by the scheme, written confirmation shall be submitted to and approved in writing by the Local Planning Authority that the scheme has been implemented in full and is certified as being ready for use.

Reason: In order to ensure that sufficient resources are available for fire-fighting in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the scheme for fire hydrants needs to be agreed at the outset of the development.

Copies to Councillor Allen, Brown and Simons

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19/00836/OUT – Summary of public representations

Original consultation (comments received between 21/08/19 to 26/02/19)

139 representations received; 137 objections 2 support

Objections

Principle of development / Local Plan Policy

- The Local Plan allocation is for 250 dwellings or fewer. At 300 dwellings, the scheme is an overdevelopment of the site, which prevents sufficient open space from being incorporated and would have a significant impact on the village.
- The developer has not met Policy LP40 specifically the 8 key principle to be met at this outline planning stage.
- The site was allocated for 250 or less dwellings dependent on traffic analysis.
- There should be a comprehensive Master Plan for the whole area and this plan should have a high level of engagement with the local community.
- Alternative places in Peterborough must be looked at for development and not Eye.
- Aren't there brown field sites that could be developed first? There are empty buildings in Peterborough.
- I feel no one is listening to people from our village, yet other small villages can successfully reject plans for fewer new houses.

Traffic/ Highway safety

a. Traffic

- The traffic on Eyebury Road is already very busy and dangerous at peak times with the traffic calming causing more of an issue than help. More homes/ cars would cause even more chaos.
- Objects to the entrance to the site shown as a T Junction, this needs to be traffic lights as due to the rat run down Eyebury Rd residents will not be able to get out of the site in the morning rush hour.
- Not only is Eyebury Road used for the school and preschool, it is a very busy road into Fengate and other parts of Peterborough. I believe Fengate also has plans in the pipeline for major growth, so that will increase the use of Eyebury Road too.
- The road from the village towards Fengate is single track with passing places and is already over used causing issues.
- The road itself, as it exits the village towards Oxney Road, is not a fully two way road and has a section where vehicles have to use passing places. In the early morning traffic is continually backed up to the roundabout at the junction with the High Street and Thorney Road.
- Fears safety for children.
- No traffic calming measures proposed.
- The increase in number of houses from 250 to 300 will cause huge traffic problems in an already busy village. This could have 500+ more vehicles and Eyebury Road is not suitable for more traffic.
- Eyebury Road had a small development namely Bowberry Close which took three + years to obtain planning consent over contentious issues raised by Peterborough Highways ref. the dangers of Eyebury Road and the impact of cars for a development of 7 properties,

yet at the Larkfleet / Highways meeting with village residents Highways officials regarded that Eyebury Road was now suitable for this huge development.

- The traffic in the High Street where I live is busy and there is a constant flow at rush hour coming off the A47 and down Eyebury Road. There should be no further expansion until an improvement in travel infrastructure e.g. dualling of A47, preferably with traffic coming off before reaching Eye to get to the Parkway and reinstatement of rail line between Peterborough and Wisbech.
- Emergency vehicles won't be able to get through.
- A stranded lorry near the church brought Eye to a standstill for many hours.
- Changing road access to a new exit out to Thorney combined with pedestrian only access to the school, Eyebury road and the right of way adjacent to Fountains Place would create a healthier environment for residents, local children and the public as well as preventing much of the additional traffic issues on Eyebury road. This could be accomplished through a compulsory purchase of the land at the Thorney road/A47 end of the development.
- There is so much traffic in the village, especially Eyebury Road which is the school road. It is unsafe as it is and there is nowhere near enough parking. The village simply cannot cope with another 300 dwellings and a possible 300 plus more vehicles on the road increasing furthermore the current traffic issues.
- I can't see where the workers would park. Also this road has been closed for articulated vehicles from the quarry so that tells you it's not suitable for the extra volumes of traffic and size of vehicles required to carry materials for this type of development. The impact this will have on everyone in the village will be catastrophic.
- The pavement on the right hand side of Thorney Road, in front of the Sandleford Drive development, took a very long time to be completed and caused additional traffic problems.
- Having the cut through from Anglesey Way will just bring unwanted/ needed pedestrian traffic through, as there is already an issue with cars flying down there.
- The existing public right of way through the middle of site is upgraded to a footway/ cycleway to provide connectivity to Thorney Road, although it is noted by PCC that this currently appears to be unachievable as an adopted route to the north cannot be provided.
- Access to the school car park and drop off needs to be reviewed.
- Proposed access points for pedestrians and cyclists are not available because the Council have not adopted the locations.
- The proposed masterplan road layout does not constrain vehicle speeds to an acceptable level for a new residential development with high numbers of vulnerable highway users.
- The development will slowly but surely increase flows of traffic down the high street onto the A47 and onto Eyebury Road, which is not sustainable. Eyebury is a rat run for traffic between the A47 and Peterborough's Eastern Industry which will be further impacted by the pending development at Red Brick Farm.
- Eyebury Road is very busy especially at school times and the village is used as a rat run with heavy traffic at certain times of the day. There is nowhere to park for the houses and the school, and with more houses you are just increasing the traffic on an already very dangerous road.
- There has been inadequate parking facilities provided by this developer in recent developments, with reduced road width which means many cars are parking on pavements and residents with pushchairs and mobility scooters and those by sight problems have to go into the road to pass.
- Peterborough Road is also a problem for the village, with many people using the village to cut through due to the increase in congestion on this road.

- The village is a maximum capacity and already driving through and out of Eye is a problem.
- The possibility of over 500+ cars this will make traffic congestion through the village unbearable. Have any checks been done to see what the traffic is already like at busy times?
- Inadequate parking facilities due to overdevelopment of the site.
- Speeding issues on Thorney Road and Eyebury Road.
- No mention of how the Public Right of Way footpath running through the site will be kept open during the years of building these houses.
- The proposed site access point is dangerous. After the introduction of the 20mph zone along Eyebury Rd PCC conducted a detailed traffic survey on Eyebury Rd between the Feb 14th & 21st 2013. The data was collected at the junction of Little Close & Eyebury Road. It was within 20 metres of the proposed access road junction. In the Northbound direction 8.4% of the traffic was measured as travelling between 36 & 46 mph. 0.4% was travelling in excess of 47mph. Southbound 21% of the traffic was measured travelling between 36 & 46 mph with 1.5% of traffic travelling in excess of 47mph. There is nothing in the planning proposal to slow the traffic down. Moving the chicane that is near Field house further South will bring it much closer to the blind corner at the Southern end of the proposed development and I'm concerned that without alterations to the road to reduce the speed of traffic i.e. removal of the chicanes and installation of raised ramps, the proposals will make the road significantly more dangerous.

b. Transport Assessment (TA)

- Insufficient information has been provided to demonstrate that the development can be accessed in a safe and convenient manner by both sustainable modes and by private car.
- The road safety audit carried out was done at a time that does not show the true volume of traffic that uses Eyebury Road, 30th July 2020 was not only school holidays but also Covid restrictions were in place. There should be another audit at school drop off/pick up in term time and at peak rush hour, morning and evening.
- The TA does not demonstrate that the impact of the development on the public highway will not be severe, and requires additional work to enable a full assessment of the impact of the proposals.
- The TAs undertaken to date are inadequate and understate the existing pressures. Fundamental problems in the scheme's design cannot be remedied by a later, more detailed transport plan or a slight reduction in dwellings.
- The TA that has been done does not reflect the actuality of the village today; it was carried out before the developments on Thorney Road were finished, and does not take into account the additional traffic that the 100 new houses being built will bring.
- The TA does not demonstrate that the impact of the development on the public highway will not be severe, and requires additional work to enable a full assessment of the impact of the proposals.
- A comparison of modelled and observed queue lengths for each junction model should be provided where possible.
- LOS values should therefore be reported alongside RFC values in all instances within the main body of the TA to ensure that junction performance can still be sufficiently assessed.
- There is no detailed signal controller information from PCC for the Eastfield Road / Eye Road / Parkway Slip Signals (Appendix T). A cycle time of 180 seconds has been assumed however a maximum cycle time of 120 seconds would be expected at most signalised junctions.

- Further work is required to determine the proposed school trip rates and mode share based on current pupils and staff travel patterns.
- It is difficult to determine the true impact of the development when assessed with committed developments. To understand the impact of this development on the highway network, an additional scenario for each junction needs to be modelled that considers future year background growth plus the proposed development traffic only.
- No further comments can be made on highway impact until the additional scenario (Future Year plus development flows) modelling has been undertaken.
- It would be more appropriate to use 15 minute flow profiles for OD-TAB, to identify where junctions are over capacity and then use one hour flow profiles to understand whether the potential for peak spreading would keep the respective junction within capacity.
- The TA does not demonstrate the impact of the proposed development on the highway network. Whilst there are 'committed developments' at both 'Phase 2 Perkins', and 'Red Brick Farm' in that they are both allocated sites in the Local Plan, neither of these sites currently has planning consent (although applications have been submitted) and as such they may not be developed until after this site. As a result, the LHA would expect the TA to show the impact of this development without those sites, as well as the information provided including the sites.

Infrastructure

- There is inadequate information on the s106 contributions required to increase primary and secondary school capacity and provide sufficient community health and GP coverage.
- Whilst a hectare of land is being given to the school, they are taking more than that away from the school by putting a road through the current playing fields which don't think anyone other than the new development residents will use.
- The doctors Surgery, dentist and school are already full (even though there are plans to extend the School), Doctors simply can't accommodate a further 300-600 plus patients.
- Lots of children will miss out on education before the school can be expanded.
- Will the school be primary or secondary?
- Inadequate playing field space for the school. Under the School Standards and Framework Act 1998 ref. change of use to existing playing fields, the already overcrowded school has already inadequate space and the Secretary of State must be made aware of any changes and the objections thereof.
- The meagre amenities in the village should be updated, expanded and improved before any development is planned.
- The village already is a big community and local families struggle to place their children in local schools and local struggle getting GP appointments because of the one GP surgery.
- The facilities that exist simply cannot handle the number of additional residents. Waiting lists for doctors and dentists are already long, and there is only one nursery. There is also no post office since it closed, two shops and a small chemist.
- You seem to be approving houses to be built all over Eye, where do you think these people are going to send their children to school and how is an already overstretched doctors and dentist going to cope?
- We don't have the infrastructure to cope with any more dwellings.
- Eye village infrastructure cannot cope already, given the over 100 houses recently built.
- The inspectorate's report stated the infrastructure needed to be in place before an application could be agreed – there's no sign of any infrastructure to support this planning application.

- Issues in respect of water pressure in the area.

Impact on character of the village

- The development will unnecessarily rip the character of Eye away from the village, to the detriment of existing and future residents.
- The additional housing will result in huge change to the village character of a small village. Eye still has that village feel which will be lost over the next few years should the proposal be approved.
- Eye has had more than its fair share of growth over the years. It was a lovely village to grow up in, now it's becoming small town!!
- We are a 'village' with no wish to become a Town.
- The approval of the application in its current guise would be detrimental to the village.
- Planning in other areas should be looking into, we see no growth in Castor, Ailsworth, Glinton and other areas of the city. Where is the affordable housing in these areas?
- The range of types and tenures do not respect the surrounding context and residents (the village needs bungalows, 3/4/5 bedroom houses and another elderly supported living 2-storey complex).

Neighbour amenity and security

- Detrimental effect to my property's outlook in respect of housing facing the rear of my land and increased noise from those properties.
- Detrimental effect on security of properties in Fountains Place backing onto the planned development due to easy access to the rear of properties.
- The quality of life of the adjacent residential users including the residential care home and primary school are not respected.
- The noise of construction is going to disrupt quality of life for years also I fear that no matter how many people oppose this building site, it will go ahead anyway... perhaps compensation can be paid to have secondary glazing installed?
- If the local authority is minded to approve the application then suggests a Condition which requires a greater distance between the care home and the adjacent rears of facing houses and a thicker tree belt or other solution to protect occupants living conditions and environmental standards.
- The dust and dirt, and pollution from large diesel trucks and the vibrations to the surrounding properties, particularly the church, will be horrendous. No mitigation for this has been found for the residential care/nursing home, neighbouring properties and Primary School.
- Crime and anti-social behaviour has been on the increase since new houses have been built.

Air quality impacts

- Concern over air pollution from the number of additional vehicles.
- Ignoring health issues regarding air quality around schools. An air quality assessment of the impacts of a development in the local area is required especially the impact on school children and the residents of Field House and Eyebury Road.

Drainage/flooding impacts

- Flooding and drainage risks have not been addressed.
- What are the proposals for drainage and sewers? Existing sewerage drains down Eyebury Road struggle now and there is a strong effluent smell regularly near the care home.
- The existing drains are regularly emptied by a sludge gulper during the night time period. Larkfleet have said that an effluent storage tank was to be installed below ground level in the proposed park and the effluent would be pumped out during the night time period but this will still cause issues with the current drains and sewers. What happens if the level controls or pumps fail and the tank over flows untreated waste into the park area?
- The Larkfleet flood ponds utilise the open space areas rendering them unusable during heavy rain events and winter.
- Drainage and flood prevention for the site and school is not agreed for the site and does not address various current flooding issues especially at the school boundary.
- The Larkfleet plan shows the sloping area to the water drain/dyke running through the site as public open space. Clearly this cannot be used due to the deep drain and gradient of the sloping sides. The side are needed for North Level Drainage machinery access when cleaning the drain. The gradient and depth of the drain will be a danger to the public and children. The edge of the drain is a PROW and will need to be maintained and available for public use not just the residents of the site.
- There is no information on how the ditches and drains on the site boundaries will be connected to the drainage system e.g. along the Northern boundary with Thorney Rd, there should be a full analysis of all ditches and drains to see if any more are within the developers boundary to correct this error in the submission.
- The sewer system can't cope with current demands and need extensive updating. Most rainfall runs into drains rather than drains, and any significant rainfall results in gardens flooding.

Public open space

- Green space allocation is inadequate and does not meet PCC policies and standards as raised by the PCC Landscape Officer.
- Open spaces and play areas inadequate for the size of the development.
- The village needs more sports facilities, particularly indoor space.

Ecology / Biodiversity impacts

- Destroying natural hunting habitat for my cat and other felines.
- Potential negative effects on wildlife (migratory amphibians and hedgehogs) due to increase road surface and fencing.
- The proposal will have a detrimental impact on local wildlife I've seen barn owls and many other species on regular walks I think a wildlife survey is required.
- Where a new development has the potential to have significant adverse effect on the integrity of a designated international or national site for nature conservation purposes, as a result of additional recreational pressure on that designated site, the development may be required to provide open space of sufficient size, type and quality over and above the standard requirements set out in this policy, in order to mitigate that pressure.
- There is no mention for the above provision and its impact on the SSSI designated Eye Green Nature Reserve and Dogsthorpe Star Pit Reserve.

Trees/ Landscape impacts

- As the Tree Officer states there needs to be significant tree/shrub planting within the proposed school extension area especially to the boundaries with the adjacent new housing.
- Developer states trees and hedgerows are off site yet they are within the boundary.
- No Arboricultural Method Statement to provide details of how the necessary tree protection can be implemented, initial pruning and maintenance plan and ownership going forward across the housing site and the land allocated for the school expansion.
- Object to the removal of high amenity value trees and the lack of a TPO on some trees.
- Object to the location identification ownership information provided in the tree Survey schedule which states trees T9 to T19 and G12 and G14 are off site whereas they are within the boundary of the development site and the responsibility of the developer to prune and protect and have a maintenance agreement with the Council going forward.

Other

- The governance of the site facilities and the plan for them is not clearly defined.
- Part of this land belongs to me, it is the only access to my field that is used all the time.
- Development includes access road to their field which is in their ownership.
- I keep a horse in the field adjacent to the proposed development and am concerned that the plans do not appear to include any access. I live approximately 50 metres from the proposed site but have received no communication regarding the planning application, relying on advice from neighbours to alert me.
- Will be moving out of the village if this development goes ahead.
- The masterplan proposes a school pedestrian/cycle access from the proposed development onto the school site. This proposal would mean the access goes directly across the planned sports pitches. This of course would be impractical to have a path through a sports field, the path will need to be around the perimeter of the sports field, which will mean more land needs allocating to the school for this.
- The applicant has not complied with the necessary building and safety regulations in their previous builds, specifically on the Parsons Prospect phase 5 development. Houses were sold on this previous development without the necessary building control certificates and with serious defects. I do not think any further developments should be approved for this company until such time as a) the regulatory and safety failures have been rectified and b) Larkfleet can prove that they have made sufficient progress in addressing these issues on their new developments.
- The residents of the developments on both sides of Thorney Road, going towards the bypass at Acorn Kennels, still have issues with their properties which remain unresolved.

Support

- I believe this would be great for Eye. I support this planning permission.
- Comment made in support of the application.

2nd Consultation period (from 03/06/21 to 25/06/21)

87 representations received; 86 objections 1 support

Objections

Principle of development / Local Plan Policy

- The Inspector agreed to 250 or less depending on traffic analysis not 284.

- The development of this size represents the loss of green space, trees, and natural habitat.
- Larkfleet are challenging Highways request for detailed layout quoting 'We note that on other outline applications the LHA and the LPA have agreed that such matters of detail can be left to the reserved matters stage. I trust that can be done in this case as well.' - Other applications do not have to conform to LP40 so these details need to be supplied as part of this outline application
- As per the approved PCC Local Plan LP40 there should be a comprehensive Master Plan for the whole area and this plan should have a high level of engagement with the local community.
- The developer has not met Policy LP40 specifically included in the approved Local Plan for this site with 8 key principle to be met at this outline planning stage.
- Alternative places in Peterborough must be looked at for development and not Eye.

Traffic/Highway safety

a. Traffic

- Major road improvements to Eyebury Road and Thorney Road will be essential to minimise traffic congestion especially during the morning and evening school and work runs.
- Eyebury Road is already an extremely busy road, used by commuters as a "rat run" - to have an additional 284 dwellings will only add to the heavy traffic burden, impacting upon local residents and school children who will be travelling to and from the local primary school.
- The road that runs past the school is simply not adequate for a development of this size to add more pressure coming through the village. The amount of times that cars / vans etc. mount the curb whilst children are walking to school is scary and it feels only a matter of time before there is a serious incident. Plus the Eyebury road out the back of eye towards Flag Fen is already single lane and can already take forever to pass.
- Not only Eyebury Road but Thorney Road are really busy now.
- There is a speeding problem down the road too with users often travelling at double the limit.
- The school time traffic is horrendous, with cars parked all the way down the road.
- I am surprised that so far the daily instances of road rage have not so far resulted in murder.
- The busy road has huge lorries all day and is a rat run to avoid the roundabout near the new Aldi that opens 10th June.
- Consideration for mobility scooters.
- The road that runs past the school is simply not adequate for a development of this size to add more pressure coming through the village. The amount of times that cars / vans etc. mount the curb whilst children are walking to school is scary and it feels only a matter of time before there is a serious incident. Plus the Eyebury road out the back of Eye towards Flag Fen is already single lane and can already take forever to pass.
- The bypass built years ago was supposed to have eased the village but the extra houses built since then has made the village busy and worse than it was before the bypass was built.
- Travelling north towards the church is hazardous due to all the cars parked and the chicanes. The bend in the road around the church involves a degree of risk as it is not possible to see the oncoming traffic until you have committed to the turn and you are in the path of that traffic.

- The road itself, as it exits the village towards Oxney Road, is not a fully two way road and has a section where vehicles have to use passing places. In the early morning traffic is continually backed up to the roundabout at the junction with the High Street and Thorney Road.
- Fears safety for children.
- 284 houses is probably circa 500 plus cars that are going to be added to village life. The village simply can't cope with this extra volume of traffic both into and out of the village.
- There should be an exit/ entrance at the other end of the new estate.
- Since the original proposal, the addition of the Red Brick Farm (18/00080/OUT) Fengate extension; the Newborough (19/00272/OUT) development and finally the new Aldi superstore (18/01698/FUL) on the A1139 have not been taken into consideration for traffic flow through the village of Eye and Eye Green and the updated traffic assessment does not detail the effects of these.
- Emergency vehicles won't be able to get through.
- There has been inadequate parking facilities provided by this developer in other recent developments, with reduced road width which means many cars are parking on pavements and residents with pushchairs and mobility scooters and those by sight problems have to go into the road to pass.
- Objects to the entrance to the site shown as a T Junction, this needs to be traffic lights as due to the rat run down Eyebury Rd residents will not be able to get out of the site in the morning rush hour.
- No traffic calming measures proposed.
- The existing public right of way through the middle of site is upgraded to a footway/ cycleway to provide connectivity to Thorney Road, although it is noted by PCC that this currently appears to be unachievable as an adopted route to the north cannot be provided.
- Proposed access points for pedestrians and cyclists are not available because the Council have not adopted the locations.
- The proposed masterplan road layout does not constrain vehicle speeds to an acceptable level for a new residential development with high numbers of vulnerable highway users.
- The plan to have the entrance to this new development on Eyebury Road would exacerbate existing problems on that road at peak times.

b. Transport Assessment (TA)

- No TA has been completed. This make this application premature and I will continue to object to it until such time as the TA is submitted for consultation.
- The road safety audit carried out was done at a time that does not show the true volume of traffic that uses Eyebury Road, 30th July 2020 was not only school holidays but also Covid restrictions were in place. I believe that there should be another audit at school drop off/ pick up in term time and at peak rush hour, morning and evening.
- The TA does not demonstrate that the impact of the development on the public highway will not be severe, and requires additional work to enable a full assessment of the impact of the proposals.
- Careful consideration of vehicular access to and from the site, the traffic implications for wider Eye area and junctions on the A47. Survey findings are insufficient and do not take into consideration other development works.

Infrastructure

- More traffic through the village, which is already saturated with housing.
- Infrastructure isn't there to support any more growth, we need our open spaces too.
- The school is already oversubscribed with the existing developments so is already in need of expansion without these additional houses.
- Village isn't big enough for further development, doctor's surgery is already struggling and Eyebury road won't cope with additional traffic.
- There is one pub in the village which is nowhere near big enough for the current population of the village let alone another 500 plus.
- The school is not big enough and already needs to take on mobile classrooms.
- The whole Eye infrastructure will not be able to cope with the proposed building programme envisaged by this application.
- The doctor's surgery, dentist and school are already full (even though there are plans to extend the school), so simply can't accommodate a further 300-600 plus patients.
- The village already is a big community and local families struggle to place their children in local schools and local struggle getting GP appointments because of the one GP surgery.
- The village has no post office.
- The facilities that exist in Eye simply cannot handle the number of additional residents.
- The inspectorate's report stated the infrastructure needed to be in place before an application could be agreed – there's no sign of any infrastructure to support this planning application.
- The village does not have the infrastructure to support a development of this size. It is overdevelopment of the site.
- There is inadequate information on the s106 contributions required to increase primary and secondary school capacity and provide sufficient community health and GP coverage.

Impact on character of the village

- The development will unnecessarily rip the character of Eye away from the village, to the detriment of existing and future residents.
- The additional housing will result in huge change to the village character of a small village. Eye still has that village feel which will be lost over the next few years should the proposal be approved.
- We are a 'village' with no wish to become a Town.
- Eye has had more than its fair share of growth over the years. It was a lovely village to grow up in, now it's becoming small town.
- The approval of the application in its current guise would be detrimental to the village.
- Planning in other areas should be looking into, we see no growth in Castor, Ailsworth, Glinton and other areas of the city. Where is the affordable housing in these areas?
- The range of types and tenures do not respect the surrounding context and residents (the village needs bungalows, 3/4/5 bedroom houses and another elderly supported living 2-storey complex).

Neighbour amenity and security

- A condition which requires a greater distance between the Home and the adjacent rears of facing houses and a thicker tree belt or other solution to protect occupants living conditions and environmental standards.

- Proximity to old peoples home - residents here have come for a peaceful existence in their final years. They will be burdened with noise, dirt and associated pollution, vibrations for years whilst the development is built.

Air Quality

- With the extra traffic with the new home Eyebury road will become grid locked and with a school on this road the carbon monoxide emissions will increase and could endanger children health.
- Ignoring health issues regarding air quality around schools. An air quality assessment of the impacts of a development in the local area is required especially the impact on school children and the residents of Field House and Eyebury Road.

Drainage/ flooding impacts

- The sewage pipe which runs along Eyebury road smells now what it will be like with over 284 new houses. Existing sewerage drains down Eyebury road struggle now and there is a strong effluent smell regularly near the care home.
- The sewerage along the High Street is often smelling disgusting due to the old pipes having to take much more than they were originally built for.
- Drains are inadequate and overflow in wet weather.
- Twice in 8 months my garden has flooded along with my two neighbours because of the poor drainage system that is in place which was built several years ago.
- Anglian Water tell residents the sewage system cannot cope with the housing.
- The existing drains are regularly emptied by a sludge gulper during the night time period. Larkfleet have said that an effluent storage tank was to be installed below ground level in the proposed park and the effluent would be pumped out during the night time period but this will still cause issues with the current drains and sewers. What happens if the level controls or pumps fail and the tank over flows untreated waste into the park area?
- Drainage and flood prevention for the site and school is not agreed for the site and does not address various current flooding issues especially at the school boundary.
- There is no information on how the ditches and drains on the site boundaries will be connected to the drainage system e.g. along the Northern boundary with Thorney Rd, there should be a full analysis of all ditches and drains to see if any more are within the developers boundary to correct this error in the submission.

Public open space

- The Larkfleet flood ponds utilise the open space area allocations rendering them unusable during heavy rain events and winter.
- The Larkfleet plan shows the sloping area to the water drain/dyke running through the site as public open space. Clearly this cannot be used due to the deep drain and gradient of the sloping sides. The side are needed for North Level Drainage machinery access when cleaning the drain. The gradient and depth of the drain will be a danger to the public and children. Finally the edge of the drain is a PROW and will need to be maintained and available for public use not just the residents of the site.
- Concern over loss of open space.
- Some of the allocated open space has been included as part of the Park Homes (Pioneer Caravans) buffer zone which is also to have hedge planting, clearly this will be inappropriate for children to play on.
- The public right of ways are just that not to be included as part of the open space calculations.

- The land to be given to the school will be fenced off so should not be included in the open space calculations for this site
- The Council Landscape Officer raises issues which have not been addressed. Include not enough open space as well as the above comment the existing deep drain will need to be re profiled to reduce the gradient of the sides and needs to be fenced off for child safety, so again cannot be include in the open space amount, the officer also called for a Super LEAP and only a Leap is shown on the plan key. The officer also stated no ponds yet the masterplan layout shows 2 ponds. The allotments should also not be included in the open space calculations as they are to be secured so children cannot use.
- The scheme is an overdevelopment of the site, which prevents sufficient open space from being incorporated and would have a significant impact on the village.
- Green space allocation is inadequate and does not meet PCC policies and standards as raised by PCC Landscape Officer.

Ecology and Biodiversity impacts

- Concern over negative impact of wildlife.
- Would like to point out that 4 years after the previous development was completed, the biodiversity around the previous build is still vastly depleted. I see nothing in this plan that will sufficiently offset the huge loss of habitat that will inevitably take place with this build.
- Where a new development has the potential to have significant adverse effect on the integrity of a designated international or national site for nature conservation purposes, as a result of additional recreational pressure on that designated site, the development may be required to provide open space of sufficient size, type and quality over and above the standard requirements set out in this policy, in order to mitigate that pressure.
- There is no mention for the above provision and its impact on the SSSI designated Eye Green Nature Reserve and Dogsthorpe Star Pit Reserve.
- Wildlife another concern, trees, green space, walking areas, all will be destroyed and replaced with polluting cars and humans.

Trees and Landscape impacts

- Object to the removal of high amenity value trees and the lack of a TPO on some trees.
- No Arboricultural Method Statement to provide details of how the necessary tree protection can be implemented, initial pruning and maintenance plan and ownership going forward across the housing site and the land allocated for the School expansion
- Developer states trees and hedgerows are off site yet they are within the boundary.
- As mentioned by the Tree Officer, there needs to be significant tree/shrub planting within the proposed school extension area especially to the boundaries with the adjacent new housing.

Other issues

- Anti-social problems already in the village, but with more housing will without a doubt cause more.
- As a land owner next to the planning it will stop access to my land.
- Poor water pressure - more houses will be greater strain on system.
- The construction will cause excessive dust and will be harmful to the children attending the school next to the building site.
- Larkfleet have an appalling record of actually finishing developments correctly and speedily. Parsons Prospect was managed incredibly badly and continues to have problems. The roads still haven't been adopted, play areas are not maintained.

- The land being proposed is fondly used by dog walkers from all over the village as a safe walk which will be lost if built upon.
- There are already serious issues in the village from previous decisions.
- The proposed planning is a huge increase as a percentage to the village and is excessive.
- While it would appear Larkfleet have offered land to the school to develop and other mitigating options, I believe this isn't sufficient and is just a work around to gain planning.
- If this application is given consent, it will be excellent if it is made subject to the homes being built to a standard that is net carbon zero as far as energy consumption is concerned. Ideally, homes should be fitted with solar panels on roofs, and heating and cooking sources which do not come from fossil fuels.
- Consideration should be given to an Environmental Assessment.
- The governance of the site facilities and the plan for them is not clearly defined.
- The applicant Larkfleet homes has not complied with the necessary building and safety regulations in their previous builds, specifically on the Parsons Prospect phase 5 development. Houses were sold on this previous development without the necessary building control certificates and with serious defects. I do not think any further developments should be approved for this company until such time as a) the regulatory and safety failures have been rectified and b) Larkfleet can prove that they have made sufficient progress in addressing these issues on their new developments.
- No mention of how the Public Right of Way footpath running through the site will be kept open during the years of building these houses.
- The masterplan proposes a school pedestrian/ cycle access from the proposed development onto the school site. This proposal would mean the access goes directly across the planned sports pitches. This of course would be impractical to have a path through a sports field, the path will need to be around the perimeter of the sports field, which will mean more land needs allocating to the school for this.

Support

- The development of such dwellings will be a positive addition to Peterborough's housing stock, and our village(s) of Eye and Eye Green must take our fair share. The addition of these dwellings to the Eye area will also ensure that the area and local businesses continue to thrive. Further, provision of land for an extension to the school will help to mitigate the additional school places needed. We must ensure the appropriate infrastructure is put in place to support such dwellings.

3rd Consultation period (from 03/09/2021 - 22/09/2021)

103 representations received; 103 objections 0 support

Objections

Principle of development / Local Plan Policy

- The developer has not met Policy LP40 specifically with 8 key principle to be met at this outline planning stage.
- In the Local Plan this site was for 250 or less dwellings dependent on traffic analysis.

- A full Masterplan cannot be made and commented on, as such the submission does not meet LP40, 'a range of types and tenures that meet needs and respects the surrounding context'.
- 3rd time this application has been put forward for public consultation and the developer has still not met the requirements of LP40 in the approved Local Plan.
- Alternative places in Peterborough must be looked at for development and not Eye.

Traffic/Highway safety

- The Council must direct A1139's traffic away towards the bypass.
- The development will slowly but surely increase flows of traffic down the high street onto the A47 and onto Eyebury Road, which is not sustainable. Eyebury is a rat run for traffic between the A47 and Peterborough's Eastern Industry which will be further impacted by the pending development at Red Brick Farm.
- Eyebury Road is very busy especially at school times and the village is used as a rat run with heavy traffic at certain times of the day. There is nowhere to park for the houses and the school, and with more houses you are just increasing the traffic on an already very dangerous road.
- Residents already living in the surrounding area have problems with cars being parking in the way of houses and not being able to access their own properties.
- Peterborough Road is also a problem for the village, with many people using the village to cut through due to the increase in congestion on this road.
- The village is a maximum capacity and already driving through/ out of Eye is a problem.
- I have on more than one occasion witnessed near misses involving children on Eyebury Road.
- Walk from my home along Eyebury Road is dangerous, with a lot of the pathway very narrow and many cars driving very close. With a lot of young children around these times it is very concerning with the possible increase of much more traffic on the roads, This road at most times is hard to drive down with people parked all along the sides let alone at school drop off and pick up and people going to and from work.
- The possibility of over 500+ cars this will make traffic congestion through the village unbearable. Have any checks been done to see what the traffic is already like at busy times?
- Getting out of Eye towards the PE1 centre is horrendous, for a journey that should take few mins can take 20 mins plus due to the amount of traffic. Again an extra 500+ cars would make this even worse.
- Proposed access points for pedestrians and cyclists are not available because the Council have not adopted the locations.
- The junction with Eyebury Road requires traffic lights to allow for the safe exit of cyclists. Another reason for the traffic lights is parents dropping their children off at the new school drop off/car park will not be able to get out of the site due to the volume of rat run traffic.
- Eye has minimal bus service, covered by number 36 and 37 buses, and buses to and from the villages are infrequent so residents have to rely on cars.
- The proposed access from Eyebury Road is thoroughly inadequate. That road cannot accommodate additional traffic and is already a hazard.
- There is no room for cyclists anywhere even though it is part of the green wheel.
- Proposal will remove the popular walking route along the lane from Thorney Road to Eyebury Road.
- Inadequate parking facilities due to overdevelopment of the site.

- The updated road proposal intends to join on the proposed site to Enfield Court which will result in large volumes of cars coming onto Thorney Road.
 - Speeding issues on Thorney Road and Eyebury Road.
 - The rear 'pedestrian access', the planners are being naïve if it is not expected that once the main vehicle drop to the south is found to be congested at school times that parents will not use the side road adjacent to Fountains Place as an alternative pick-up/drop-off point. Defeating the purpose of the pedestrian access and resulting in noise, disruption and pollution for residents at Fountains Place.
 - Also foresee, parents parking on Thorney Road and dropping children off, resulting in congestion and increased risks on Thorney road.
 - Larkfleet have not changed the new school access 2m wide footpath layout in the new Master Plan as it still goes across the proposed school sports field. A 2m wide footpath is not wide enough for 2 way pedestrian flow especially given parents will be holding children's hands/pushing pushchairs and for those wanting to cycle. It also needs lighting for winter months.
- b. Transport Assessment (TA)
- The road safety audit was carried out was done at a time that does not show the true volume of traffic that uses Eyebury Road, 30th July 2020 was not only school holidays but also Covid restrictions were in place. I believe that there should be another audit at school drop off/pick up in term time and at peak rush hour, morning and evening.
 - A comprehensive traffic assessment is needed to measure the level of traffic at this proposed exit point of the site.
 - The Road Safety Audit Stage 1 report includes a number of problems. These require addressing at outline planning stage especially problem numbers: 2.4 – risk of collisions at night if kerb build-outs or other traffic movements are not clearly seen by approaching drivers. 2.5 Hazard for cyclists and pedestrians, risks that cyclists leaving the development will continue to cycle along the footway adjacent Eyebury Road or cycle off the cycleway into the path of a passing vehicle.
 - Various concerns have been raised by the Local Highway a number of which have not been addressed. The issues raised are of concern as Eyebury Road has significant issues with rat run traffic and any TA needs to be undertaken in school times as well as peak commuting times in mornings and evenings to full understand the traffic issues outside the school on Eyebury Road and its close location to the site entrance.
 - The TA Addendum is not showing all the information needed at outline planning stage to enable comments by all consultees as to volume of houses and site layout not in accordance with Policy LP40.

Infrastructure

- The village already is a big community and local families struggle to place their children in local schools and local struggle getting GP appointments because of the one GP surgery.
- The facilities that exist simply cannot handle the number of additional residents. The waiting lists for doctors and dentists are already long, and there is only one nursery. There is also no post office since it closed, two shops and a small chemist.
- The school is having to put in place temporary class rooms to accommodate the numbers they already have, the school would have to be extended permanently to cope with this additional demand.

- You seem to be approving houses to be built all over Eye, where do you think these people are going to send their children to school and how is an already overstretched doctors and dentist going to cope?
- Insufficient infrastructure to cope with any more dwellings. Services are already at breaking point.
- 18 primary kids haven't got a place this year and need to look somewhere else.
- The developers are purposing to give land but where will the school get funds to increase the size? Also making a primary school too big can compromise on quality given to the students and is already a very large primary school.
- The land allocated to the school is not enough for its permanent expansion and the children drop off parking facilities.
- Eye village infrastructure cannot cope already, given the over 100 houses recently built.
- This is potentially another 1,000 people (based on an average family of 2 adults and 2 children) to an already overcrowded village.

Impact on character of the village

- The development will unnecessarily rip the character of Eye away from the village, to the detriment of existing and future residents.
- The additional housing will result in huge change to the village character of a small village. Eye still has that village feel which will be lost over the next few years should the proposal be approved.
- We are a 'village' with no wish to become a Town.
- The approval of the application in its current guise would be detrimental to the village.
- Planning in other areas should be looking into, we see no growth in Castor, Ailsworth, Glington and other areas of the city. Where is the affordable housing in these areas?
- The range of types and tenures do not respect the surrounding context and residents (the village needs bungalows, 3/4/5 bedroom houses and another elderly supported living 2-storey complex).
- Local residents in Eye use the local public footpaths to escape into the beautiful countryside for their wellbeing and mental health. The countryside around Eye is slowing being turned into a concrete jungle destroying the lovely scenery and natural habitat.

Neighbour amenity

- The quality of life of the adjacent residential users including the residential care home and primary school are not respected and there is no plan put forward for the 3 years duration to build this development.
- The dust and dirt, and pollution from large diesel trucks and the vibrations to the surrounding properties, particularly the church, will be horrendous. No mitigation for this has been found for the residential care/nursing home, neighbouring properties and school.

Air Quality

- Ignoring health issues regarding air quality around schools. An air quality assessment of the impacts of a development in the local area is required especially the impact on school children and the residents of Field House and Eyebury Road.

Drainage/ Flooding impacts

- Object to the application as there is no plan to upgrade Eye Sewage System before the site works start along with an onsite pumping state.
- Drainage and flood prevention for the site and school is not agreed for the site and does not address various current flooding issues especially at the school boundary.
- There is no management plan, approach and financial modelling to maintain the Open Space trees, and play areas along with drainage systems and ponds.
- Larkfleet have proposed that the current PROW footpath to the side of the drain would be used for cyclists/families/pushchairs and Mobility scooters to the east of the drain to gain access to Thorney Road. This would be impractical during late autumn and winter months due to the soft ground conditions and given North Level IDB (Internal Drainage Board) have stated the path cannot be made tarmac due to plant needing to work along the 9m easement area. For the safety of the residents the drain easement area should be fenced off and a new footpath/cycle way suitably tarmac and lit created to the east of it.
- I live on a Larkfleet development which would back on to the new one and the sewage system is terrible already. Toilets constantly smelling or blocking up, drain smells are coming up the sink. With an increase in housing so close would make this situation so much worse.
- 9m IDB Drain Easement is shown as part of open space allocation on Master Plan diagram cannot be used as open space as the deep drain will need to be fenced off for the protection of the children, partially sighted and other residents. Who will be responsible for the safety of the residents or the maintenance of fencing?
- The 9m IDB Easement is also a PROW, who will maintain this?
- Eye was subject to a torrential downpour, the sewage and wastewater systems could not cope with the levels of water and there was some severe localised flooding. This application is for houses to be built on farmland. The wastewater and sewage system run by Anglian Water is not fit for purpose. The system is ancient and cannot cope with the current number of houses. Any further housing will just overpower this system even more. It needs to be fully upgraded to cope with the current level of housing before any further building takes place.
- Currently the school fields flood during winter as the Dyke the other side of their boundary does not drain into the main one on the land to be developed, Larkfleet's drainage designs do not resolve this issue.
- Looking at the drainage and overlaying the housing plan, the ditches to the East (and possibly South but that is complicated by the access rights issue), have private gardens running up to them with no form of access for maintenance.
- This land floods and although Larkfleet have submitted a drainage plan to use these ditches, they do not give any land away to be able to maintain them. The plan is trying to indicate shared ownership with the adjacent field, but the ditch is within the boundary and as such needs a plan for maintenance.
- The sewer system can't cope with current demands and need extensive updating. Most rainfall runs into drains rather than drains, and any significant rainfall results in gardens flooding.

Public open space

- Green space allocation is inadequate and does not meet PCC policies and standards as raised by PCC Landscape Officer.
- The Larkfleet flood ponds utilise the open space area allocations rendering them unusable during heavy rain events and winter.
- The Larkfleet plan shows the sloping area to the water drain/dyke running through the site as public open space. Clearly this cannot be used due to the deep drain and gradient of

the sloping sides. The side are needed for North Level Drainage machinery access when cleaning the drain. The gradient and depth of the drain will be a danger to the public and children. Finally the edge of the drain is a PROW and will need to be maintained and available for public use not just the residents of the site.

Ecology/ Biodiversity impacts

- Wildlife another concern, trees, green space, walking areas, all will be destroyed and replaced with polluting cars and humans.
- No provision for mitigation of recreational impacts of development on SSSI designated Eye Green Nature and Dogsthorpe Star Pit Reserve.

Trees/ Landscape impacts

- The Developer states trees and hedge rows are off site yet they are within the boundary so will need to be maintained by the residents management and financial plan.
- Object to the removal of high amenity value trees and the lack of a TPO on some trees.
- Object to the location identification ownership information provided in in tree survey Schedule which states Trees T9 to T19 and G12 and G14 are off site whereas they are within the boundary of the development site and the responsibility of the developer to prune and protect and have a maintenance agreement with the Council going forward.
- No Arboricultural Method Statement provided to outline details of tree protection, pruning and maintenance plan as well as ownership going forward.

Other issues

- The only people who want this are those that profit from it.
- The governance of the site facilities and the plan for them is not clearly defined.
- If a significant proportion of the development were to be bungalows then the impact on the school would be reduced, lessening the burden on both primary and secondary education provision. This may also impact on the number of cars and possibly support local public transport.
- There is no management for the maintenance of the surrounding boundaries, dykes and trees especially those adjoining current housing, the school and field, and residential care facilities.
- No Highway and Anglian Water assessment of the impact on Eyebury road and the utilities if it will be used by Larkfleet for heavy lorries delivering to the site for the 2 to 3 years of building the homes and roadways.
- The Larkfleet Location Map Ref L---/LP/01 shows the site boundary incorrectly, it includes a private track to a stables and paddock beyond and another public footpath and track adjacent to that on its southern boundary opposite 67 Eyebury Road. Further, the Location Map shows housing built on top of a number of drains and a private track to a stables and paddock beyond on its southern boundary opposite 67 Eyebury Road.
- Increase the amount of crime and anti-social behaviour.
-

4th Consultation Period (from 21/10/21 19/11/21)

52 representations received; 52 objections 0 support

Objections

Principle of development / Local Plan Policy

- The proposal is an overdevelopment of the site given the Core Strategy / Local Plan is for 250 houses 'or less' dependent on the traffic assessment.
- The adjustments made to the Larkfleet plans for this application have still not addressed original objections in respect of number of dwellings. The numbers submitted still exceed the agreed plan number.
- This proposal is an overdevelopment of the site given the allocations is for 250 houses or less. The proposed infrastructure and the land allocated for school is too small so 265 houses is far too many and needs reducing to provide suitable facilities for the residents as per LP40.
- The developer has not met Policy LP40 specifically included in the approved Local Plan for this site with 8 key principle to be met at this outline planning stage.
- A full Masterplan cannot be made and commented on, as such the submission does not meet LP40, 'a range of types and tenures that meet needs and respects the surrounding context'.
- 4th time this application has been put forward for public consultation and the developer has still not met the requirements of LP40 in the approved Local Plan.

Traffic/Highway safety

a. Traffic

- The Council must direct A1139's traffic away towards the bypass.
- The speed control sign location proposal is on a partially blind bend, so basically useless for inbound traffic as cars will be next to the sign before it registers and beyond it before they see it. Needs to be at the entrance to the village.
- Eyebury road cannot cope with the current traffic at peak times and to have the entrance to the new estate on the road is just ridiculous.
- Still doesn't solve the issue of traffic flow through Eyebury road, the sheer number of people using Eyebury road as a shortcut in rush hour times. The road itself is the biggest issue and the noise pollution caused will only be multiplied with another 500 cars needing to come in and out daily.
- The infrastructure to the site being the main school road and already a major hazard to children and parents is totally unacceptable and dangerous.
- Eyebury Rd cannot cope with this level of additional traffic and the Junction to the site will not facilitate ease of entry and exit during peak hours (it should be changed to traffic lights)
- Eyebury road cannot support a further 265 housing development and the vehicles that will automatically accompany this development. It is currently used as a through 'rat' route and is heavily congested during peak times. During these peak periods of congestion this area becomes grid locked with the sheer number of cars, vans and trucks using it. It is a narrow residential road that allows for cars to pass alternately. A number of cars have mounted the pavements to avoid this grid lock. This is dangerous and unacceptable. Furthermore, the pavements are narrow and the cars pass very close to the pedestrians, this was especially noted during COVID especially as a number of residents had to step into a congested road. Clearly this is a health and safety issue, but with a further development an accident is imminent.
- A cycle path around Thorney road is frankly a joke surely.
- Significant increase on traffic in an already overly burdened back road
- Removal of calming measures that were implemented to reduce speeding traffic through the village.

- The A47 section nearby is only 2 way traffic, there are always queues going up to the Van Hague roundabout and the Eyebury Road rat run to the industrial estate has passing places.
- I have serious concerns regarding the traffic along Eyebury Road, it is already over used as a rat run to Fengate. I am amazed there has not been a newsworthy road rage event on the section with passing places.
- Eyebury road is dangerous and congested as it is. There is traffic calming but cars do park very close to these areas meaning cars have to navigate multiple chicanes with unclear passing places and also a blind corner near the church where parked cars force north-bound traffic onto the wrong side of the road just before the turn.
- Traffic leaving the village to the west is already subjected to a lengthy wait at peak times. Current problems will be exacerbated by an increase in the number of residents.
- An increase in the school population will further increase both walking, cycling and vehicle traffic at the beginning and end of the school day making drop offs and pickups more hazardous and increasing the negative effects on the neighbouring residents (noise, pollution and traffic).
- Notwithstanding the other negative effects on the community, the development should not be allowed to go ahead without a significant rethink of the impact on Eyebury Road.
- Invites any reviewing member of PCC to spend a day on Eyebury Road to witness the issues with traffic, in which the report commissioned by the applicant negates to mention.
- Traffic on Eyebury Road needs to be observed for a full day 8.30am to 6pm during school terms. It will then become clear that this road is totally unsuitable and could not cope with potentially 400 vehicles from this development. It is also used as 'rat-run' for cars from Thorney and Crowland.
- A car flipped not long ago and I near witnessed a pedestrian being hit by a car due to people becoming frustrated at the queues. Don't do this to us without addressing the issues we already suffer with.
- There is not enough road management and space, the traffic and infrastructure to drop off children at school causes untold headaches daily throughout the week. Parking and car abandonment and the use of and blocking of other people's driveways has become prolific and eventually will boil over or end in an accident or loss of life.
- The A1139 is constantly blocked due to all drivers ignoring the bypass and use the A1139 as a cut through, the volume of traffic and the current road infrastructure cannot be supported by this route.
- Potholes as far as the eye can see, sunken manholes as they have been pressed into the ground by heavy HGV vehicles
- The Councillors have confirmed that they have spoken with the UK road haulage association about using the bypass to alleviate the pressure they have flatly refused to cooperate or assist in rerouting the HGV's via the bypass.
- In other similar developments there has been inadequate parking facilities with reduced road width which means many cars are parking on pavements and residents with pushchairs and mobility scooters and those by sight problems have to go into the road to pass.
- The accidents that we witness weekly have grown this is simply due the posted speeds. Vehicle hit the Eye roundabout (including HGV, in excess of 40 miles an hour) they then in turn try to wrangle the vehicles while maintaining speed around the bend. Thus clipping and damaging the roundabout.

- There are constant bottlenecks and traffic jams in Eyebury Road every day and when the large industrial site between the Power station and the Oxney Road Traveller site is complete the extra traffic it will create through Eyebury road is unimaginable.
- Larkfleet have not changed the new school access 2m wide footpath layout in the new Master Plan as it still goes across the proposed school sports field. A 2m wide footpath is not wide enough for 2 way pedestrian flow especially given parents will be holding children's hands/pushing pushchairs and for those wanting to cycle. It also needs lighting for winter months.
- Proposed access points for pedestrians and cyclists are not available because the Council have not adopted the locations.
- The junction with Eyebury Road requires traffic lights to allow for the safe exit of cyclists. Another reason for the traffic lights is parents dropping their children off at the new school drop off/car park will not be able to get out of the site due to the volume of rat run traffic.
- The Peterborough Cycle Forum have raised some important Issues about the cycle and pedestrian path design in the latest Masterplan submission, they need to be 5mtr total width with separation for pedestrians this need will further reduction in the number of houses below 250 for the site. They also raise other important Issues about the design of the cycle routes leaving the site and the residential plots needing cycle parking.
- The village is a maximum capacity and already driving through and out of Eye is a problem.
- Walk from my home along Eyebury Road is dangerous, with a lot of the pathway very narrow and many cars driving very close. With a lot of young children around these times it is very concerning with the possible increase of much more traffic on the roads, This road at most times is hard to drive down with people parked all along the sides let alone at school drop off and pick up and people going to and from work.
- The proposed access from Eyebury Road is thoroughly inadequate. That road cannot accommodate additional traffic and is already a hazard.

b. Transport Assessment (TA)

- Careful consideration of vehicular access to and from the site, the traffic implications for wider Eye area and junctions on the A47;' - Survey findings are insufficient and do not take into consideration other development works.
- The TA Addendum is not showing all the information needed at outline planning stage to enable comments by all consultees as to volume of houses and site layout not in accordance with Policy LP40.
- A comprehensive traffic assessment is needed to measure the level of traffic at this proposed exit point of the site.
- There are a number of problems in Road Safety Audit Stage 1. These require addressing at outline planning stage especially problem numbers: 2.4 – risk of collisions at night if kerb build-outs or other traffic movements are not clearly seen by approaching drivers. 2.5 - Hazard for cyclists and pedestrians, risks that cyclists leaving the development will continue to cycle along the footway adjacent Eyebury Road or cycle off the cycleway into the path of a passing vehicle.
- The possibility of over 500+ cars this will make traffic congestion through the village unbearable. Have any checks been done to see what the traffic is already like at busy times?
- Traffic Survey done at the least busiest times on Saturday 13th November 21 when there is no School traffic , most of Eastern industry will be closed and traffic at a minimum and the process over a short time (picture provided).

- LP40 is clear that this TA and Travel Plan needs to demonstrate that the quantity of homes proposed 'is deliverable taking account of; safe and suitable access to the site; and cost effective and necessary improvements to the transport network.' The application does not showing all information needed at outline planning stage to enable comments by all consultees as to volume of houses and site layout.
- The road safety audit was carried out at a time that does not show the true volume of traffic that uses Eyebury Road, 30th July 2020 was not only school holidays but also Covid restrictions were in place. I believe that there should be another audit at school drop off/pick up in term time and at peak rush hour, morning and evening.

Infrastructure

- The village has the capacity to support more houses and after recent developments.
- The doctors and dentist are oversubscribed and you struggle to get appointments.
- The school needs to be expanded for the current population and will struggle to take on more children.
- Until we see proposals for more doctors, dentists and basic other amenities this is truly a non-starter.
- The infrastructure e.g. open and green space and the land allocated for school is too small so 265 houses is far too many and needs reducing to provide suitable facilities for the residents as per Policy LP40.
- Infrastructure cannot cope already, given the over 100 houses recently built.
- Eye School is already full and has a waiting list, it is about to have temporary classrooms. The land allocate to the school is not enough for its permanent expansion and the children drop off parking facility.
- We have no Post Office, it is impossible for newcomers to sign up with the GP or have NHS dental treatment.
- And how exactly does 35 less houses make much of a difference? Eye is not expanding, terrain wise, how are you expected to fit at least 300 new tenants (I'm assuming families with children are going to be moving in) in this small village that only holds 2 tiny grocery stores and 1 poorly serviced GP practice. There is however no mentioning of upgrading the services around village so I'm asking again how exactly is that beneficial for the village to push in more houses.
- The current infrastructure of Eye is at near breaking point. Don't allow this development to be the reason that Eye becomes just another grouping of faceless dwellings like the rest of Peterborough has become.
- The village already is a big community and local families struggle to place their children in local schools and local struggle getting GP appoints because of the one GP surgery.
- The school is having to put in place temporary class rooms to accommodate the numbers they already have, the school would have to be extended permanently to cope with this additional demand.
- Local shops regularly run out of fresh items.

Impact on character of the village

- Walking where you propose to place these houses further removes space in Eye leaving frankly just the nature reserve and nothing more.
- Eye is becoming more of a township than a village, why aren't the other villages around Peterborough getting more new houses, rather than us.
- The development will unnecessarily rip the character of Eye away from the village, to the detriment of existing and future residents.

- The range of types and tenures do not respect the surrounding context and residents (the village needs bungalows, 3/4/5 bedroom houses and another elderly supported living 2-storey complex).

Neighbour amenity and security

- As an adjoining neighbour plans do not detail housing layouts, so no idea if we will be overlooked by multiple houses.
- The quality of life of the adjacent residential users including the residential care home and primary school are not respected and there is no plan put forward for the 3 years duration to build this development.

Air quality

- The issue of pollution needs to be considered. The cars and vans have to sit idly during periods of congestion, emitting fumes to the most vulnerable members of society, our children; exacerbating health conditions and leading to further future illnesses. It seems counter intuitive to harm the future generation.

Drainage/ Flooding impacts

- Covering of land with houses increasing risk of flooding to an area that has witnessed significant flooding in recent years.
- Drainage and flood prevention for the site and school is not agreed for the site and does not address various current flooding issues especially at the school boundary.
- There is no management plan, approach and financial modelling to maintain the open space trees, and play areas along with drainage systems and ponds.
- Larkfleet have proposed that the current PROW footpath to the side of the drain would be used for cyclists/families/pushchairs and mobility scooters to the east of the drain to gain access to Thorney Road. This would be impractical during autumn and winter months due to the soft ground conditions and given North Level IDB have stated the path cannot be made tarmac due to plant needing to work along the 9m easement area. For the safety of the residents the drain easement area should be fenced off and a new footpath/cycle way suitably tarmac and lit created to the east of it.
- 9m IDB Drain Easement is shown as part of open space allocation on Master Plan diagram cannot be used as open space as the deep drain will need to be fenced off for the protection of the children, partially sighted and other residents. Who will be responsible for the safety of the residents or the maintenance of fencing?
- The 9m IDB Easement is also a PROW, who will maintain this?
- Currently the school fields flood during winter as the Dyke the other side of their boundary does not drain into the main one on the land to be developed, Larkfleet's drainage designs do not resolve this issue.

Public open space

- Green space allocation is inadequate and does not meet PCC policies and standards as raised by PCC Landscape Officer.
- SUD's and ponds are not usable by children and should not be included in open space allocation.

Ecology/ Biodiversity impacts

- Wildlife another concern, trees, green space, walking areas, all will be destroyed and replaced with polluting cars and humans.

Trees/ Landscape impacts

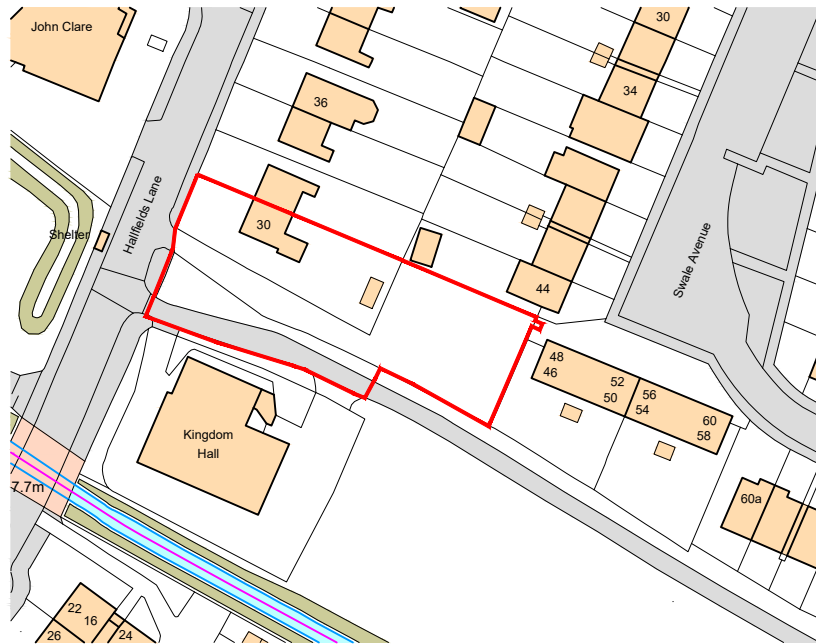
- The developer states trees and hedge rows are off site yet they are within the boundary so will need to be maintained by the residents management and financial plan.
- Object to the removal of high amenity value trees and the lack of a TPO on some trees.
- Object to the location identification ownership information provided in in tree survey Schedule which states Trees T9 to T19 and G12 and G14 are off site whereas they are within the boundary of the development site and the responsibility of the developer to prune and protect and have a maintenance agreement with the Council going forward.
- No Arboricultural Method Statement provided to outline details of tree protection, pruning and maintenance plan as well as ownership going forward.

Other issues

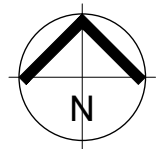
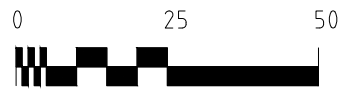
- Amendments do not overcome previous objections (previous consultation comments have been appended by some objectors).
- All comments made on the previous applications must be considered when reviewing this application.
- The proposed reduction of 19 dwellings fails to address any of these concerns.
- Larkfleet also need to finish their other housing areas before taking on another development.
- There is ample opportunity for development at the north/west of the village which would have none of the above disadvantages.
- In proposing 265 houses, greed is taking over/it is money orientated.
- Has anyone thought of the benefits to the village, the people and the planet of turning that area into a park and wood?
- If Larkfleet gets planning approval for this development it will be disastrous for the village of Eye.
- The governance of the site facilities and the plan for them is not clearly defined.
- If a significant proportion of the development were to be bungalows then the impact on the school would be reduced, lessening the burden on both primary and secondary education provision. This may also impact on the number of cars and possibly support local public transport.
- There is no management for the maintenance of the surrounding boundaries, dykes and trees especially those adjoining current housing, the school and field, and residential care facilities.

NOTES


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Project PROPOSED DEVELOPMENT FOR 3 RESIDENTIAL UNITS		
Address 30 Hallfields Lane Gunthorpe, Peterborough PE4 7UW		
Client Hope into Action		
Drawing Location Plan		
Date October 2020	Scale 1:1250 @ A4	
Project No. 3874	Drawing No. LP01	Revision



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Application Ref: 21/00736/R4FUL

Proposal: Proposed development of three residential dwellings

Site: Land R/o 30 Hallfields Lane, Gunthorpe, Peterborough, PE4 7YH
Applicant: Hope into Action

Agent: Portess and Richardson

Case officer: Mr M A Thomson
Telephone No. 01733 4501733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site Description

The application site comprises a parcel of land situated to the side and rear of 30 Hallfields Lane, a semi-detached two storey property. The remainder of the site is identified as Public Open Space (POS) and is laid to lawn, bounded by established landscaping, including trees and scrub. There is an informal footpath that crosses the POS, which links Hallfields Lane to Swale Avenue to the north-east.

Situated to the west is 30 Hallfields Lane (the host dwelling), to the north is the rear gardens of 32 Hallfields Lane and 44 Swale Avenue, and to the west is No. 46 and 48 Swale Avenue, which appear to be 2 of 8 maisonettes, with their shared private amenity space to the rear. Along the southern boundary is a tarmac road, which provides vehicle access to Kingdom Hall, with pedestrian access beyond to a further, larger area of POS. This pedestrian route along the southern boundary carries a variety of pedestrian, cycle and vehicle traffic, and forms part of the Green Wheel around the City.

It is understood that Kingdom Hall is not owned or operated by the Council, and whilst it currently does not appear to be operational, has planning permission to be used as a place of worship (Class F.1(f)).

The application site is not situated within a Conservation Area, and is within Flood Zone 1.

Proposal

The Applicant seeks planning permission for 'Proposed development of three residential dwellings'.

The scheme would form a pair of semi-detached dwellings (Block 1) in a dog-leg layout and a detached dwelling (Block 2) in an L-shaped layout, and Block 2 would utilise a flat roof single storey side element with what appears to be a fence above. These dwellings would utilise a shared design theme, they would be of modular construction utilising a modern design (render and boarding), framed windows and a monopitch roof.

Block 1 would have an overall floor area of 13m x 9.8m and proposes to stand at 6m in height. Block 2 would have an overall floor area of 8.5m x 9.8m and proposes to stand at 6m in height. The single storey side element would be flat roof stand 2.6m in height.

Access to the site would be from Hallfields Lane, sharing the existing vehicle access with Kingdom Hall, and would provide 5x parking spaces and associated turning.

The proposed dwellings would be run and operated by Hope into Action, a Peterborough based charity, who currently have 18x houses in Peterborough catering for 34 tenants, however, have housed 154 persons, including children, since 2010. Across the country, Hope into Action run 91x homes for over 250 tenants.

This proposal would allow Hope into Action to provide accommodation for 6-8 vulnerable persons.

This application has been subject to amended plans, which has introduced cladding to Blocks 1 and 2, additional planting around the site and illustrates 2x parking spaces to serve No. 30 Hallfields Lane.

2 Planning History

No relevant planning history

3 Planning Policy

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

National Planning Policy Framework (February 2019)

Section 5 – Delivering a sufficient supply of homes
Section 8 – Promoting healthy and safe communities
Section 11 – Making efficient use of land
Section 12 – Achieving well-designed places
Section 14 – Conserving and enhancing the natural environment
Section 15 – Conserving and enhancing the historic environment

Peterborough Local Plan 2016 to 2036 (2019)

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

LP8a) 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

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

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.

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

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.

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.

LP23 - Local Green Space, Protected Green Space and Existing Open Space

Local Green Space will be protected in line with the NPPF. Development will only be permitted if in addition to the requirements of the NPPF there would be no significant detrimental impact on the character and appearance of the surrounding areas, ecology and heritage assets.

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.

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.

Other Documents

The National Design Guide (2021)

The RECAP Waste Management Design Guide SPD (Cambridgeshire County Council, February 2012)

4 Consultations/Representations

Police Architectural Liaison Officer

Objection – Further to discussions with the Case Officer, there are concerns that the footpath between the proposed dwellings 2 and 3 this footpath doesn't appear to lead anywhere. Having reviewed aerial maps, the proposed footpath is a desire line that has appeared over this area of land over a number of years. Whilst there are insufficient recordings of crime and ASB within this area, there are no shopping destinations or transport links from Swale Avenue to justify the need for an additional footpath to be installed, which could have a detrimental effect and subsequently increase the issues and potential for Crime and ASB.

Further, there is a formalised footpath to the east, situated between 84 and 86 Swale Avenue.

A shorter footpath leading to the front of dwelling 3 and the rear of dwelling 2 and increasing the rear gardens to these properties would be the preferred option. Would it be possible to change the orientation of these properties in order to have in-curtilage parking to the front of these? Boundary treatments Estate railings 1.3m to the front of Unit 4 if the above isn't possible. 5m Column lighting BS 5489:2020 along the existing foot/cycle path to increase natural surveillance.

PCC Open Space Officer

Objection – The proposed development would develop part of Hallfields Lane Public Open Space (POS / neighbourhood park). There is a historic public right of way through the site, and the

proposed development would result in the loss of POS, therefore any development would need to accord with Policy LP23 and Paragraph 99 of the NPPF (2021).

The application site is within Gunthorpe Ward, which also serves residents of Paston and Walton, where there is a deficiency of 6.17ha of Neighbourhood Parks.

N.B. Further to the receipt of an Open Space Assessment, the Open Space Officer has maintained their position and has sustained their objection to the proposal.

PCC Peterborough Highways Services

Objection – Further to the receipt of amended plans, the proposed access arrangements serving the new dwellings and Kingdom Hall is accepted. These works would require a separate S278 agreement.

The existing vehicle access to the area of public open space (the application site) would be made redundant and would otherwise be required to be stopped up; this is supported, however would also require a separate S278 agreement.

However, the proposed double width kerb serving No. 30 Hallfields Lane is unacceptable. This access should use single width and tandem parking so that it does not conflict with the proposed arrangements noted above, and the bus stop opposite.

Relevant visibility splays would be required to be provided either side of both accesses.

PCC Waste Management

No objection – If the proposed access road would not be adopted, the developer would be required to sign a waiver. Evidence of tracking to demonstrate whether a refuse collection vehicle could turn within the site is required, or alternatively demonstration that one could reverse from Hallfields Lane to the application site.

Cambridgeshire Fire & Rescue Service

Objection - From the information given, access for fire appliances may be considered inadequate.

Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Volume 1: Dwellings, Section: 13 Vehicle Access.

The responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority and they should be consulted on any proposals.

PCC Pollution Team

Objection - The compatibility of adjacent rooms/handling of house plans for the 1-bed dwelling adjacent to the 3-bed dwelling has not been achieved.

PCC Wildlife Officer

Object – Whilst this area of land has been neglected, without further evidence, it would be very difficult for this proposal to result in a net gain in biodiversity without a plan of continual ongoing management. Such a management plan would require large areas of the site being mown, with all arising's being removed and seeded with wildflowers. It is not considered that, a development of this size or scale, would be able to fund such an intensive management plan, and ensure that it is maintained as such on a regular basis.

As the site has apparently been left unmanaged for long periods of time, this increases the biodiversity value of the site. This would therefore require an even higher level of biodiversity net gain, management and maintenance given a large area of the site would be developed.

PCC Tree Officer

No objection - The site is not within a Conservation Area and there are no longer any protected trees covered by the Tree Preservation Order (TPO) No. 03/1979 [79/00003/TPO] on the site.

Please ensure that all tree planting within influencing distance of any adopted Highway - including footpaths/cycleway & carriageway together with any land drainage, including SUD's features suitably protects against future damage/liability, from tree root encroachment/damage. Details of tree pits, including all dimensions of engineered tree pit/s showing, installation, means of protection, including all works and any products to be used such as 'RootSpace', root directors, deflectors, barriers supported by your engineers and to manufactures recommendations/design guides.

A condition is sought with respect to submitting soft landscaping. Also please include plans showing details/sections of suitable and appropriate soil volumes for the tree species being planted in each location. When considering tree planting, please note the Council's Five Tree Planting Principles.

PCC Archaeological Officer

No objection - The subject site and surrounding area (250m radius) contain no known buried heritage assets. Given the small scale of the proposed development, a program of archaeological work would not be justified in this instance.

Local Residents/Interested Parties

Initial consultations: 8

Total number of responses: 13

Total number of objections: 4

Total number in support: 9

2x letters of **objection** have been received, raising the following concerns:

- Development site is too small for 3x dwellings;
- Loss of privacy and overlooking to neighbours;
- Insufficient parking to serve the number of dwellings and bedrooms proposed;
- How would it be possible to enforce a clause of only 1 car per dwelling?
- Could the pub site not be used for these houses?;
- Litter

9x letters of **support** has been received, raising the following comments:

- Worthy use of the space;
- The charity involved transforms lives and takes in those members of society who cannot, for - varied reasons, find housing elsewhere;
- Modern design and building techniques would keep disruption during construction to a minimum;
- The development would enhance the local area; and
- The proposed site will not affect local residents or members of the public in any way.

1x letter of comments has been received, raising the following:

- Has a formal decision been made yet?;
- Is the land not owned by the City Council? If not who owns it, and if it is then how much is it being sold for?
- Is the footpaths, worn as it is, not a public right of way?
- What measures or safety improvements will be introduced, at the vehicle entrance to ensure safety for pedestrians, cyclists and to prevent cars simply parking up at this location?

Cllr S Bond originally **objected** to the proposal for the following reasons:

- I have visited the site many times due to litter and fly-tipping;
- The site just does not seem big enough to accommodate the size of the dwellings proposed and three car parking spaces plus a footpath;
- Three car parking spaces are surely not enough it should be at the least four;
- On the plans it appears that the occupiers of the dwellings will access their car parking spaces and dwellings via a public footpath which leads to the main entrance to a large recreational ground.
- Please do correct me if I am wrong in assuming that the footpath is a public footpath; and
- The dwellings will be overlooking resident's gardens in Swale Avenue.

However they have since removed their objection and provided the following comments in **support**:

'When I first saw this planning application I was against it because I could not see in my mind how these residential properties would fit on the land available and how it was possible to have access to the properties without using public open space. Since then I have had a Team meeting with Noel Garner, Head of operations for Hope into Action. Noel sent me the plans of the planning proposals and explained the layout of the properties. I do not now have the same concerns in reference to the properties fitting on the land available, but I still have concerns in reference to the access to the properties as I believe public open space will be required to implement this access.'

I have been following the application on line and have noticed that the comments made from the public are in favour of this application. Therefore I feel it would be of some benefit to all if this planning application went before the planning committee. This planning application could be discussed and possibly new ideas would come forward on how to address the access to the properties issue without taking away public open space.'

5 Assessment of the planning issues

- The Principle of Development
- Design and Layout
- Crime and Anti-Social Behaviour
- Access and Parking
- Neighbour Amenity
- Amenity of Future Occupiers
- Biodiversity
- Fire
- Other Matters

a) The Principle of Development

Provision of housing for vulnerable people

Policy LP8 states that Planning permission would be granted for accommodation which is entirely aimed at meeting the housing needs of the most vulnerable, provided that the development:

1. Meets an identified need and is supported by Adult Social Care Commissioning;
2. Will be suitable for the intended occupiers in terms of standard of facilities, the level of independence and the provision of support and/or care;
3. Will be accessible by non-car means to essential services and community facilities as appropriate to the needs of the intended occupiers;
4. Does not conflict with any strategic policy of this plan and does not have any fundamental constraint.

The term 'vulnerable people' refers to a broad group of people who need some kind of support with their living arrangements to enable them to live safely. This could include people with learning

disabilities and autism; physical disabilities; sensory impairment; mental health support needs; ex-offenders; older people, young people and care leavers; and statutorily homeless households. It is important that accommodation proposals for vulnerable people consider the location of housing in relation to essential services and community facilities

Policy LP8 have a range of criteria which should be considered. Whilst comments have not been sought from Adult Social Care Commissioning, Officers are acutely aware that this type of accommodation is needed within the City. The charity would provide accommodation for up to 8x vulnerable persons, which in consideration of the planning balance, weighs in favour of the proposal.

The other matters to consider under LP8 are discussed in further detail below.

Loss of public open space

Policy LP23 states, 'existing non designated open spaces will, in principle, be protected from development. New development that will result in the loss of existing open space will not be supported, unless the criteria in the National Planning Policy Framework (NPPF, 2019) are met'.

Paragraph 99 of the NPPF (2021) states, 'existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use'.

LP23 then goes on to state, 'in addition, if the requirements of the NPPF (2019) can be satisfied, the proposal must also demonstrate that:

- a. The open space does not make an important contribution to the green infrastructure network or connectivity of habitats, and the development would not result in landscape or habitat fragmentation or incremental loss; and
- b. The proposed development can be accommodated on the open space without causing significant detrimental impact on the character and appearance of the area, ecology or any heritage assets'

Discussion

The Applicant has submitted an Open Space Assessment. This document describes the application site as, 'the ground levels ... are noticeably lower than the Swale Avenue properties as evidenced by the six concrete steps in the north east corner which provide the connection between Swale Avenue and the site. The grass appears to have been mown intermittently but the boundary planting has not been maintained and encroaches on all sides. There is the remains of a burnt out tree on the north-west boundary adjoining the rear of no. 30 and general littering. An informal route has been created from the Swale Avenue access to a point along the southern boundary where a break in the hedge now exists, as evidenced by the worn grass. This is clearly a preferred and more direct route for users than the access onto Hallfields Lane.'

The Applicant goes on to state, 'the space is extremely secluded. Given the extent of enclosure and the position and orientation of adjacent properties in relation to the open space, the scope to view the site from the adjoining houses is extremely limited. [In addition to this], views from outside the open space are extremely limited. The view from Swale Avenue is blocked by brick wall and is limited to a narrow view at the steps. The through way created in the southern hedge provides a

narrow glimpse in with one or two holes in the boundary planting. The driveway from Hallfields Lane gives a distant view of the southernmost part of the open space. Given this when entering or leaving the space views are extremely restricted and users are unable to see what is ahead of them. It is understood that there have been incidences of arson and anti-social behaviour.'

In justification for its loss, the Applicant states that, 'the size and use of the area in terms of the neighbourhood park as a whole and the contribution it makes to the recreational and amenity attributes of the park is extremely limited. Realistically it is too small for formal recreation and it does not have a welcoming environment where it feels comfortable to linger for informal activities such as sitting out or for younger children to play. In my view, one would not choose to spend time there particularly given the substantial high quality open space immediately to the south with all the opportunities it offers for outdoor formal and informal activities'. The open space appears to function solely and logically in providing a short cut through from Swale Avenue to Hallfields Lane and the park. It does provide some visual amenity outside the site from the boundary planting but that could reasonably be said of any boundary planting.'

The Applicant concludes that the benefits of the proposal, to include: improvement to the link between Swale Avenue and Hallfields Park; improvement to green infrastructure and a biodiversity net gain; and provision of specialist housing, would outweigh the harm of the loss of the public open space.

Officer Assessment

POS is categorised into different types and the application site is considered to fall into the category of 'neighbourhood park', as confirmed by the Council's Open Space Officer.

Turning to the Peterborough Open Space Strategy (Atkins, 2016), Gunthorpe Ward is expected to experience a population increase of 73%, from 9,600 to 16,600 by 2036. Referring to Table 6-2 (Page 59), this sets out the quantitative deficiency of open space per type, per ward. Within Gunthorpe Ward (within which the application site is located), there is a surplus of 6.85ha of neighbourhood parks. However, the site lies immediately on the boundary with Paston and Walton Ward which has a deficiency of 6.17ha of neighbourhood parks. Therefore, taking this adjacent deficiency into account, it is considered that the area of the application site currently has sufficient neighbourhood park POS to meet the needs of residents (existing and planned), however this is only just and therefore the retention of all POS is important to the wider community.

The Applicant has not satisfactorily demonstrated that the application site is surplus public open space, on the contrary, they have placed significant emphasis on the land in its current state, but have not considered the scenario were it properly maintained, as it appeared to have been within the past decade (Appendix A). In addition to this, the Applicant has not considered the scenario whereby the landscaping along the north, east and western boundaries have been tidied up, and the southern boundary opened up, so that it better relates to the larger area of POS to the east.

It is important to also note that irrespective of the slight quantitative surplus identified for the two wards within the Open Space Strategy, this does not mean that it is surplus to requirements which is the policy test. The land subject to this application makes a vital contribution towards the overall POS provision for two wards, and its loss without justification would result in considerable harm to the amenities of the communities in the surrounding wards.

As such, it has not been demonstrated that the land is surplus to requirement, the area of POS would not be replaced by an equivalent or better provision in terms of quantity and quality, in a suitable location, and the development could not be accommodated on the site without having a detrimental impact on the character of the area, and biodiversity assets (discussed in further detail below).

Conclusion

In accordance with Policy LP23, the starting point is Paragraph 99 of the NPPF (2021) when assessing loss of POS is proposed. As demonstrated above, the application has not been

accompanied by satisfactory justification to demonstrate that there is a clear surplus of open space or land, the development would not be replaced by an equivalent or better provision in terms of quantity or quality in a suitable location, and the development is not for an alternative sport or recreation provision. Whilst the proposal would create three dwellings for vulnerable persons, which weighs in favour of the proposal, the development would result in the loss of public open space, which weighs heavily against of the proposal.

As such, the proposal would be contrary to Policies LP16 and LP23 of the Peterborough Local Plan (2019) and Paragraphs 99 and 133 of the NPPF (2021).

b) Design and Layout

The Case Officer has assessed the application in accordance with the general principles set out within the National Design Guide (MHCLG, 2021). Paragraph 21 of the NDG (2021) states, a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout (or masterplan);
- the form and scale of buildings;
- appearance;
- landscape;
- materials; and
- detailing.

Paragraph 36 of the NDG (2021) goes onto state that well-designed places have individual characteristics which work together to create its physical character. These characteristics help to nurture and sustain a sense of community, which all contribute towards the cross-cutting themes for good design.

The pattern of development of the area is largely defined by planned residential development, predominantly comprising semi-detached two storey dwellings with uniform front and rear gardens, served by off-street car parking, with larger community buildings, large areas of public open space and areas of mature landscaping in the wider area.

The application site itself forms part of the rear garden serving 30 Hall Lane, and an area of POS with an informal pedestrian route linking Hallfields Lane to Swale Avenue. There is mature landscaping along the southern boundary, which forms the boundary to the pedestrian and vehicle access road to an area of POS beyond and Kingdom Hall to the south.

The proposed development would reduce the amount of garden serving 30 Hall Lane; the amount of garden would be significantly less than its neighbours, it would not be commensurate in size and scale to what of a garden which would be expected to serve a 3-bed dwelling, particular so in this location, and is considered to detract from the planned pattern of development of the area.

The proposed dwellings would comprise a detached and pair of semi-detached dwellings over two floors, with a dedicated car parking area serving all three dwellings. The dwellings would be positioned 45 degrees to the access road, and a pedestrian route would be formalised to Swale Avenue. The dwellings would be of a pre-fabricated construction, built off site and assembled on site, and would utilise flat roofs and external cladding.

The proposed layout would be at odds to the established character and pattern of development of the area, and the dwellings would be served by comparatively small gardens which would not be particularly usable. Whilst the dwellings would be situated within a backland location, they would be sited immediately adjacent to a pedestrian route linking Hallfields Lane and an area of POS to the east, which also forms part of the Green Wheel. As such, the route would be heavily trafficked and would be visually prominent from the public realm.

Whilst Officers are not averse to utilising new building materials or methods of construction, given

the layout of the development proposed, the loss of garden serving the host dwelling, and the fact that the proposed development would be visually prominent from the public realm, the proposal is not considered to reflect the context, layout or built form of the area, and would unacceptably and adversely harm the character and appearance of the immediate area. As such, the proposal is contrary to Policy LP16 of the Peterborough Local Plan (2019), Paragraphs 130 and 134 of the NPPF (2021) and the National Design Guide (2021).

- Waste

As confirmed by the Council's Waste Officer, for this site, it would be possible for a refuse collection vehicle to reverse from Hallfields Lane into the application site. Whilst this would not typically be an acceptable method of collection, given the constraints of the site it has been found acceptable in this instance. The Applicant has confirmed that, in the event planning permission was granted, they would seek to agree an indemnity agreement.

c) Crime and Anti-Social Behaviour

Further to discussions with the Police and Architectural Liaison Officer (PALO), Officers raised concerns with the territoriality of the site, the lack of defensive space to principal windows and the formalised pedestrian route to Swale Avenue.

The territoriality of the private and public space is weak; there is little to differentiate the application site from the pedestrian route from Hallfields Lane to the POS, or the link to Swale Avenue, and with little defensive space this would give rise to issues of anti-social behaviour, such as 'peeping' as well as knock and run. In addition to this, the amount of space situated either side of the pedestrian link to Swale Avenue would give rise to fear of crime, as well as a vulnerability to crime, as there is no clear sight lines from A to B, and at only 1.2m in width, the footpath is not sufficiently wide enough for a single person pushing a pram to pass a group of loitering youths, for example. Further, given the limited natural surveillance of this area, it would be prone to graffiti, and a long-term maintenance issue for future occupiers.

Whilst the PALO has confirmed that the area has a low number of crimes reported, concerns have been raised with retaining the footpath to Swale Avenue, that their preference would be for it to be omitted, with larger gardens provided to serve the dwellings. In addition to this, it has been suggested that the dwellings be re-orientated and improved boundary treatments to the front introduced.

Ordinarily Officers would seek to retain pedestrian access routes across development sites, however, Officers are mindful that there is a formalised pedestrian route linking Swale Avenue to the POS situated 150 metres to the east, which is a level access and has good levels of natural surveillance. Given the concerns surrounding the proposal, the opportunities for betterment, the fact the existing footpath is neither an adopted public right of way or a safe level access, its loss would be accepted in this instance.

Notwithstanding the absence of crime statistics, the development proposed would not reinforce the territoriality of the site, it would lend itself to anti-social behaviour and a vulnerability to crime, and the proposal would be contrary to Policy LP16 of the Peterborough Local Plan (2019) and Paragraphs 130 and 134 of the NPPF (2021).

d) Access and Parking

The Local Highway Authority (LHA) have raised an objection to the proposal, however this objection relates to the proposed double width kerb to serve the existing dwelling at 30 Hallfields Lane. The LHA have stated that a single width access with tandem parking would be safer given the juxtaposition of this access to the proposed improvements and bus stop adjacent. It is considered this detail could be secured by planning condition, and would otherwise be captured by the S278 process. As such, it is not a matter for which the current proposal could be refused against or sustained at appeal.

The proposal has been amended to widen the existing vehicular access serving Kingdom Hall to

provide the vehicular access for that use, and the proposed dwellings. The LHA have raised no objections to the proposed improvements to the existing access. It is considered to be of sufficient width to enable two way traffic, and all requisite visibility splays. There is an existing dropped kerb serving the current public open space which would become redundant following the development. The LHA requires that this be stopped up by way of a planning condition which would be reasonable and in the interest of highway safety.

The Councils Waste Officer has raised no objections to a refuse collection vehicle reversing from Hallfields Lane to the application site. As noted above, the Developer would need to sign a waiver to allow a refuse collection vehicle to service the site. Subject to signing a waiver, it is considered details of tracking could be secured by planning condition.

In accordance with LP8, one of the requirements is that the development would be accessible by non-car means to essential services and community facilities. Immediately in front of 30 Hallfields Lane, the host dwelling, are two bus stops, which are regularly serviced by the No. 62 and Citi 2 bus services, which connects to the City Centre and Peterborough City Hospital.

Satisfactory off-street parking would be provided to serve the development, and subject to securing a single width dropped kerb for 30 Hallfields Lane and satisfactory tracking for a refuse collection vehicle, the development would not give rise to an adverse highway safety hazard, and the proposal would accord with Policy LP13 of the Peterborough Local Plan (2019).

There is an historic pedestrian access which crosses the application site, however, this is not an adopted public right of way. Irrespective of this, the scheme as submitted would re-provide this pedestrian access, however, as discussed in detail below this would give rise to concerns of vulnerability to, and fear of, crime and anti-social behaviour.

For the avoidance of doubt, this does not overcome the other reasons for refusal set out elsewhere within this report.

e) Neighbour Amenity

The application site is bounded by residential development to the west, north and east.

Whilst there are no prescribed separation distances in local or national policies, the following distances are widely accepted by Councils across England. As a minimum, a back-to-back separation distance of 21 metres between a facing principal windows and/or primary amenity areas should be provided, 18 metres where this relationship would be off-set, or 14 metres where a principal window faces onto a blank two storey building. Where a three storey building faces a two storey building, a separation distance of 25m would be expected. In areas where there are very good levels of privacy and amenity, these distances would be expected to be exceeded.

30 Hallfields Lane

This property is a semi-detached two-storey property with a flat-roof single storey rear extension. There would be a separation distance of 15.2m from the rear wall of this dwelling to Unit 1, and 10m from the single storey element. Further to reviewing the planning history, it is not clear what this single storey element serves, however, given the size of the window it is reasonable to consider it serves a principle space, such as a kitchen area.

Given the distances involved, Unit 1 would result in an unacceptably adverse overbearing impact on the amenity of No. 30 Hallfields Lane. Further to this, the proposed development would significantly reduce the garden serving No. 30 Hallfields Lane. Whilst this property would retain a garden area, it would be tapered and is not considered to be commensurate in size or scale to the dwelling it would serve. As such, the proposed development would have an unacceptably adverse harmful impact on the amenity of this neighbour, and the relationship is not accepted in this instance.

44 Swale Avenue

This property is situated north of the application site; given the juxtaposition of the proposed dwellings, which would be 45 degrees to the access road, the first floor element of Unit 2 would directly overlook the rear facing openings and primary amenity space of this neighbouring dwelling. There would only be a separation distance of 18m and 13m respectively, therefore the proposal would have a wholly unacceptably adverse impact on the amenity of this neighbour.

It is noted that the proposal would introduce additional landscaping along this boundary, however, landscaping should not be used to hide unacceptable development, and does little to mitigate this adverse relationship, particularly so as Officers cannot seek retention in perpetuity or require that the landscaping is not trimmed. As such, the proposed development would have an unacceptably adverse harmful impact on the amenity of this neighbour, and the relationship is not accepted in this instance.

46/48 Swale Avenue

Given the juxtaposition of the first floor element serving Unit 3, and implementing the 45 degree horizontal and vertical rule, the proposal would not result in an unacceptably adverse loss of amenity to this neighbour, and the relationship is accepted in this instance.

Conclusion

In conclusion, the proposed development would result in an unacceptably adverse loss of outlook to 30 Hallfields Lane and it would unacceptably reduce the amount of garden area serving this dwelling. Further, it would also result in an unacceptably adverse loss of privacy to No. 44 Swale Avenue. As such, the proposal would be contrary to Policy LP17(a) of the Peterborough Local Plan (2019).

f) Amenity of Future Occupiers

Unit 1 would have an internal floor area of 4.7m x 3.8m, a total floor area of 35.72sqm, however, the usable internal floor space is reduced when taking into considering the internal staircase (2.6sqm), reducing the useable space to 33sqm.

There are no minimum space standards for new dwellings set out within the Local Plan. However, the Government has made the Technical housing standards – nationally described space standard (NDSS, March 2015) – a requirement for all new dwellings subject to change of use through the prior approval process and therefore Officers are of the view that this should be used as a benchmark in determining acceptably internal amenity space. The NDSS states for a 1-bed 1x person dwelling, which is served by a shower, a minimum of 37sqm is sought to be achieved. Whilst there would be a shortfall of only 4sqm, 33sqm is incredibly small for a self-contained dwelling, whether this be for a temporary or more permanent period, and is wholly out of keeping with the house types within the locality. With the exception of the constraints of pre-fabrication, there is no justification or mitigating circumstances for proposing such a small floor area, for example it is not the conversion of a listed building.

In addition to the substandard floor space proposed to serve Unit 1, it is noted that a primary habitable window serving a bedroom would be provided at ground floor. When considering the juxtaposition of this window to the communal car parking area, the spaces which are allocated for Unit 2, and the position of the front door serving Unit 2, this window would be afforded little to no privacy through the coming and going of neighbouring occupiers. As such, future occupiers would be forced to close their curtains or blinds for the majority of the day to be afforded any privacy, resulting in an unacceptable outlook, as well as an unnecessary reliance on artificial light.

With respect to Units 2 and 3, further to reviewing the internal layout of these dwellings, it is noted that there would be ground floor windows serving primary habitable rooms on the front elevation. When considering the juxtaposition of the pedestrian route linking Hallfields Lane to the area of Public Open Space to the east, as well as the footpath link to Swale Avenue, again, future occupiers would be forced to draw their curtains or blinds for the majority of the day to be afforded any privacy, resulting in an unacceptable outlook, as well as an unnecessary reliance on artificial light.

Further, it is not considered that the principal rooms at ground floor, by reason of layout, would be afforded a satisfactory outlook. For example, Unit 3 would have a ground floor rear facing bedroom, the outlook of which would only be 3 metres.

The Council's Pollution Control Officer has objected to the proposal, raising concerns with the compatibility of the internal layout for the pair of semi-detached dwellings. For example, Unit 1 would have a first floor kitchen/diner, whereas at the first floor of Unit 2 bedrooms are proposed. As future occupiers could work shifts, or use their dwellings differently to one another, this could result in occupiers of Unit 1 using their kitchen during the hours that others would typically sleep, which would adversely impact the amenity of future occupiers in the adjacent bedrooms. As such, the internal layout could result in unacceptable levels of noise and disturbance, and would not provide satisfactory amenity for future occupiers. It's important to emphasise that it would not be possible to fully mitigate noise through the Building Control process, and would be required to be mitigated at the planning stage through internal design.

As expanded upon above, the development could lend itself to vulnerability to, and a fear of, crime and anti-social behaviour, which would further detract from the amenity of future occupiers.

As such, it is not considered future occupiers would be afforded satisfactory living conditions, and the proposal would be contrary to Policy LP17(b) of the Peterborough Local Plan (2019) and Paragraph 130(f) of the NPPF (2021).

In addition to the above, Policy LP8 states that residential development for vulnerable persons should seek higher access standards so that sufficient choice is available in the market for people with particular needs, such as the requirement for wheelchair accessible homes, or homes which could be adapted over a person's lifetime. Part M (Volume 1) of Building Regulations (October 2015) sets out these additional higher standards. Any dwellings identified as needing to meet the policy requirement for any of these standards should have regard to this section of the Building Regulations. Based on the information provided it is not considered that Unit 1 would meet building regulations.

g) Biodiversity

Trees

The Council's Tree Officer has raised no objection to the proposal, advising that the site is not within a Conservation Area and there are no longer any protected trees covered by the Tree Preservation Order (TPO) No. 03/1979 [79/00003/TPO] on the site.

Conditions are however sought with respect to securing a soft landscaping scheme for the site, as well as details of soil volumes for the tree species being planted in each location and root protection barriers. Subject to these conditions, the proposal would make provision for a satisfactory landscaping scheme for the site, and would accord with Policies LP16 and LP29 of the Peterborough Local Plan (2019).

Wildlife

The Council's Wildlife Officer originally raised no objections to the proposal, however, this was on the understanding that the application site was residential garden land and not an area of public open space. Further to clarification from the Case Officer, the Council's Wildlife Officer has noted the overgrown nature of the site, and therefore considers the application site as having high biodiversity value. Owing to the fact that a large amount of the site would be lost to development and/or intensively managed garden land, it is not considered that the development would give rise to a biodiversity net gain, as claimed by the supporting information. Indeed, given the scale of development and the amount of natural habitat lost, it is not considered that it would be viable to secure a biodiversity management and maintenance plan, given the amount of habitat lost and the amount of work required to off-set this loss

Whilst conditions could be attached securing additional a robust soft landscaping scheme, the proposed development would result in the loss of an area identified as having high levels of biodiversity, and insufficient information has been provided to demonstrate the proposal would either maintain the biodiversity value of the site, or result in a biodiversity net gain. As such the proposal would not accord with Policy LP28 of the Peterborough Local Plan (2019).

h) Fire

Cambridge Fire and Rescue have objected to the proposal, advising that access for fire appliances may be considered inadequate. Whilst access and facilities are typically considered at the Building Control stage, if access for fire appliance is not considered possible at the planning stage, permission should be refused.

It is anticipated that fire appliance could access the site from Hallfields Lane, or an alternative method such as a sprinkler system could be introduced, however, at the time of writing this report insufficient information has been provided which demonstrates that the proposed development could make provision for fire appliance, therefore the proposal would be contrary to Policies LP13 and LP16 of the Peterborough Local Plan (2019).

i) Other Matters

The following matters were raised within letters of representation, not addressed within the report above:

- Insufficient parking to serve the number of dwellings and bedrooms proposed;

Officer Response:- The Local Highway Authority have responded advising satisfactory parking and access would be provided to serve the development.

- How would it be possible to enforce a clause of only 1 car per dwelling?

Officer Response:- It would not. The wording of conditions must accord with the six tests, as set out under Paragraph 56 of the NPPF (2021). They must be reasonable, necessary, enforceable etc.

- Could the pub site not be used for these houses?;

Officer Response:- An application submitted on the adjacent pub site is not before Officers; Officers cannot choose which sites come forward, and must determine the application before them.

- Litter

Officer Response:- There is nothing to suggest the erection of 3x dwellings would exacerbate issues of litter within the area.

- A letter was received raising a number of questions, which are answered below:

- Has a formal decision been made yet? – The Application is to be determined by the Planning and Environmental Protection Committee.

- Is the land not owned by the City Council? If not who owns it, and if it is then how much is it being sold for? – This is not a material planning consideration.

- Is the footpaths, worn as it is, not a public right of way? – It is not an adopted public right of way.

- What measures or safety improvements will be introduced, at the vehicle entrance to ensure safety for pedestrians, cyclists and to prevent cars simply parking up at this location? – This is discussed above, under Access and Parking.

6 Conclusions

The proposal would go towards providing accommodation for up to and including 8 vulnerable persons, which weigh in favour of the proposal, however, the proposal would result in the loss of public open space which is not surplus to requirement, the development would be contrary to the established character of the area and give rise to vulnerability to crime and anti-social behaviour, it

would harm neighbour amenity or provide satisfactory accommodation for future occupiers, and would have an adverse impact on the biodiversity value of the site. As such, when considering the proposal in the planning balance, the benefits of the proposal do not outweigh the identified harm.

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

7 Recommendation

The case officer recommends that Planning Permission (Regulation 4) is **REFUSED** for the following reasons:

- R1 The proposed development would result in the loss of 1,370 square metres of public open space, in an area where it is expected to see a population increase of 73% by 2036. It has not satisfactorily demonstrated that the area of public open space is surplus to requirement during the plan period, that the loss would be replaced by an equivalent or better provision in terms of quantity and quality, in a suitable location, and the proposal would not for an alternative recreational provision. Whilst there are public benefits of bringing forward housing for vulnerable persons, this is not considered to outweigh the significant harm arising as a result of losing public open space, and the proposal would be contrary to Policies LP16 and LP23 of the Peterborough Local Plan (2019), and Paragraph 99 and 130 of the NPPF (2021).
- R2 The proposed development would result in the reduction of a garden serving No. 30 Hallfields Lane, so that it would no longer reflect the established pattern of development of the area. Further, the proposed layout would be at odds with the established character and pattern of development of the area, and the design of the dwellings would not reflect the established size, scale, massing or palate of materials found within the immediate locality. This unacceptably adverse impact would be exacerbated as these dwellings would be visually prominent from the public realm. As such, the proposed development would be not respond to the established character or pattern of development of the area, and would be contrary to Policy LP16 of the Peterborough Local Plan (2019) and Paragraphs 130 and 134 of the NPPF (2021).
- R3 Due to the juxtaposition of Unit 1 to 30 Hallfields Lane, this would result in an unacceptably adverse loss of outlook to this neighbour, and it would reduce the amount of garden area serving this dwelling, to an unacceptably harmful degree. Further, the proposed development would result in an adverse loss of privacy to rear openings and the primary amenity space serving No. 44 Swale Avenue, also to an unacceptably harmful degree. As such, the proposed development would not preserve the amenity of neighbour occupiers, and would be contrary to Policy LP17(a) of the Peterborough Local Plan (2019).
- R4 By reason of its internal layout, Unit 1 would not be provided with satisfactory living conditions for a single person. Further, given the juxtaposition of the ground floor window serving Unit 1's only bedroom and the communal car park, this primary habitable room would not be provided with a satisfactory outlook or privacy, where there would be an unnecessarily reliance on artificial light to be afforded such. With respect to Units 2 and 3, given the juxtaposition of principle windows serving primary habitable rooms and the pedestrian link between Swale Avenue to Hallfields Lane, future occupiers would not be provided with a satisfactory outlook or privacy, where there would be an unnecessarily reliance on artificial light to be afforded such. In addition to this, given the internal arrangement of Units 1 and 2, this could give rise to adverse levels of noise and disruption to future occupiers, and the ground floor bedroom serving Unit 3 would have an outlook of only 3m, which would be an unacceptable outlook serving a primary room. As such, future occupiers would not be provided with satisfactory living conditions, and the proposal would therefore be contrary to Policy LP17(b) of the Peterborough Local Plan (2019) and

Paragraph 130(f) of the NPPF (2021).

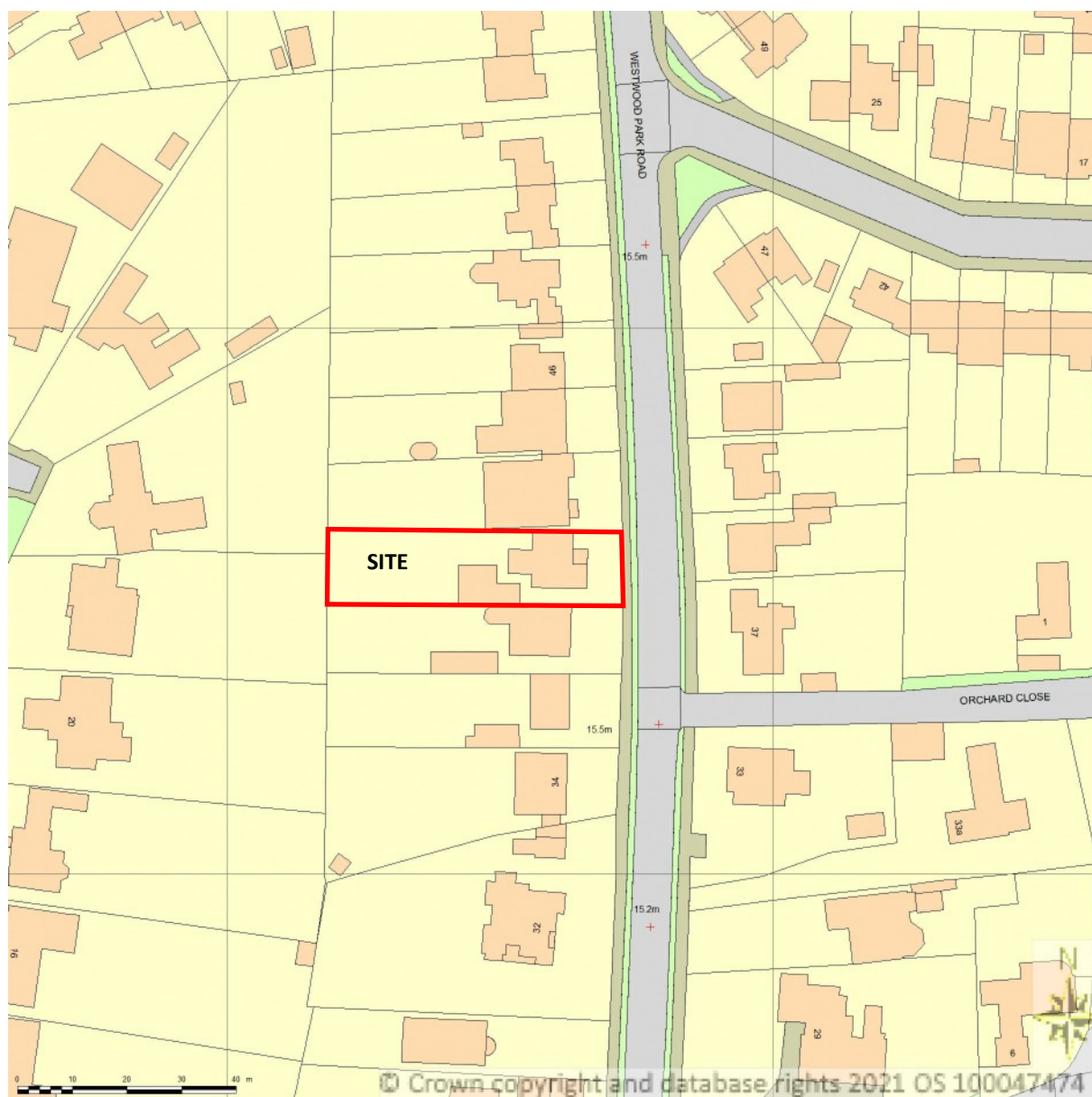
- R5 Due to the internal layout of proposed Units 1 and 2, this would introduce bedrooms adjacent to kitchen/lounge areas and as these dwellings would be within separate occupancy, it is reasonable to expect that future occupiers would lead different lives, and use their bedrooms and living rooms at different times of the day. As such, this could result in adverse levels of noise and disturbance between future occupiers leading to an unacceptable level of amenity. Therefore the proposal would be contrary to Policies LP16 and LP17 of the Peterborough Local Plan (2019) and Paragraph 130(f) of the NPPF (2021).
- R6 The proposed pedestrian link between Swale Avenue and Hallfields Lane would not provide a clear sightline, be unduly narrow, and would give rise to concerns of vulnerability to crime. In addition to this, the pedestrian link would not benefit from good levels of natural surveillance, and there would be little territoriality between the public realm and the proposed development. The proposal would therefore give rise to issues of anti-social behaviour and crime which would be to the detriment of future occupiers and the amenity of the wider area. As such, the development would be contrary to Policies LP16 and LP17 of the Peterborough Local Plan (2019) and Paragraphs 130 and 134 of the NPPF (2021).
- R7 To facilitate the development proposed, a large amount of existing natural features would be required to be removed. These features contribute to the application site benefitting from high levels of biodiversity value. Insufficient information has been provided to demonstrate that the biodiversity value of the site would either be maintained or enhanced, and therefore the proposed development would be contrary to Policy LP28 of the Peterborough Local Plan (2019) and Paragraph 174 of the NPPF (2021).
- R8 Insufficient information has been provided which demonstrates that the application site could be satisfactorily serviced by fire appliance in the event of emergencies. As such, the development does not accord with Policies LP13 and LP16 of the Peterborough Local Plan (2019).

Copies to: Councillors Bond Andrew, Bond Sandra and Tyler Bryan

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SITE LOCATION PLAN
AREA 4 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 517660 , 299058



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Application Ref: 21/01734/HHFUL

Proposal: Part two storey part single storey rear extension, new porch to front elevation, loft conversion with 7 rooflights on front, sides and rear of roof.

Site: 40 Westwood Park Road, Peterborough, PE3 6JL,
Applicant: Mr Mohammed Imran

Agent: Mr Paul Sharman
 Sharman Architecture

Site visit: 21.10.2021

Case officer: Mrs Shaheeda Montgomery
Telephone No. 01733 4501733 453410
E-Mail: Shaheeda.Montgomery@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

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

Site and surrounding area

The surrounding area on Westwood Park Road is characterised by properties of generous proportions, generally set within large plots and benefitting from deep, well-proportioned rear gardens. The properties are generally sited with approximately 6-10m set back from the road and there is a variety of architectural design styles and features. The application site and adjoining properties at No.38 and 42 Westwood Park Road have been extended in the past with built development close to the side boundaries.

The application site is located close to but not within the Westwood Park Special Character Area.

It comprises a detached two-storey four-bedroom gable fronted dwelling set back from the highway with a gravelled area to front and a side driveway leading to a detached single garage sited towards the rear of the dwelling. The front driveway can accommodate two car parking spaces. A 6.5m x 6.5m summer room abuts the garage on its rear elevation with a hip roof. The property itself has been previously extended and benefits from a large rear garden.

Proposal

The application seeks planning permission for the following elements:

- alterations to the principal elevation to create an enclosed porch;
- the removal of the existing garage and summer room and replacement with a ground and first floor rear extension.
- the ground floor rear extension with 3nos. roof lights, would have an overall depth of 12.8m providing an open plan kitchen, dining and living area. Part of the ground floor extension would project 8m beyond the first floor extension with a flat roof to a height of 3.3m. On the south (towards No.38 Westwood Park Road) this single storey height section of the ground floor rear extension would project up to the line of the rear wall of the existing summer room and to the north (towards No.42 Westwood Park Road) the extension would be cut back from the shared boundary line by 3.43m
- the first floor rear extension would extend by 4.7m providing 2 en-suite bedrooms. It would have a hipped roof to match the existing dwelling; and

- loft conversion for two en-suite bedrooms with rooflights.

The application is a re-submission with an amendment to the previous application reference 21/00832/HHFUL, which was refused in October 2021 for the following reason:

R1- Neighbour amenity

The proposed development, by virtue of its siting, height, scale and orientation of the single storey rear extension, would result in an unacceptably overbearing impact to the adjacent residential dwelling of No.42 Westwood Park Road. The proposal would result in significant overbearing impact to the immediate outdoor amenity area and main habitable spaces located to the rear of the property such that unacceptable harm to the amenity of occupants would result. The proposal is therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

2 Planning History

Reference	Proposal	Decision	Date
96/P0825	Erection of conservatory and new detached garage/garden room/playroom (as amended by revised plans received 6 January 1997 - drawing number TL/P96/01A)	Permitted	11/03/1997
98/00546/FUL	Rear extension (including garage, conservatory and garden/play room)	Permitted	18/06/1998
05/01955/FUL	Two storey front extension	Permitted	03/02/2006
21/00832/HHFUL	Proposed two storey and single storey rear extension, loft conversion with the installation of roof lights and alterations to the front porch	Refused	21/10/2021

3 Planning Policy

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

Peterborough Local Plan 2016 to 2036 (2019)

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.

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

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.

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.

4 Consultations/Representations

Local Residents/Interested Parties

Initial consultations: 6

Total number of responses: 4

Total number of objections: 4

Total number in support: 0

Four letters of objection have been received from three neighbours, raising the following concerns.

Design and neighbour impact

- Scheme is a huge over development, potentially for rental use, and would totally degrade the current status of the area.
- Objections to this second application remain substantially the same as my objections to the previous application 21/00832/HHFUL in that the proposal is overdevelopment of the site due to the siting, height and scale. With seven bedrooms the proposal have a capacity for 14 people.
- The extension still extends nearly 5m forward of the natural building line of the single storey elements of No.38 and No.42 which should be reduced in depth back to the natural building line at ground floor level.
- The first floor extension still sits forward of the natural building line at first floor level between No's 38 and 42 and should be reduced in depth back to natural building line at first floor level.
- If the Juliet balconies were approved there will be potentially, temptation to remove these at a later date and use the roof of the single storey element as a balcony creating overlooking issues for No.38 and 42. Removal of the use as an accessible balcony should be included as a condition should any permission be granted.
- The development would result in unacceptably overbearing impact on adjacent residential dwelling of No.42, extending beyond the current established building line of the single storey rear extension at No.42.
- The development would come too close to the boundary wall which is a structural wall and living room situated on the other side at No.42. I suggested should push it back by 1.3m towards the boundary with No.38 which would not be so impactful. It is perfectly reasonable for planners to suggest (the above) to the applicant.

- The proposed ground floor and first floor (single storey) new wall extensions abut right up against the boundary line between the two properties, leaving merely the width of a house brick on the applicant's side. Digging fresh footings so close to my existing boundary wall will undermine the structural integrity of my property at this point and consequently affect the use and enjoyment of our family living room area
- Secondly, I am advised that a gap of 1.5 metres as a minimum should be established between any new wall extension and our existing boundary wall and wooden fence boundary to prevent any such settling or other structural damage to my property following any new works. In addition, the advantage of having such a minimum gap will enable both the applicant and myself to gain adequate access between our respective properties to maintain and repair our respective walls. The Access to Neighbouring Land Act 1992 (as amended) permits access to adjoining or adjacent land for the purpose of carrying out maintenance or preservation works to one's own property. The applicant's current plans would prevent me from being able to carry out my legal rights to maintain my property as the gap is wholly insufficient for anyone to carry out any such works. The applicant does not have a legal right to extend/develop his property in such a way that deprives me of my legal rights to have adequate access to maintain my boundary wall.
- the proposed single storey extension at ground floor level should not extend beyond the building line of the existing single storey extension at the rear of No.42. Currently, it appears to extend just under a metre (975cm) forward of that line. In addition, the current plans indicate that the single storey extension roofline will tower 1.5 metres (in a straight line) above the existing 1.8 metre wooden boundary fence between the two properties. This will have an over bearing and detrimental effect on the light to our single storey extension at that end via our windows and roof lights, and its proximity to our extension, siting, scale, size, and height will affect the use and amenity of both the inside and outside areas which are used as a communal play area by our children and their friends.
- the proposed first floor (or double storey) extension should not extend beyond the building line of the existing double storey extension at the rear of No.42. This will also remove any potential overlooking issues from Bedroom 2 into our windows and roof lights at that end where our children congregate.

Car parking

- Car parking issues due to additional activity in the dwelling.
- Parking is a real issue on Westwood Park Road. The site can only safely park 3 cars and given its likely occupancy the proposal will increase the on-street parking.

Trees

- Westwood Park Road is enhanced by the mature trees and planting both in rear and front gardens which adds to the attractiveness and character of the area. I would agree with the tree officer's comments on the previous application that a detailed landscaping scheme should be provided as a condition should any permission be granted.

Other matters

- The applicant is developer and has already asked the owners of properties nearby if they wish to sell.
- Seven bedrooms and seven en-suite bathrooms indicate multi occupancy and potentially seven vehicles.
- To be unable to carry out maintenance or prevention works on this boundary wall would have a detrimental effect on the value of my property.
- The wooden fence boundary line between us is the responsibility of (the applicant).
- As the City Council is the local planning authority in this matter, it has a duty to act reasonably and to avoid issues that can cause conflict between neighbours.

In addition, the Council received comments from **Councillor Wayne Fitzgerald** with the request that the application be referred to committee because of concerns from an adjacent neighbour who has not been able to get his Ward Councillors to call the application in to the Planning and

Environmental Protection Committee. Councillor Fitzgerald has not provided his own views regarding the Officer recommendation but has provided a sound planning-related reason which differs from Officer recommendation which accords with the requirements of the Council's Constitution.

5 Assessment of the planning issues

The main considerations are:

- Design and impact on the character of the site and surrounding area,
- Neighbour amenity
- Highway safety and parking provision
- Trees

a) Design and impact on the character of the site and surrounding area

The application site is in close proximity to the Westwood Park Road Special Character Area. Accordingly, the Council's Conservation Officer was consulted on due to the proximity of the application site to the Special Character Area and has not raised any objections.

The proposed development would be of large proportions and Officers note the proposal would change an existing four bedroom dwelling into a sizeable seven bedroom with en-suite bathrooms and result in a footprint which would be larger than adjacent properties on Westwood Park Road.

Notwithstanding, the increase in the footprint of the dwelling would be 40%, and as a proportion of the available open space, the proposed scheme would not lead to the overdevelopment of the application site itself. It would, however, bring the extent of potential development on the site close to its limit before resulting in adverse impact on the amenity of the site and surrounding area.

Officers note that properties along the western side of Westwood Park Road immediately north of the application site are generally built up to span the width of the plots and do not provide for visual relief by way of gaps between the properties. As such, there is evidence of existing development with roof eaves which overhang the boundary line or development which are sited on or hard up against the boundary line.

The generous size of the application site itself would be able to absorb the current proposal whilst retaining an adequate portion of the garden amenity space, which would be in character with the existing development pattern of the area, where development is sited across the width of the plot towards the front and with sizeable open garden to the rear.

In addition, Officers note that the main volume of the proposed development would be to the rear of the existing dwelling as well as absorbed within the loft conversion and hence, it would not impact significantly on the streetscene or the wider public realm. However, Officers acknowledge that the outlook from the rear garden spaces in the surrounding would be altered by the massing of the proposal and by virtue of the proposed development projecting further out from the predominant building line as existing along the rear of the properties on the west side of Westwood Park Road. This is however, not adequate basis for a refusal on its own merit.

The proposed alterations to the principal elevation and to enclose the existing porch would not be widely viewed from the streetscene owing to the 6m setback from the public footway. Furthermore, although the application site is situated in close proximity to the Westwood Park Road Special Character Area, in light of the mixed variety of design and features in evidence within the streetscene, these proposed alterations would not be considered to have an unacceptable level of harmful impact on the setting and surrounding area. This is in line with comments received from the Council's Conservation Officer with regards to the previous application, which supported Officers view that the proposed development would not have an unacceptably adverse level of impact on the setting and surrounding area and would not be of significant level to warrant a

refusal.

The proposed development would be finished in facing brickwork with roof tiles and fenestration to match the host dwelling which would ensure that the proposed alterations would be integrated into the existing dwelling without appearing awkward or incongruent.

It should also be noted, that whilst the previous application (reference 21/00832/HHFUL), for very similar development, was refused, it was not refused on the basis of harm to the character of the area.

On the basis of the above, it is considered that on balance the proposal would be in accordance with Policy LP16 of the Peterborough Local Plan (2019).

b) Neighbour amenity

The main impact of the proposals would be on the occupants of 38 and 42 Westwood Park Road which are considered in turn below.

42 Westwood Park Road

No.42 is located due north of the application site and benefits from a two storey and single storey rear extension sited close up along the shared boundary. The single storey rear extension contains a kitchen and living area with an outdoor seating area and garden beyond.

The proposed first floor level rear extension would project beyond the rear wall of the existing two storey development at No.42 by 1.1m. The proposed single storey rear extension would be of a staggered arrangement, projecting 975mm beyond the rear elevation of No.42 immediately adjacent to the shared boundary, before extending a further 3.6m set in by 3.4m from the shared boundary. The ground floor element has been amended in this regard to overcome the reason for refusal relating to application reference 21/00832/HHFUL.

At first floor level, Officers note that considering the 45 degree rule and the 1.1m depth of the projection of the proposed first floor extension, the proposal would not result in a significant loss of light or overshadowing impact on the amenity of the first floor bedrooms and ground floor kitchen and living area of this adjacent property. Furthermore, whilst the existing ground floor extension at No.42 incorporates roof lights, only one roof light situated closest to No.40 would be affected by some level of overshadowing for a limited time of the morning. In addition, Officers note that the roof lights are not the primary source of light and outlook to these main habitable spaces due to there being windows and bi-fold doors facing the garden.

The proposed ground floor extension would be sited with a small gap of 310mm from the shared boundary and project 975mm beyond the rear wall of the ground floor kitchen and living area at No.42 immediately adjacent to the shared boundary. The extension would then 'dog leg' and extend further to an overall projection of 4.5m beyond the rear elevation of No.42, but this would be at a distance of 3.4m from the shared boundary. Officers are of the view that whilst the proposed single storey rear extension would still be visible above the 1.8m closed board fencing, on balance, this would not result in an unacceptable level of harm to warrant a refusal given the minimal projected depth closest to the shared boundary and the degree of separation to the larger ground floor element. It is considered that the proposal would not result in an unacceptable level of overbearing or overshadowing impact to the occupants of No.42.

No.38 Westwood Park Road

This southward adjacent property comprises of a two-storey dwelling with a rear conservatory. The existing garage and summer room at the application site is located 150mm from the southward shared boundary. The existing summer room already projects forward of the conservatory at 38 Westwood Park Road with eaves height of 2.5m sited next to the boundary.

The proposed first floor level rear extension would have its rear wall projecting 0.5m further from the rear wall of the dwelling at No.38. Considering the orientation, scale and depth of this additional projection beyond the line of existing development at No.38, the proposed scheme would not result in adverse level of overbearing or overshadowing impact on the living accommodation of the neighbouring property. A condition shall be imposed which prevents any further windows within this rear elevation, which may give rise to additional overlooking to this neighbour.

Looking to the proposed ground floor extension, Officers note that the existing garage and summer room are located close to the shared boundary. The proposed ground floor extension would be in line with the existing rear wall of the summer room albeit with a greater relief between the two properties, with a gap of approximately 1m. Considering the height of the existing hipped roof of the garage and summer room along the southern boundary, and the proportions of the proposed scheme in the same position, the proposal would not result in an unacceptable level of increase in overbearing or overshadowing impact on this southward neighbour than the current situation.

Impact of Juliette Balconies

The proposal would include two Juliette balconies on the first floor level which have received objections from neighbours. There are four existing rear windows on the first floor level of the host dwelling, with the window closest to No.42 serving a main habitable room and the rest serving bathrooms, and for this reason Officers acknowledge that a degree of overlooking currently exists. Whilst the proposed development would further extend the building line at first floor level to the rear; the potential for overlooking and loss of privacy impact on the neighbouring properties would not be adversely increased by the siting of the Juliette balconies. Officers note that the concerns around this element of the proposal also hinge on the potential for the flat roof of the proposed ground floor extension being altered in future to provide accessible space as a balcony. Therefore, in the event of this application being approved, a condition would be added to prevent increased loss of privacy in case future alterations may lead to an accessible roof or creation of a balcony, with the condition secured in perpetuity.

Officers also note that there is an existing conservatory located at No.38 which would also be affected by this element. The Juliette balcony nearest No.38 would be located approximately 4.2m from the south boundary of the application site and that nearest No.42 would be sited 1.4m away from the north boundary. The viewing angle from these Juliette balconies, considering the location as well as the eye level of a person standing at the first floor level looking towards the conservatory at No.38 or the roof lights on the rear extension at No.42 would be relatively narrow. Officers note that a degree of overlooking is possible, albeit not enough to warrant a refusal based on the fall-back position of existing windows and the viewing angle from the proposed Juliette balconies.

Based on the above, Officers note that whilst the proposed development would result in increase in potential overlooking impact to No.42 and No.38 as well as a degree of overshadowing impact to No.42, based on the fall-back position and the depth of projection at first floor height, these would not be of an unacceptably harmful level to justify a refusal. In addition, the corner cut back design of the single storey extension on its northern flank ensures that on balance, impact on neighbour amenity to No.42 would not be of an unacceptable level and as such, the proposal as submitted would accord with Policy LP17 of the Peterborough Local Plan (2019).

c) Highway safety and parking provision

The proposed development would increase the number of bedrooms to seven whilst a small existing garage would be removed as part of the proposal. Notwithstanding, the internal dimensions of the existing garage would not comply with current car parking standards set by the Council. In addition, the Council's parking standard requirement for new residential dwellings with upwards of four bedrooms is two on-site spaces, which the application site would adequately provide.

The application site benefits from gravelled area to the front of the dwellinghouse, of clear dimensions of approximately 6m deep x 13m width with access off the carriageway. Therefore, based on the Council's parking standards for residential dwellings of similar size, Officers consider there to be adequate on-site car parking space available to the occupants which comply with the Council's parking standards and therefore, the proposal would not lead to highway safety issues, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

d) Trees

It is noted that officers sought consultation from the Council's Tree Officer with regards to the initial scheme submitted under application reference 21/00832/HHFUL due to this former scheme consisting of a proposed annexe sited close to mature trees which were within the neighbouring properties. At the time of the previous application, the Tree Officer made note of the trees and greenery which has been felled or removed from the application site and made recommendations to secure a landscaping plan to replace these lost trees/greenery by way of a condition

The Tree Officer was not consulted on for the current application, as is normal where a proposed development is not seen to impact trees.

There are objections received from neighbours regarding the trees and greenery which had been felled or removed from the application site in the weeks before the previous application was validated. However they did not benefit from Tree Preservation Orders nor did they form part of a woodland area. In addition, aerial views of the area from before the trees were felled show that the trees and greenery removed on site were not within or near to the siting of the proposed development.

Officers have deliberated on the matter and consider that whilst trees and greenery would contribute positively to the urban setting and environment, and that the felling of the existing trees on the application site was regrettable, the activities were carried out before the application could be assessed or site visit carried out, and in the absence of an existing Tree Preservation Order, Officers would not be able to justify the attachment of a landscaping condition in this instance for a residential dwelling.

Based on the above, it is considered that on balance, the proposal would accord with Policy LP29 of the Peterborough Local Plan (2019).

e) Other matters:

Representations received from neighbours also included the following concerns:

- Concerns regarding proposed development sited against boundary and request from No.42 that the Council should mediate between the neighbours

The proposed scheme has been assessed on planning merits and Officers would not be able to mediate between neighbours over planning applications as this is a matter outside of the planning assessment. A proposal sited close to a shared boundary would be subject to serving notice under the Party Wall Act 1996. However, this would be a civil matter between adjacent neighbours and separate from obtaining a planning permission and thus, would not fall within the remit of assessing this planning application. If the application is successful, an informative on Party Wall Act 1996 would be included with the decision notice issued by the planning authority for the benefit of the applicant. Officers have explained to the neighbours that mediation between neighbours would not be a matter which the Council can intervene in.

- Further concerns raised regarding the proposed development would be for potential rental/resale, de-valuation of neighbouring properties as a result of the proposed development, and potential multiple occupancy

Officers assess a planning application only on material planning concerns and for its own merit. Therefore, the points above do not come under the remit of this planning application nor form a

material planning consideration.

6 Conclusions

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

- The proposal would not unacceptably impact upon the character and appearance of the site and the surrounding area, in accordance with Policy LP16 of the Peterborough Local Plan (2019).
- Neighbours surrounding the application site would retain an acceptable standard of amenity, and is considered that on balance would comply with Policy LP17 of the Peterborough Local Plan (2019).
- The proposal would meet the Council's parking standards as required for dwellings of this scale, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

7 Recommendation

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

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

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

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

- Site Location Plan (received 02 November 2021)
- Existing Site Plan (received 02 November 2021)
- Proposed Site Plan (received 02 November 2021)
- Existing Ground Floor Plan (Drawing No: WPR/05/A)
- Existing First Floor Plan (Drawing No: WPR/06/A)
- Existing Elevations (Drawing No: WPR/07/A)
- Proposed Ground Floor Plan (Drawing No: WPR/15/E)
- Proposed First Floor Plan (Drawing No: WPR/16/E)
- Proposed Second Floor Plan (Drawing No: WPR/17/E)
- Proposed Elevations (Drawing No: WPR/18/F)

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 external surfaces of the development hereby permitted shall match those used in the existing dwelling.
No development other than groundworks and foundations shall take place unless and until details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling (samples);
- Roofing (samples);

- Windows and doors;
- Roof lights; and
- Rainwater goods.

The samples/details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details and thereafter retained as such.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 4 Notwithstanding the provisions of Part 1 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the first floor level Juliette balconies hereby permitted serving Bedroom 1 and Bedroom 2 (as identified on drawing number WPR/16/E) shall always be fitted with guard screens and shall not be used to gain access to the flat roof of the single storey rear extension. That flat roof area shall not be used as a balcony, patio or outdoor seating/amenity area at any time in perpetuity.

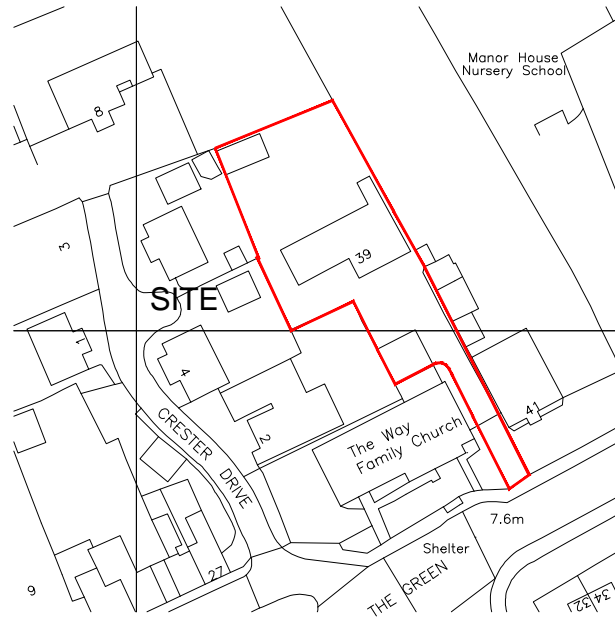
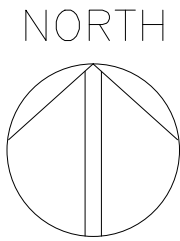
Reason: In order to protect the amenity of the adjoining occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C 5 Notwithstanding the provisions of Part 1 Classes A, B and C of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows shall be inserted into the rear elevation or roofslope of the extensions hereby permitted other than those expressly authorised by this permission or those expressly authorised by any future planning permission.

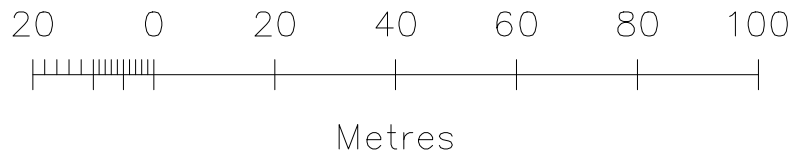
Reason: In order to protect the amenity of the adjoining occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

Copy to Councillors:

Councillor Wayne Fitzgerald
Councillor Mahboob Hussain
Councillor Amjad Iqbal
Councillor Mohammed Jamil



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	PROJECT 39 The Green Werrington Peterborough	drawn <i>wmf</i>	check
		scale 1:1250	date Aug 2021
	DRAWING Location Plan	ref 04-RA-21	number 04-RA-21
		rev -	

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Application Ref: 21/01803/HHFUL

Proposal: Proposed first floor extension to form bedroom and bathroom and to include internal alterations

Site: 39 The Green, Werrington, Peterborough, PE4 6RT
Applicant: Mr R Anton

Agent: Mr Wayne Farrar - A&S Designs

Referred by: Councillor John Fox
Reason: Proposal would not be harmful to the character of the area

Site visit: 08.12.2021

Case officer: Karen Ip
Telephone No. 01733 453405
E-Mail: karen.ip@peterborough.gov.uk

Recommendation: REFUSE

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

Site and surroundings

The application site is a 1950's period residential dwelling located on the northern side of The Green. It is sited within the designated Werrington Conservation Area and close to a number of listed buildings, including The Manor House School which is a Grade II listed building to the east.

The dwelling is set back from the main road and represents back land development, with its driveway sited between The Way Family Church, dated 1835 on the west and No.41 The Green to the east, otherwise known as Thorney Lodge which is an 18th century rubble and pantile Grade II listed cottage.

The property has previously been subject to considerable extension at two storeys by virtue of planning permission reference 12/01832/HHFUL. This has created a very large dwelling within the plot of significant width.

Proposal

The applicant is seeking planning permission for the construction of a first floor side extension to form bedroom and bathroom and to include internal alterations.

The proposed first floor extension would be sited above the existing ground floor study, with the front, side and rear elevations flush with to the ground floor footprint. With regards to the roof, an existing front gable would be extended to the width of the extension, with an additional gable to the rear. The window to the existing ground floor study would be reduced in size to match the proposed first floor window, which would serve a new bathroom.

It should be noted that this is a resubmission application of ref 21/01317/HHFUL, for which Officer recommendation was refusal. The application was withdrawn by the Applicant before the decision could be issued. This resubmitted proposal is largely the same, with the only change being a reduced sized window to the ground floor study.

2 Planning History

Reference	Proposal	Decision	Date
P1416/88/C	Erection of garage (as amended by drawing no. 915A)	Permitted	24/04/1989
10/00567/FUL	Construction of garden shed - part retrospective	Refused	27/08/2010
11/00029/FUL	Construction of garden shed - retrospective	Permitted	07/03/2011
12/00407/HHFUL	Two storey side extension	Withdrawn	15/05/2012
12/01832/HHFUL	Two storey extension to existing dwelling	Permitted	19/04/2013
21/01317/HHFUL	First floor side extension	Withdrawn	04/11/2021

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

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

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

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.

Peterborough Local Plan 2016 to 2036 (2019)

LP13 - Transport

LP16 - Urban Design and the Public Realm

LP17 - Amenity Provision

LP19 - The Historic Environment

4 Consultations/Representations

PCC Conservation Officer (06.12.21)

Objection – The proposal is of poor quality of design that fails to appear subservient to the host dwelling. It would detract from the principle architectural features and create a dominant and unrelieved principal elevation. The proposal would impact on the setting of the adjacent Grade II listed building and views from the Conservation Area.

Historic England (06.12.21)

Do not wish to offer any comments.

Werrington Neighbourhood Council

No comments received.

Local Residents/Interested Parties

Initial consultations: 9

Total number of responses: 2

Total number of objections: 1

Total number in support: 1

1no. letter of **objection** has been received by neighbour at No.41 The Green with the following concerns:

- Bulk and dominate nature of the extension given its proximity to the shared boundary
- Affect / further detract from the stone wall which was re-built

Councillor J Fox has expressed his **support** for the proposal as follows:

“I do not think it's harmful to character and therefore disagree with Officer's recommendation.”

5 Assessment of the planning issues

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding area, including heritage assets
- Neighbour amenity
- Parking provision

a) Design and impact to the character and appearance of the site and the surrounding area, including heritage assets

As set out in Section 1 above, the application site is located within the designated Werrington Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that special regard be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition, the site lies adjacent and in close proximity to a number of listed buildings. Section 66(1) of the same Act requires that special regard be paid to the desirability of preserving or enhancing the significance of Listed Buildings.

These duties are further reinforced through the National Planning Policy Framework (2019) which states that great weight should be given to the conservation of heritage assets.

Significance is one of the guiding principles in relation to assessing the impact of proposals upon the historic environment, and is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic, and it may derive not only from a heritage asset's physical

presence, but also from its setting.

The Conservation Area of Werrington, has a string of heritage assets which surrounds the application site. Although the existing dwelling itself has no distinctive character or architectural merit, due to its positioning as a backdrop, flanked by 2 heritage assets and the fact that the CA surrounds it, it is important for any developments preserve the character of the area and not result in visual harm.

Officers are in agreement with the Council's Conservation Officer's observations in relation to the proposal. It is agreed that the proposed design is of poor overall quality and would impact on the setting of the adjacent GII listed building and views from the Conservation Area.

The host dwelling has already been subject to a substantial extension to the west which has resulted in a proportionally awkward linear form. The dwelling is already unduly and overly wide, of significant horizontal mass which appears awkward. However, it is noted that this is hidden from view by the buildings on the road frontage, so therefore the visual harm is lessened.

Officers have no issues with the principle of a first floor extension in the position shown, it is the design of the current proposal which is harmful. The proposed design is fully visible from the access point from the street scene, and therefore readily visible from the public realm. The proposed extension has no subservience to the host dwelling and by virtue of extending off the side of the front projecting gable, with no sentiment of setback, this creates a further awkward linear arrangement.

The Conservation Officer has advised that the principal bay of the existing dwelling is a key architectural feature and any extension to the side should recess to allow the projecting bay with hipped roof to maintain its prominence as a key feature. The current proposal does not resemble any subservience and diminishes the effect of the principal feature of this era of building. Furthermore, by toothing the brickwork in flush, the differentiation and scarring would be entirely visible.

It was strongly advised to the Applicant that the extension be set back by 400-500mm with a small lean to roof to the existing ground floor which would result in a substantially less dominate feature in the backdrop and setting of a listed building, whilst maintaining the important design feature to balance the property. This would result in a development which would preserve the character of the area whilst achieving some additional habitable space. However, the Applicant does not wish to make the suggested amendment.

Taking the above into account, it is considered that the proposal would harm the character and appearance of the Conservation Area, detracting from its visual amenity. It would also harm the setting of adjacent Listed Buildings, such that their significance is not preserved.

The NPPF categorises harm to heritage assets as being either substantial or less than substantial. Substantial harm is generally accepted to be the total loss of the significance of an asset, which would not be the case in this instance. Therefore, the harm arising from the proposal is categorised as less than substantial. Paragraph 196 of the NPPF requires that where less than substantial harm is identified, it be weighed against the public benefits of the proposal.

In this instance, it is considered that very limited public benefit would result. The main benefit would be private, to the Applicant, through increased living accommodation and property size. And as such, the permanent visual harm to the CA and Listed Building setting would outweigh the benefit in this instance.

Based on the above, the proposal is considered to be contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019), and paragraphs 197 and 202 of the NPPF (2021).

b) Neighbour amenity

The proposed extension would be adjacent to the shared boundary with No.41 The Green. Officers understand the concerns that this neighbour has raised with regards to the bulk and mass that would result in a first floor extension being so close to their shared boundary. However, due to the siting and depth of the garden serving No.41 has, the overbearing impact from the extension is unlikely to be substantial or to a degree whereby all enjoyment of neighbour amenity is compromised. Officers accept that there would be a degree of overbearing impact, however, the impact would not be detrimental to the degree where a refusal could be sustained.

With regards to the 2no. windows proposed to the eastern side elevation (serving a bathroom and a bedroom) which would face onto the garden of No.41, these are half windows located on the higher points of the first floor. These windows would be above a height from which future occupiers could look out, and therefore no direct overlooking impact would result. With regards to the proposed front facing window, this would have the potential to result in direct overlooking and harm to neighbour amenity. However this serves a bathroom and therefore it could reasonably be conditioned to be obscurely glazed and non-opening unless the openable parts were more than 1.7m above floor level.

Due to the positioning of the proposed extension, it is unlikely to result in unacceptable overshadowing to the neighbour at No.41.

In light of the above, the proposal is considered to be in accordance with Policy LP17 of the Peterborough Local Plan (2019).

c) Parking provision

The proposal would result in an additional bedroom within the dwelling, however, there would still be enough parking spaces retained within the site to accommodate a minimum of 2 vehicles (albeit far more could be accommodated). This would therefore accord with the Council's adopted minimum parking standards.

The proposal would therefore not unduly harm the safety of the public highway, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

6 Conclusions

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

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposal, by virtue of its design, size, scale and mass, fails to respect, reflect or be subservient to the host dwelling. This represents a poor quality of design through the creation of a dwelling which appears contrived, unduly dominant and obtrusive. The proposal would be readily visible from the public realm, the Werrington Conservation Area and within the setting of nearby Listed Buildings, and would fail to preserve their character, appearance and significance resulting in harm.

The harm arising is considered to be less than substantial harm however it is not considered that the public benefits of the proposal would outweigh this harm. Therefore the proposal is contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019), and paragraphs 197 and 202 of the NPPF (2021).

Copies to: Councillors John Fox, Judy Fox and Stephen Lane