

# Public Document Pack



## PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 21 FEBRUARY 2023  
1.30 PM**

**Council Chamber - Town Hall**

### AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council.

3. **Members' Declaration of intention to make representations as Ward Councillor**
4. **Minutes of the Meeting Held on 13 December 2022** 5 - 10
5. **Development Control and Enforcement Matters**
  - 5.1 **22/00722/R3FUL - Clare Lodge 8 Lincoln Road Glinton Peterborough** 11 - 36
  - 5.2 **22/00463/FUL - Open Space Fernie Close Newborough Peterborough** 37 - 56



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### Committee Members:

Councillors: Warren, Iqbal (Vice Chairman), Jones, B Rush, Hogg, Bond, M Jamil, Hussain, Sharp, C Harper (Chair) and P Hiller

Substitutes: Councillors: N Sandford and Bi

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

**CASE OFFICERS:**

Planning and Development Team: Jim Newton, Sylvia Bland, James Croucher, Matt Thomson, Asif Ali, Molly Hood, Mike Osbourn, Karen Ip, Shaheeda Montgomery, Connor Liken, James Lloyd, Ellie O'Donnell, Keeley Tipton, Mike Osbourn, and James Melville-Claxton

Minerals and Waste: Alan Jones

Compliance: Lee Walsh and Alex Wood-Davis

**NOTES:**

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

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE  
MEETING  
HELD AT 1:30PM, ON  
TUESDAY, 13 DECEMBER 2022  
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

**Committee Members Present:** Harper (Chairman), Iqbal (Vice Chairman), S Bond, Hiller, Hogg, Hussain, Jamil, Jones, Rush, Sharp, and Warren.

**Officers Present:** Phil Moore, Principal Planning Officer  
Karen Dunleavy, Democratic Services Officer  
Chris Gordon, Planning Solicitor  
Jez Tuttle, Highways Fenland Council  
Alex Woolnough, Principal Engineer  
Asif Ali, Development Management Officer

**30. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Andrew Bond. Councillor Sandra Bond was in attendance as substitute.

**31. DECLARATIONS OF INTEREST**

Councillors Jamil and Iqbal declared that they were Ward Councillors for agenda item:22/01370/R3FU - Regional Swimming Pool Car Park Bishops Road Eastgate Peterborough, however, would take part in the discussions and decisions for that item.

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

None

**33. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING HELD ON 18 OCTOBER AND 15 NOVEMBER 2022**

The minutes of the meeting held on 18 October 2022; and 15 November 2022 were agreed as a true and accurate record.

**34. PLANNING AND ENFORCEMENT MATTERS**

**34.1 22/01370/R3FU - REGIONAL SWIMMING POOL CAR PARK BISHOPS ROAD EASTGATE PETERBOROUGH**

The Committee received a report, which sought permission for the 'erection of a two-storey building, laying of car parking and associated works, infrastructure and landscaping'. The building would form Phase 3 of the University, comprising a mixture of generic and specialist teaching, academic workspace, a living lab for active learning, engaging community research and 29 DCCORPT\_2018-04-04 2 events, social learning and study, as well as welfare support for Students. A small catering facility was also proposed. The building would have an L-shape footprint with a maximum floor area of 57m x 50m. The

element fronting Bishops Road would utilise a saw-tooth roof arrangement, standing at 12.2m in height, and the rear element would be flat roof standing at 9.6m in height. A total of 80 secure cycle parking spaces would be provided, as well as 4 accessible parking spaces served by EV charging points.

The Head of Planning introduced the item and highlighted key information from the report and the update report, which included a change on the phase 3 building drawings to decrease the size of the rectangular building.

Rob Riding, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The first Anglia Ruskin University (ARU) building opened in September 2022, with the second building due to open in spring of 2023.
- The University was already an established part of the city and the application represented the third stage of development and would cater for the science, engineering and maths education fields. There would also be a living lab that intended to engage with students, residents as well as visitors to the city, in the subject of science and technology.
- The proposed building would be open to the community as part of a pedestrian friendly campus and would host a variety of events, talks and classes.
- It was anticipated that the proposed building construction would start in spring 2023, with completion to welcome students and the public in 2024.
- The applicant had worked with Planning Officers to achieve a high-quality development on a previous underdeveloped piece of land. Furthermore, there had been no objection received from consultees, with minimal representations from residents.
- The proposed Phase three building would redevelop the existing regional pool car park. There had been enough vehicle parking available in the city to accommodate the proposed development and a recent planning approval had provided a temporary car park for the Regional Pool to the East of the building.
- There would also be an additional 80 cycle spaces provided for the proposed development in addition to what had been provided in phases one and two.
- The proposed development would provide a safe, attractive and welcoming place.
- The proposed building would be lower in height and smaller in size in comparison to the phases one and two and would complement the current buildings on campus.
- The additional highway works, that needed to be completed with the highways authority was anticipated to add an additional condition for offsite highways mitigation. This condition would be secured in the s106 agreement.
- As there were no residential students, it was not anticipated that there were plans to add a taxi rank, however, the applicant could explore the requirement in the wider master plan in the future.
- The construction was due to commence in April 2023, with completion in the summer of 2024.

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

- The masterplan would accommodate parking requirements for the University as a whole and would include the Regional Pool when completed, with disability provisions catered for.

- The plan for part phase two of the development was to provide a multi storey car park, however there was a section 73 variation of conditions application which replaced this provision with a temporary car park. The temporary car park would provide 128 parking spaces, based on studies for parking requirements for phase two and the provision for the Regional Pool car park. This was because there had been enough parking provision in the area. Furthermore, there would be four disabled electric charging parking bays provided as part of the proposed phase three development, in addition to the temporary car park arrangements.
- Some Members were concerned that should permission be granted for the application; car parking spaces would not be available for those using the Regional Pool. Furthermore, it was felt that there should be a condition placed on phase three application to ensure that there would be sufficient disabled parking spaces to serve the Regional Pool.
- Some Members commented there had been some dedicated disabled parking spaces adjacent to the Regional Pool entrance.
- Some Members commented that there needed to be evidence that the disabled parking spaces being lost as part of the Phase three development would be provided in the future to serve the Regional Pool disabled users.
- Members were advised that disabled parking was not considered as part of the original survey and therefore could not confirm if the loss of disabled spaces was acceptable at as part of the application for Phase three.
- Members commented that 646 residents were consulted about the application and only four to five comments were received, however, during Ward Councillor visits to properties, there appeared to be several people that were against the application. Members were advised that the majority of Eastgate residents and those that had made representations as part of phases one and two, had been consulted. It was a surprise to officers how little residents had responded, however it was felt that they had become used to the University being developed.
- Members were advised that the consultation process would have followed a standard template format. This would include a link to the plans online as part of the required statement of community involvement and the development management procedures order. There was also community engagement conducted by the applicant as part of the pre-engagement process, which was held in the Cathedral area to make residents aware.
- Some Members felt that the application seemed to be a far better use of land than a multi storey car park. Furthermore, Members commented that the proposal was a fantastic increase to the University site and that everything had appeared to be working well for ARU. However, some Members felt that there was an issue with disabled parking and that a condition should in place to cover the disabled parking issue raised around the Regional Pool and that the temporary car park should be installed before the car park development site was closed off.
- Some Members felt that a valid point had been raised about the parking, however, most were satisfied to leave the parking provision to the officers discretion. Members were advised that, if Members deemed it necessary it may be possible that a condition could be attached to ensure that no development could take place until there had been sufficient disabled parking spaces identified for the Regional Pool users.
- Members commented that there were several car parks located very near to the site, which all appeared to be under used.
- Members were advised that there were four disabled spaces in the existing Regional Pool car park that would be lost and a further four at the entrance directly adjacent to the building itself that would remain. Furthermore, there were a further seven disabled spaces to west of the existing university development (phase one and two) which are within reasonably close proximity of the pool. It was felt that

this, together with the addition of the temporary car park, would result in sufficient provision for disabled parking to serve the Regional Pool.

- Member commented that if a survey had shown that there were not enough disabled spaces, the non-disabled spaces could be converted for the provision.
- Members commented that a condition could be included that accommodate the disabled parking spaces needed in the city.
- Some Members felt that Google Maps had identified that there were currently enough spaces around the site and Regional Pool for disabled drivers.
- Most spaces were some distance from the place disabled people want to go and that there seemed to be sufficient provision around the city to serve users of the Regional Pool. Furthermore, it was rare that the disabled parking spaces were fully utilised in the city.
- Following the issues raised in the debate, officers advised that a condition relating to disabled parking spaces would not be necessary

#### **RESOLVED:**

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application as per the officer recommendation and following a vote (9 for, 2 against) the proposal was **GRANT** subject to conditions and the signing of a legal agreement securing off-site highway mitigation.

#### **REASON FOR THE DECISION:**

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

- The proposal represented the next phase of the development of the University of Peterborough and would be sited on land which was in line with the vision for the Riverside North Policy Area. As such, the principle of development was considered to be acceptable in accordance with Policies LP4 and LP51 of the Local Plan (2019);
- The application scheme would result in enhanced educational offer associated with the newly created University of Peterborough, which should be afforded great weight in decision-making, in accordance with paragraph 96 of the National Planning Policy Framework (2021);
- The proposed design was considered to be of high quality that would enhance the site and its wider surroundings, in accordance with Policy LP16 of the Peterborough Local Plan (2019);
- The proposal would ensure that the significance of nearby designated heritage assets was preserved and accordingly, the proposal was in accordance with Policy LP19 of the Peterborough Local Plan (2019) and paragraphs 200 and 202 of the National Planning Policy Framework (2021);
- No harm to any buried heritage assets of key importance would result, in accordance with Policy LP19 of the Peterborough Local Plan (2019)
- The proposal would not result in a severe impact to the capacity of the surrounding public highway network, safe access would be afforded to all users, and adequate parking provision would be made to meet the demands arising from the Phase 3 development, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and paragraph 111 of the National Planning Policy Framework (2021);
- drainage from the site would be adequately managed such that no increased flood risk either on- or off-site would result, in accordance with Policy LP32 of the Peterborough Local Plan (2019), paragraphs 159 and 167 of the National Planning



Policy Framework (2021) and the Peterborough Flood and Water Management SPD (2019);

- an unacceptable level of harm would not result to the amenities of neighbouring occupants, in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- the proposal would not result in unacceptable impact to species of principal importance and would secure overall biodiversity gain, in accordance with Policies LP22 and LP28 of the Peterborough Local Plan (2019), paragraphs 98 and 99 of the National Planning Policy Framework (2021) and the Peterborough Green Infrastructure and Biodiversity SPD(2019);
- the proposal would ensure that trees of key amenity value to the surrounding area are protected, and that overall enhancement to the landscape quality of the area had been secured, in accordance with 43 DCCORPT\_2018-04-04 16 Policy LP29 of the Peterborough Local Plan (2019);
- the proposal would not pose an unacceptable risk to human health or controlled waters through contamination, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 183-185 of the National Planning Policy Framework (2021); and
- the proposal would not result in unacceptable harm to the air quality of the surrounding area, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and paragraph 185 of the National Planning Policy Framework (2021).

### **34.2 QUARTERLY REPORT**

The Committee received a report, which outlined the appeal cases which covered the period from 1 July 2022 to 30 September 2022.

The Development Management Team Leader introduced the item and highlighted key information from the report.

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

- Members commented that the Grange Road was an application, which refused by the Committee, however, was genuinely not down to the fact there had made a mistake made over the decision, or lack of Planning Committee training, it was just a difference of opinion by the planning inspector.

#### **RESOLVED:**

The Planning Environment Protection Committee noted the past outcomes and performance.

Chairman  
END - 2.34PM

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Reference: 22/00722/R3FUL  
Site address: Clare Lodge, 8 Lincoln Road, Glington, Peterborough

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**Application Ref:** 22/00722/R3FUL

**Proposal:** Two storey extension to form new education facilities, single storey extension to form new visitor and staff entrance to north of site, single storey extension to form new entrance to 'step-down' unit to west of site together with covered canopies and internal and landscape alterations

**Site:** Clare Lodge, 8 Lincoln Road, Glinton, Peterborough

**Applicant:** Mr Steve McFaden  
Peterborough City Council

**Agent:** Mr Aaron Padmore  
Hoopers Architects

Referred by: Glinton Parish Council

Reason: Outstanding matters of parking arrangements, lighting and the potential loss of amenity of neighbours adjoining the property

**Site visit:** 27.07.2022

**Case officer:** Miss Molly Hood  
**Telephone No.** 07967 318633  
**E-Mail:** Molly.Hood@peterborough.gov.uk

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

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

### Site Description

The application site is located on the edge of Glinton to the south of the village. The site is broadly rectangular and enclosed by an extensive tree belt to the west and southern boundaries. The site contains an existing two storey building, which has been previously extended and is in operation as a secure unit for young women.

The site is accessed via an independent access off Lincoln Road to the west of the site. A former access off Welmore Road has now been closed, the character of the adjoining area to the north and east comprises residential properties. There is a public footpath which runs to the south-east of the site off Welmore Road.

### The Proposal

Permission is sought for a number of extensions to the existing building, these include:

- a) A two storey extension off the south elevation forming education facilities at ground floor and additional office space, with archive store at first floor.
- b) A single storey flat roof extension to the northern elevation. This will alter the existing entrance to the building, creating a separate staff and visitor entrance.
- c) A single storey reception to south-west wing of accommodation.

The capacity of the unit would remain at a maximum of 16 residents. With the development not increasing the capacity of young persons.

For clarity, within Section 5 'assessment of the planning issues' the extensions will be referred to by the letters (a,b and c) as allocated above.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
94/P0914	Extension to provide 16 bed childrens secure unit with education and service facilities, including demolition of some existing buildings as amended by revised plans received 24.4.95, numbered: 94-11398/DLP1/E, 11883AS0101, AK0063, 64, 65, 66A, 67A, 69	Permitted	19/06/1995
07/00482/FUL	Extension to fitness centre, extension to sleeping accommodation and new garage, extension to lift and entrance, demolition and rebuilding of classroom and administration block and alterations and extension to car park	Permitted	23/07/2007
10/00071/FUL	Construction of external drive to form vehicular access onto B1443 from Clare Lodge	Permitted	02/03/2010
10/00808/R3FUL	Construction of two single storey lounge extensions and one two-storey teaching and office extension	Permitted	20/08/2010
12/01255/NONMAT	Non-material amendment to planning permission 10/00808/R3FUL dated 20/08/10 (Construction of two single storey lounge extensions and one two-storey teaching and office extension) - re-location of external doors to single storey lounges from side elevations to rear gable elevations	Determined	30/08/2012
15/02209/FUL	Single storey extension to create 4 additional bedrooms with associated lounges, storage and meeting room, and two storey extension to create additional educational wing, music studio and storage	Permitted	27/07/2016

## **3 Planning Policy**

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

### **National Planning Policy Framework (2021)**

- 2 Achieving sustainable development
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment

## **Peterborough Local Plan 2016 to 2036 (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.

### **LP07 - Health and Wellbeing**

Development should promote, support and enhance the health and wellbeing of the community. Proposals for new health facilities should relate well to public transport services, walking/cycling routes and be accessible to all sectors of the community.

### **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.

### **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.

### **LP30 - Culture, Leisure, Tourism and Community Facilities**

LP30a) Development of new cultural, leisure and tourism facilities will be supported in the city centre. Facilities elsewhere may be supported in accordance with a sequential approach to site selection.

LP30b) Development proposals should recognise that community facilities are an integral component in achieving and maintaining sustainable development. Proposals for new community facilities will be supported in principle.

LP30c) The loss via redevelopment of an existing community, cultural, leisure or tourism facility will only be permitted if it is demonstrated that the facility is no longer fit for purpose, the service provided can be met by another facility or the proposal includes a new facility of a similar nature.

### **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.

### **Glinton Neighbourhood Plan 2016-2036 (July 2021)**

GLI02 - GNP2 - Location of New Development

GLI03 - GNP3 - Design

GLI05 - GNP5 - The Natural Environment

GLI06 - GNP6 - Car Parking

## **4 Consultations/Representations**

### **Glinton Parish Council (29.07.22)**

The parish council has a Clare Lodge working party, and in the past, has enjoyed a positive degree of dialogue with the management of Clare Lodge and appreciates the valued contribution that the establishment makes to the lives of those referred to the facility. It is with some regret therefore that neither the working group, nor local residents were consulted prior to the submission of this planning application.

Parish council, is of course obliged to consider on merits the application as submitted and validated. In its present form, Parish Council strongly OBJECTS to the planning application on the following planning grounds.

#### Village envelope

- it is noted that a substantial part of the planned extension is outside the village envelope, this is contrary to planning policy, contrary to local planning policy and policy GNP2 in the Glinton Neighbourhood Plan. Those policies were cited in the objections to Larkfleet development on the adjacent land to Clare Lodge. The planning authority needs to be consistent in the approach to the interpretation of these policies and that alone should be sufficient reason for REFUSAL.
- It is the view of the Parish council that the village envelope should be treated as a solid line and inviolate, not as a porous line capable of adjustment to suit planning applications made by the planning authority itself. Incidentally a Larkfleet application went to appeal for plans on the adjacent site and the appeal was dismissed citing the development being in the open countryside as outside the village envelope.

#### Detrimental effect on Neighbours –

- Parish council supports the legitimate objections of neighbours and in respect of this application notes, in particular, the concerns of residents in Ashburn Close.
- It is noted that the proposed layout of the site includes a roundabout in the northern part of the site and location of waste bins and car parking in that area, together with the removal of trees on the northern boundary of the site.
- The proposed removal of trees on the northern boundary and establishment of additional car parking in that area will undoubtedly adversely affect the quiet enjoyment of neighbours and represent loss of amenity to those neighbours in Ashburn Close. Furthermore, those proposals have the potential to be the cause of actual nuisance to those residents by removal of existing screening and through lighting and vehicular noise and is therefore contrary to Policy GNP 3.11 in the Glinton Neighbourhood Plan

### **Other relevant planning policies in the Glinton Neighbourhood Plan.**

- GNP 3.2 responding positively to key features on the site such as trees and other natural environmental features and retaining them as part of a scheme wherever possible. Even more relevant in this case give the adverse impact noted above and GNP 3.11
- GNP 3.8 landscaping that provides habitat, roosting and foraging for wildlife – very relevant for a site on the edge of the village envelope and adjacent to the rural open countryside.
- GNP 3.9 well designed boundary treatments, suited to the village character.
- GNP 6 The Natural Environment - The proposed development significantly reduces the natural environment and fails to demonstrate sufficient mitigation.

In addition, the neighbourhood Plan, and increasingly, national planning policies together with the stated policies of the city council, urge the incorporation of renewable energy and low carbon technologies in development proposals. The current application fails to address any of those opportunities which might be considered unforgiveable for an application made by the City council itself.

In summary for all of the above reasons, Glington Parish Council vehemently OBJECTS to the application in its present form and urges planning officers to REFUSE the application.

#### General comments

- Parish council consider that it is possible to redesign the proposed extensions and provide for the additional facilities within the boundary of the village envelope.
- It is noted that as the application is in essence made by Peterborough City Council itself and as Planning authority may be seen as judge and jury in its own cause. On earlier occasions it has been known for such an application to be referred to, and considered by an independent planning authority.
- If, however, the application were to be permitted the parish council would urge the inclusion of strict and enforceable conditions to limit the impact on Neighbours in Ashburn Close:
  - o Restricting the hours for the deliveries and waste services.
  - o Retention of all screening and landscaping (trees) in the northern part of the site, with the consequent movement south of the additional car parking spaces
  - o Use of those carparking spaces to the EAST of the site only, for all staff on site from early evening to late Morning.

In conclusion, IF, and ONLY IF, officers are minded to approve the application, then Glington Parish Council would request the application be referred to the Planning & Environmental Protection Committee for determination.

#### **Glington Parish Council (20.01.22)**

Following Glington Parish Councils original comments in respect of the afore mentioned planning application, subsequent changes made by the applicants were considered by the parish council at a scheduled meeting of the parish council, held in public, in the evening of Friday 16th December 2022.

By way of background to the following observations, the parish council has a Clare Lodge working party, that occasionally meets with various members of the Clare Lodge team. On July 2<sup>nd</sup> a meeting was held with the Clare lodge team, including the architect, to discuss the original submission and the related concerns of Glington Parish Council and those of neighbours. Despite a positive meeting during which we felt the Clare Lodge team recognised the scheme's original deficiencies and expressed a commitment to overcome them, unfortunately the plans has only been slightly modified and therefore Glington Parish Councils original letter of OBJECTION is still valid.

In addition we highlight the following additional OBJECTIONS to the revised application. All focus on the loss of amenity and detrimental effect to local residents and are contrary to policies within the Glington Neighbourhood Plan detailed in our previous submission dated 28th July 2022:

1. Car parking spaces 50 - 55 and bicycle parking, not only removes the established natural

environment but also places vehicles directly behind residents boundary. This will cause unacceptable levels of noise and environmental pollution particularly at night. It had been suggested at the meeting on 2<sup>nd</sup> July that the additional parking would be better placed on the south east corner of the site where disruption would be minimised.

2. We note the Travel Plan fails to specify that night time parking will be restricted to the east car park that runs parallel with Welmore road. Again a suggestion made on July 2<sup>nd</sup>.

3. There is no lighting policy that limits the amount of light pollution to local residents. Another suggestion made during July's meeting

### **Glington Parish Council (24.01.23)**

You will be aware that Glington Parish Council is generally supportive of Clare Lodge and has a working group which occasionally meets with the Clare Lodge Management to foster the good relations with residents particular those neighbours of adjoining properties.

The group met with Clare Lodge again on Thursday 12<sup>th</sup> January to discuss the remaining concerns which had not been addressed in the revised plans. B&H services Group, (Clare Lodge Consultants) were represented at the meeting. The consultant made a number of assertions designed to justify no further action on those remaining concerns and suggestions, assertions which the parish council consider to be inaccurate.

#### 1. Car parking.

1.1 B&H stated that car parking additions were a permitted development, however, we believe that Clare Lodge is Class C2a and therefore does not have permitted development rights under GPDO (General Permitted Development Order 2015) to create new expanded hard surfaces.

1.2 Furthermore, we discussed moving car parking spaces numbers 50 to 55 to the south east corner of the site, also reducing any conflicts with LP17 'loss of amenity due to noise'. B&H, however, stated that as the land on the south east corner was not owned by Clare Lodge this change was not possible. This assertion is not correct as examination of the land registry records clearly shows the land is in the ownership of the Peterborough City Council (PCC)/Clare Lodge (see drawings attached).

#### 2. Lighting & Noise

2.1 B&H stated that was no planning requirement to mitigate against loss of amenity to nearby properties caused by excessive external lighting and/or excessive noise caused by the proximity of waste bins or vehicles, however, Policy LP17 states 'new developments should not result in an unacceptable impact on the amenity of existing occupiers of nearby properties. These impacts may include;

c. noise and/or vibration levels resulting in disturbance for the occupiers or users of any nearby property or land; or

f. adverse impact on air quality from odour, fumes, dust, smoke or other sources; or

g. light pollution from artificial light or glare.

The parish Council ask you to take into account our observations and REFUSE the current planning application unless further plans are submitted taking in to account these comments. If, in the absence of these remaining concerns being addressed, Planning Officers are minded to permit the application, then the request to refer the application to the Planning & Environmental Protection Committee still stands.

### **SHELAA Contact**

No comments received

**Ramblers (Peterborough)**

No comments received

**PCC Rights of Way Officer**

No comments received

**PCC Drainage Officer (10.01.23 & 23.01.23)**

Initial Objection raised; however further comments proposed a pre-commencement condition to secure a surface water drainage strategy for the site.

**The Open Spaces Society**

No comments received

**Landscape Officer (23.08.22)**

No objection. The application would appear to not affect any existing Public Open Space or Public Amenity Landscaping we have no comments to make.

**PCC Tree Officer (25.07.22, 01.12.22 & 20.12.22)**

Initial objection, on arboricultural/landscape grounds due to insufficient information to make an informed decision/recommendation regarding the above proposals, including the loss of a significant number of Category B trees within areas A003/4 and groups G009-11.

Following the submission of a revised AIA and drawing 9432-D-AIA there is no longer an objection, on arboricultural/landscape grounds, subject to recommended conditions. However, there needs to be further demonstration of how many trees and what size of trees will be lost in Category B Area A004, to secure replacement planting in accordance with the Council's mitigation & compensatory tree replacement planting requirements in LP29. This can be conditioned, along with a soft landscaping scheme.

**PCC Property Services**

No comments received

**Welland & Deeping Internal Drainage Board (13.07.22)**

Note from the application form that potential new foul water disposal is to be via mains drains. However, the surface water provisions for the proposed extensions should be confirmed to the Board.

**PCC Peterborough Highways Services (04.08.22 & 02.12.22)**

Initial objection as the proposed development would not provide adequate facilities within the curtilage of the site for the parking and turning of vehicles. This is contrary to Policy LP13 of the Adopted Peterborough Local Plan. However, following the submission of a Travel Plan and Parking Survey no objection was raised subject to recommended conditions.

At present the site benefits from 51 parking spaces. There are 100 existing employees, post development this number shall increase by 22 to 122. It has been demonstrated by parking survey that currently only 50 parking bays are used by the existing 100 employees and any visitors to the site, therefore it is likely that between 60 and 72 bays would be required for the extended use.

The proposed layout increases the number of parking bays to 60, and there is scope within the remaining site to extend the parking area slightly to increase the number of bays available if required.

The LHA also note that there is no designated area for the parking of cycles shown on the submitted plan, but there is ample space for a cycle store and appropriate levels of cycle parking to be provided on-site.

Conditions:

1. Parking and Turning
2. Cycle Parking (Details to be Submitted)
3. Construction Management Plan
4. Lighting
5. Reconfigured Pedestrian Access

**PCC Wildlife Officer (26.07.22 & 06.12.22)**

Initially recommended refusal of application on grounds that there is insufficient information to make a recommendation that all biodiversity material concerns for the Local Planning Authority can be safely discounted. A Preliminary Ecological Appraisal should be created covering the habitats within the red line boundary.

Following the submission of an Ecology Appraisal the application considers that the scheme is acceptable but only if conditions are imposed. The loss of trees is ideally being compensated for elsewhere on the site however this needs to be demonstrated within the landscaping document conditioned above. In addition, the mitigation and compensation identified within the Ecological Appraisal needs to be included within either a separate document or the landscaping designs.

**PCC Conservation Officer (03.08.22)**

No objection. The proposal is not considered to impact upon any relevant heritage assets.

**Archaeological Officer (02.08.22)**

No objection. The proposed development is unlikely to impact on important buried remains.

**Anglian Water (29.07.22)**

No concerns regarding assets, wastewater treatment or surface water drainage, however a condition is recommended for foul water drainage due to unacceptable risk of flooding downstream.

**PCC Pollution Control (25.01.23)**

Following consideration of the above application and associated documents submitted by the developer, this section has no objection to the development.

**Local Residents/Interested Parties**

Initial consultations: 16

Total number of responses: 41

Total number of objections: 41

Total number in support: 0

All representations received have been summarised below and split into responses prior or after the additional information was received on the 18<sup>th</sup> November 2022.

Representations received prior the submission of additional information:

Village Boundary

- The extensions, fencing and play/exercise either straddle or encroaches beyond the village envelope boundary.
- Encroaches on greenfield.
- Recent rejected Larkfleet development on adjacent field on outside village boundary.
- Opens up the possibility for housing development on the field and sets precedent.
- Rethink on the plan could accommodate their needs within current boundaries.
- Lack of consideration for planning policy context as fails to address the potential conflicts of the Peterborough Local Plan (PLP) and the Glinton Neighbourhood Plan (GNP).
- Part (u) of LP11 – no clear or robust business plan submitted, with no demand or viability

for the additional facilities.

- Contrary to LP2, LP11 of Local Plan and GNP of Glinton Neighbourhood Plan.
- The village envelope should be treated as a solid line and inviolate, not as a porous line capable of adjustment to suit planning applications made by the planning authority itself.
- Shouldn't encroach on the high quality agricultural land.
- Drawing similarities to the process and Council view on development outside the village envelope on 21/00654/FUL.

#### Trees & Ecology

- Given its employment use, Part E of LP11 is applicable – however the substantial loss of existing tree planting has adverse impacts on the environment.
- Trees should not be removed for additional car parking.
- Do not wish for the northern hedge to be replaced with evergreen.
- Deciduous hedge and trees provide shelter and nesting for birds.
- Impact on climate change and the integral Biodiversity that surrounds the village.
- Would not want to see any further loss of wildlife habitat.

#### Visuals

- Tree loss results increased prominence
- Further erode the open nature of the countryside.
- Not clear on the design decisions of the proposal, relating to context.
- Not compliant to the Design principles of GNP3 of the Neighbourhood Plan.
- No demonstration of incorporating renewable or low carbon technologies.

#### Consultation

- Questions why Clare Lodge did not consult with the Parish sub-committee/ Communications Group prior to submission.
- NPPF good practice identifies community engagement and expected better from PCC as the applicant.
- Unacceptable and insufficiently justified.

#### Parking

- The additional northern parking area results in loss of planting.
- Additional car parking is contrary to sustainability targets.

#### Residential Amenity

- Loss of privacy from northern tree and hedge removal.
- Noise and Light Pollution – contrary to GNP 3.11
- New northern parking increases noise and disturbance as closer in proximity to rear boundaries.
- No details of a replacement lighting scheme for car park -risk to neighbours.
- New location of refuse bins will significantly increase noise, odour and hygiene issues.
- Already experiencing noise pollution possibly from a generator. Would be exacerbated by removal of existing screening.
- 

#### Suggested Amendments

- Retention of northern planting
- Alternative re-configuration of parking area – adding new spaces at southern end of car park.
- Lighting details – light spill angled away from neighbours.

#### Other Matters

- The plan is proposed and submitted by Peterborough City council and therefore cannot be assessed by the same body without a clear and unequivocal case of conflict of interest.
- There needs to be consistency between the current proposal and the Larkfleet development, as well as consistency in the interpretation of policies.

- Clare Lodge has not involved the working party or consulted with local residents on this planning application.
- Concerned that the council should choose to quietly and in short order attempt to obtain planning approval for their own premises without consulting the village community. This should have been subject to independent and impartial scrutiny.

Representations received after the submission of the additional information:

#### Principle of Development

- Object if deemed that works will sit outside the village envelope. Contrary to planning policy GNP2.
- Cannot make sense to define a village envelope but then allow properties to encroach into that defined space.
- Could set a precedent for future breaches of the envelope and village will lose its autonomy.
- No evidence of these being absolutely needed.

#### Residential Amenity

- Loss of amenity
- Noise, light and air pollution to the neighbouring residents in Ashburn Close due to parking spaces 50-51.
- Parking concerns surrounding noise and fumes could be resolved by planting the area with evergreen trees and shrubs and putting the car parking in the south east.
- There are existing strong lights from the building at night.

#### Parking Provision

- The revised plans indicate a slight change in the location of parking spaces on the northern boundary (Ashburn Close). However, the parking spaces of 50-51 are still to close. Could be moved to the south-eastern corner of the site.
- Suggest any parking along the northern boundary is restricted to daytime parking only with necessary signage and enforcement procedures. Otherwise the spaces 39-51 would lead to loss of amenity.

#### Other Matters

- Large waste bins would be repositioned close to the boundary of properties on Ashburn Close. This could result in noise and vermin.
- As a member of the Clare Lodge Community Working Party, we were pleased that a meeting was held in July to listen to the concerns of residents and the Parish Council. However, disappointed that a follow up meeting was not held.

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

The main considerations of this application are:

- a) Principle of Development
- b) Residential Amenity
- c) Character and Appearance
- d) Highway Safety
- e) Ecology
- f) Trees
- g) Other Matters

### **a) Principle of Development**

The Clare Lodge site is well defined and is clearly part of the built up area of the village. However, the village envelope (as defined in the Local Plan) cuts through the site, resulting in the southern and western fringes of the existing site and building being situated outside the defined village

envelope for Glington. The proposal involves three extensions to an existing education facility, all within the existing site boundaries. However extensions A & C project beyond Glington's defined village envelope. As such these are within an area technically defined as countryside by Policy LP2 of the Local Plan and Policy GNP2 of the Glington Neighbourhood Plan 2021.

A significant number of concerns have been raised by members of public regarding the principle of development setting a precedent for further development in the countryside. The comments reference the refusal of planning permission for a residential development on the field adjacent (17/02274/OUT) as it was contrary to the Locational Policies of the Local Plan and Neighbourhood Plan. In addition, the Parish Council objects on the grounds that it is encroachment to the countryside and development contrary to Neighbourhood Plan.

Policy LP2 states other residential development outside of village envelopes will, by definition, be contrary to the vision, objectives, development strategy and policies of this Local Plan, and should be refused, unless otherwise acceptable within a made Neighbourhood Plan. The development doesn't fall under the exceptions as set out in Policy LP2 or Policy GNP2 and isn't classed as 'other residential development' given its an extension to an existing care and educational facility. It is noted the Local Planning Authority have historically permitted extensions to this building under 15/02209/FUL which has resulted in built form extending beyond the defined village boundary but within the confines of the Clare Lodge site.

Policy LP30 provides guidance on Community Facilities, in particular facilities which support health, wellbeing, social and educational needs of the community or a wider catchment area. The pretext of the policy advises it is important to seek to preserve these existing community facilities. In addition, NPPF paragraph 93 b) advises decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Clare Lodge offers a unique service by being the only all-female, all welfare Home in the U.K. The Home is required to provide full Care, Education (in the form of an onsite school) and Health (NHS) services. It is recognised this is a nationally important facility and in accordance with the NPPF it is important that the longevity of the facility is protected, and the vital community facility is provided for the wider catchment area. The extensions would not result in an intensification of the approved use, as the facility would remain with a resident limit of up to 20 young people.

Extension A would project approximately 11m beyond the current line of the built form and extension C will extend approximately 7m from the village envelope. It should be noted that all of the proposed extensions would still be contained within the physical boundaries of the Clare Lodge Site and behind the band of trees. Whilst the village envelope cuts through the site, there are clear and well established boundaries between the facility and the open countryside beyond. In particular, the established tree belt and access road create clear distinction.

The question was put to the agent on whether the extension can be located in any other configuration or location within the site. The Design and Access Statement has demonstrated other areas which were tested for potential sites for the extensions, however the alternative locations would either impact parking, neighbour amenity or sports facilities. It is considered the proposed development could not practicably be positioned in any other location within the application site without inappropriately compromising on parking provision or resulting in increasing proximity to the neighbouring residents. The purpose of the development is to meet Ofsted requirements and ensure all the education facilities are separate from living accommodation, on one side of the building.

In summary, whilst the defined village envelope cuts through the site, the proposal forms an extension to an existing community facility, is confined wholly within the existing site boundaries and does not form a new residential development. There is support within both Local and National Policy to preserve community facilities and justification has been demonstrated for the purpose of the extension following Ofsted requirements. Furthermore, the proposal is not directly comparable



to other previously refused schemes beyond the village envelope, as these were clearly and obviously encroachments into open countryside. Whereas the current proposal would not be a significant intensification of the use, would be contained within an existing well defined site, and would not be easily visible from beyond the well established boundary.

Whilst there is technically a conflict with Local Plan Policy LP2 and GNP Policy GNP2, it is in this case outweighed by other material considerations. There would be no material harm by way of encroachment into open countryside as the proposed extensions would be entirely within the well defined confines of the existing Clare Lodge site and there would be significant benefits from the provision of an enhanced education/health/care facility. Therefore on balance, the principle of development is considered acceptable.

## **b) Residential Amenity**

The application site is to the west of the residential dwellings on Wellmore Road and south of the properties on Ashburn Close. Extension B infills an area between existing built form to create separate entrances for visitors and staff. This built form is single storey with a 'sail' type canopy to create a covered entrance. The location and design of the extension is not considered to introduce unacceptable overlooking, overshadowing or overbearing impacts to the neighbours surrounding. The entrances will remain in the same area of the building and the location raises no concern of excessive noise or disturbance.

Extension C is small in scale and at the furthest point from the nearest residential properties on Wellmore Road and Ashburn Close, raising no unacceptable amenity impacts.

Extension A is the largest of the three and situated to the south of the building. There will be ample separation between the neighbours to the west and the built form to avoid overbearing, overshadowing or oppressive impacts. The extension will incorporate two ground floor and three first floor windows on the eastern elevation, which will follow the line of the existing fenestration and raises no concerns of unacceptable overlooking. The additional education facilities are not considered to result in noise or disturbance to the nearby occupiers.

The development includes other external works to the site, including a new parking layout. Clare Lodge has 15 staff spaces split into two sections along the northern boundary with Ashburn Close. The smaller section of this parking (6 spaces) is approximately 6.3m from the boundary and the larger area of car parking (9 spaces) is 9.5m from the boundary. The proposal seeks to increase the number of spaces to 20 along this boundary but remains in a two-section split.

On the proposed layout the larger parking section (14 spaces) will be positioned 8.6m from the boundary at its closest point, which reduces the distance by 0.9m, however this is not considered to be significantly different to the current parking arrangements. The increased volume of five spaces raises no unacceptable amenity impacts to the neighbouring properties, given the separation distances.

The smaller section of parking remains as six spaces, however these are closer to the boundary at 1.7m, meaning the proposed layout has reduced the distance to the property's curtilages by 4.6m. Public representations raise concern over parking spaces 39-51 and the impacts of noise and fumes as a result of the parking. The parking spaces which have moved closer to the northern boundary are 50-55 and anything prior to 50 has been addressed previously with no unacceptable impacts.

The Travel Plan indicates a high number of vehicular movements of staff either entering or leaving the site between 06:00-07:30 (14 staff) and 21:30-22:00 (17). There are no principal concerns with parking provision in this location, however a condition will be applied to only permit parking in spaces 50-55 between 08:00-18:00 to protect to ensure minimal disturbance to those neighbouring properties during the early and late staff movements. Furthermore, there are no significant concerns of air pollution from the location of the parking.

In light of the above, the proposal is considered to deliver an acceptable amenity relationship with the neighbouring properties, with no significant noise, pollution, overshadowing, overbearing or loss privacy. As such the proposed development complies with Policy LP17 of the Peterborough Local Plan 2019 and Policy GNP3 of the Peterborough Local Plan 2021.

### **c) Character and Appearance**

Public comments were concerned with the loss of trees and the impact of this on the appearance, potentially increasing its prominence. Extension B on the northern elevation will create a new focal point to the main entrance of the building and the 'sail canopy' design will sympathetically relate to the existing form. Extension C on the southern elevation will have limited to no visibility from the public realm and the small scale of the structure raises no significant concerns.

Extension A is the largest of the proposals and will be notable when entering the site from the vehicular access, with the main view from the east within the car park. The extensions form, scale and materials all respond appropriately to the context of the existing building raising no significant concerns of visual harm or a disjointed appearance. Neighbourhood Plan Policy GNP3 seeks development to respond positively to key features on the site such as trees and retain them as part of the scheme wherever possible.

It is accepted the proposal includes tree clearance to the south, however, justification was received for Extension A's need and location which outweigh this loss. Furthermore, to support the longevity of the southern tree belt and the character of the edge of settlement a replacement planting and soft landscaping scheme will be sought. Visualisations submitted in support of the proposal demonstrate a strong level of screening will be retained and this will only strengthen with the planting scheme.

The proposed additions to the building are sympathetically designed to minimise the intrusion to the surrounding countryside and relate well to the existing appearance. The revisions to the car parking layout still maintain a balance between hard surfacing and soft landscaping..

In light of the above, the proposal is compliant to Policy LP16 of the Peterborough Local Plan 2019 and Policy GNP3 of the Peterborough Local Plan 2021.

### **D) Highway Safety and Parking Provision**

Vehicular access is off Lincoln Road, with an entry barrier and route through the adjacent field. This ensures vehicular movements to the facility remain separate from the residential street.

Initially the Local Highway Authority (LHA) objected due to inadequate facilities within the curtilage of the site for the parking and turning of vehicles, with no designated visitor parking spaces or cycles. Parking provision for a C2 use class (in accordance with current parking standards) is based upon the total number of full-time equivalent employees (1 space per employee). Initially there was discussion regarding an increase in employees, however the agent has confirmed this is no longer the intention and staffing numbers will not increase beyond the existing 105.

Following these comments, a Travel Plan and Parking Survey was submitted. At present the site benefits from 51 parking spaces. The Travel Plan confirms there is a total 105 staff members contracted, however due to the rotation of staff the approximate number of staff on site at any one time is up to 50. This conclusion has been supported by evidence gathering between September and October.

The LHA Officer notes the Parking Survey states that currently only 50 parking bays are used by the existing employees and any visitors to the site. The Officer adds it is likely that between 60 and 72 bays would be required for the extended use. The proposed layout increases the number of parking bays to 60, and there is scope within the remaining site to extend the parking area slightly

to increase the number of bays available if required.

The application proposes alterations to the car park layout to maximise the potential car parking achieved. The car park currently has 50 parking bays, however by creating better alignments of the spaces and extending the parking area further north in the site, it has resulted in the provision of 60 parking bays. Upon review the Travel Plan and Parking Survey the LHA no longer object or raise concern with the capacity of the car park for the use.

The LHA recommend the parking and turning be conditioned in accordance with submitted drawing, but also provision is made for Electric Vehicle Charging Bays. Neighbourhood Plan Policy GNP6 seeks an adequate number of electric charging points to allow charging of vehicles in each allocated space. Two electric vehicle charge spaces are provided near the entrance and whilst this doesn't support electric parking across the entirety of the car park. It is considered appropriate to the number of electric vehicles visiting as evidenced in the Travel Plan and is an improvement from the current situation, as none are provided. Therefore, a condition will not be applied.

A Construction Management Plan will be conditioned and a scheme for cycle parking, along with an alternative pedestrian access from Welmore Road. The LHA note that there is no designated area for the parking of cycles shown on the submitted plan, but there is ample space for a cycle store and appropriate levels of cycle parking to be provided on-site. In addition, as highlighted earlier restrictions will be applied to the use of parking bays 50-55, however this is not considered to compromise the overall parking provision.

In light of the above, the proposal is considered to comply with Policy LP13 of the Peterborough Local Plan and Policy GNP6 of the Ginton Neighbourhood Plan 2021.

#### **e) Ecology**

The application site is at the edge of the settlement and borders onto an open field, with a large and mature band of trees along the perimeter of the site. The Wildlife Officer initially recommended refusal of the application, on the grounds of insufficient information. The Officer advised:

*The biodiversity checklist identifies that the application proposes to remove comparatively large areas of woodland which are ecological connected to habitats that may be used by reptiles. In addition to this the arboricultural survey does not provide enough information to determine if any of the trees to be removed may be used by bats as roosts or not.*

Following this an Ecological Appraisal was received which assessed the potential impacts on non-designated sites, risk zones, Fauna and Flora. The Appraisal demonstrated no trees were identified within the site as providing features with the potential to support roosting bats. In addition, it was concluded there were limited foraging opportunities present with the developing woodland and boundary hedgerows. Again, limited opportunities were considered for Great Crested Newts and Reptiles. Whilst the trees provide suitable nesting for birds, it was not raised as a significant issue and new habitats could be introduced. The Appraisal recommends appropriate safeguarding measures which includes:

- Protection of retained hedgerows and trees
- Should two years elapse between the survey and the development commenting an updated preliminary roost assessment is required.
- Ecologically sensitive lighting scheme
- Construction workers to maintain a watching brief
- Trenches and excavations left overnight will include features for faunal species to escape
- Temporarily exposed drains and pipes will be capped off or suitably blocked.
- Vegetation clearance removed in two stage process and searched beforehand.
- Clearance of vegetation should be outside of nesting bird season

In addition, recommended Ecological Enhancements include:

- New native planting
- Bat boxes
- Bird Boxes
- Hedgehog Domes

Subject to the implementation of the recommended mitigation and safeguarding measures, the Ecological Appraisal considers no significant harm to any habitats or faunal species of interest will occur as a result of the proposed development.

The Wildlife Officer has raised no concern with the findings of the Ecological Appraisal, only adding the proposed trees to mitigate the loss need to be demonstrated on the landscaping drawing. This detail can be secured by condition. The Wildlife Officer added the mitigation and compensation identified within the Ecological Appraisal needs to be included within either a separate document or the landscaping designs. Furthermore, the biodiversity CEMP will ensure that all recommendations made within the Ecological Appraisal are incorporated into the final design of the site. The recommended conditions by the Wildlife Officer will be applied and agreement has been received from the applicant/agent for those which are pre-commencement.

#### **f) Trees**

To the south of the building is a mature band of trees, which runs along the perimeter of the Clare Lodge site to the south and east. Public representation raised concern with the loss of the trees and in particular comments referenced the northern vegetation. After a revision to the scheme the northern planting is largely to be retained.

Neighbourhood Plan Policy GNP5 seeks to protect existing natural features, however where there is a loss then mitigation may be acceptable through new features which will result in at least a natural impact on wildlife. Initially the Trees Officer objected as insufficient information was submitted to make an informed decision/recommendation regarding the above proposals, including the loss of a significant number of Category B trees within areas A003/4 and groups G009-11.

However, following the submission of a revised Arboricultural Impact Assessment and drawing 9432-D-AIA the Officer has no objections to the principle, subject to a number of conditions. The proposal does include the removal of trees, with the main area to the south of the building. However, this is not considered to compromise the density or visual appearance of the green feature within the wider landscape. The AIA demonstrates majority of these trees to be removed are Category C with either moderate or low visual amenity to the area. There are two bands of Category B trees proposed for removal (A004 & G009) which are adjacent to the southern boundary.

Whilst the Trees Officer has no objections to the principle, a condition is sought to determine further detail on the exact volume and size of the trees which will be lost in the Category B grouping to inform the replacement planting in accordance with the Council's mitigation & compensatory tree replacement planting requirements within LP29. Similarly full details of the second Category B area G009 will also be required in order to inform the mitigation & compensatory tree planting requirements of Policy LP29.

A landscaping scheme will also be conditioned, along with an Arboricultural Method Statement and Tree Protection Plan as recommended within the AIA, dated 14<sup>th</sup> November 2022. It is considered with appropriate mitigation, to be sought by condition, the scheme can deliver green features which support the longevity of the tree belt to the south and landscaping to the north, ultimately supporting wildlife.

In light of the above, the proposal complies with Policy LP29 of the Peterborough Local Plan 2019 and Policy GNP6 of the Glinton Neighbourhood Plan 2021

### **g) Drainage**

Full details have not been submitted to demonstrate how surface water will be managed from the development or any indication of how it currently is handled across the site. As such the Council's Drainage Officer has been consulted. They do not object in principle but seek a condition to secure surface water drainage as the southern extension will project into existing greenfield areas and as such converted into an impermeable surface. The Officer notes the technical specifications on drainage plans should be provided. Calculations should be provided for the water levels during 100yr +40% climate change events for the SUDS so that there is no risk of flooding. The Welland and Deeping Internal Drainage Board advise the surface water provisions for the proposed extensions should be confirmed to the Board. Taking the above into account, such a condition will be applied to ensure surface water can be adequately dealt with.

Foul Water Drainage is indicated to be via the mains sewer network. Anglian Water have advised there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Furthermore, Anglian Water confirmed the foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre and that it will have available capacity for these flows. However, the comments have expressed concern of flood risk downstream and seek a condition requiring the details for on-site foul water drainage works including connection points and discharge rates. To ensure there is appropriate foul water drainage for the site and with no implications downstream a condition will be applied.

Taking the above into account, the proposal is in compliance with Policy LP32.

### **h) Other Matters**

#### Archaeological

The Archaeological Officer raises no objection to the development, advising it is unlikely to impact on important buried remains.

#### Contamination

No significant concern of contaminated land arises from the location of the site and given the adjacent building has already been developed on site. As such only a condition for unexpected contamination will be applied.

#### Bin Storage

The Parish Council and public comments expressed concern with location of the bin storage, with the potential of odour and vermin. The concerns have been noted and the bins are proposed 1.7m from the boundary, adjacent to the parking spaces. The bins are currently located in proximity to this northern boundary and the whilst the new external layout does increase proximity the 4.6m difference is not considered to result in a significantly unacceptable amenity impact to neighbour residents.

#### Lighting

External lighting has been identified as an existing issue on the site through public comments. Neighbourhood Plan Policy GNP3 advises design must not result in unacceptable impacts on the amenity of occupants including light pollution. In addition, the Policy advises proposals that contain elements producing unjustifiable external light pollution unsustainable for a rural location should be strongly discouraged. The drawings indicate no new external lighting at this stage, however it is anticipated with the extensions and revised car park layout, new lighting will be required. Therefore, a condition will be applied to ensure new external lighting is subject to prior consent of the Local Planning Authority. Any existing lighting which is of concern to surrounding residents should be raised to Pollution Control separate to this planning application.

## Determination

Glington Parish Council express concern with the application and have raised multiple objections. Public representations raised concern of no contact with the working group. The Parish Council have confirmed on July 2<sup>nd</sup> 2022 a meeting was held with the Clare Lodge team, including the architect, to discuss the original submission and the related concerns of Glington Parish Council and those of neighbours. However, the Parish were still concerned with revisions submitted to the scheme and consider the original objection to remain valid.

A further meeting was held on the 12<sup>th</sup> January 2023 to discuss the application. It should be noted that these meetings are not a requirement of the planning application and remain a separate form of consultation the applicant and Parish have undertaken themselves. As highlighted in the most recent Parish Council comments the concerns remain surrounding the car parking, lighting and noise as such still recommending the application to brought to Planning Committee.

Public representations raised concern over how the proposal can be assessed by the same body without a conflict of interest seeing as Peterborough City Council are the applicant. A recommendation will be made to the Planning Committee and the final determination will be made by members of the Planning Committee rather than delegated to Officers.

## **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 policies LP2, LP13, LP16, LP17, LP28, LP29 and LP30. The proposal has also been assessed in light of the Glington Neighbourhood Plan Policies GNP2, GNP3, GNP5 and GNP6.

## **7** Recommendation

The Executive Director of Place and Economy recommends that Planning Permission (Regulation 3) 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 shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the Ecological Appraisal (Allied Ecology, October 2022) which details the methods for maintaining the conservation status of protected species and habitats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

Reason: To ensure the survival and protection of important species (a feature of nature conservation importance) and those protected by legislation that could be affected adversely by the development, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and paragraph 174 of the National Planning Policy Framework (2021)

- C 3 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) 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 on possible protected species that may use the habitat (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: To protect features of nature conservation importance, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and paragraphs 174 of the National Planning Policy Framework (2021). This is a pre-commencement condition because the approved details must be implemented from the beginning of the development.

- C 4 Notwithstanding the submitted details, no above ground development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting;

- Placement, type and number of any recommended biodiversity enhancements and habitat improvements as described within the Ecological Assessment (Allied Ecology, 2022); and

- Boundary treatments.

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

Reason: To protect features of nature conservation importance, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and paragraphs 174 of the National Planning Policy Framework (2021).

- C 5 Prior to the commencement of development a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall include but not be limited to the following:

- A site layout, location of features, outfall location and conveyance.
- Identify existing surface water risk on the site.
- Sufficient storage capacity to ensure no internal flooding as a result of the

development during all storm events up to and including the 1 in 30-year storm event and no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 years plus 40% climate change event.

- Infiltration testing/ground investigation to assess the viability of using infiltration on site there should be some ground testing for geology and then the worst-case rates for that soil type should be used
- Discharge rates limited to the greenfield 1 in 1 year rate or 1l/s, whichever is greater.
- A 10% allowance for urban creep within the storage calculations.
- All areas of the site receiving sufficient water treatment.
- Engineering drawings detailing the SUDS components used within the drainage system.
- Demonstration of exceedance flows to ensure potential off-site flooding is managed.

The surface water drainage system shall be implemented prior to the commencement of the use.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policy LP32 of the Peterborough Local Plan 2019. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

C 6 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:-

- a) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of 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 tarmac, 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.
- b) Haul routes to the site and hours of delivery.
- c) Measures to ensure that vehicles can access the site upon arrival to ensure that there is no queuing on the public highway.
- d) Details of site compounds, storage area and contractor and visitor parking.
- e) Details of any temporary lighting which must not directly light the public highway.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety in accordance with Policy LP17 of the Peterborough Local Plan 2021. This is a pre-commencement condition as the CMP needs to be in place before works start on site.

C 7 No above ground construction shall commence until a scheme for cycle parking including details of its location, the type of stand and shelters to be provided shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be installed in accordance with the approved details prior to first use of the building extensions and thereafter retained.

Reason: In order to ensure that sufficient and suitable cycle parking is available in accordance with Policy LP13 of the Peterborough Local Plan 2019.



- C 8 Prior to the commencement of use an external lighting scheme shall be submitted to and agreed in writing with the Local Planning Authority. Any lighting in the reconfigured parking areas shall be arranged so that no danger or inconvenience is caused to users of the adjoining existing or proposed public highway and shall not directly point towards neighbouring properties.

Reason: To avoid glare/dazzle which could lead to danger to highway users and unacceptable residential amenity impacts, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan 2019.

- C 9 Notwithstanding the submitted details, no development shall commence until an alternative pedestrian access from Welmore Road which avoids the vehicular parking bays has been submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be implemented prior to the use of the building and be retained in perpetuity.

Reason: In order to provide safe pedestrian access to the site, and promote the use of sustainable modes of travel, in accordance with Policy LP13 of the Peterborough Local Plan 2019. This condition is pre-commencement as the details are required before ground works commence on site.

- C10 The car parking, loading/unloading and associated turning areas hereby approved shall be laid out and ready for use in accordance with the approved site plan(s) prior to the first use of the building extensions. The parking and turning areas shall thereafter be retained and shall not be used for any purpose other than parking and turning of vehicles, unless expressly permitted by the Local Planning Authority.

Reason: In order to ensure that sufficient parking and turning space is available in accordance with Policy LP13 of the Peterborough Local Plan 2019.

- C11 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 183 of the National Planning Policy Framework (2021).

- C12 Prior to the commencement of development, the details of the number and size of the trees to be removed from Category B Area A004 & G009, to accommodate the hereby approved development, along with the replacement planting scheme compensate the loss shall be submitted to and approved in writing by the Local Planning Authority. The replacement planting scheme shall comply with the Council's mitigation & compensatory tree replacement planting requirements within Policy LP29 of the Peterborough Local Plan 2019.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019). This is a pre-commencement condition as this information is required before the removal of the existing trees on site

C13 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. Such method statement shall include full details of the following:

- A Tree Protection Scheme

- Implementation, supervision and monitoring of the approved Tree work Specification

- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.

Timing and phasing of Arboricultural works in relation to the approved development. The development shall take place in complete accordance with the approved Method Statement.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the approved construction specification must be in place and adequate prior to development commencing to ensure the trees are protected.

C14 Prior to first occupation a maintenance plan detailing the maintenance arrangements for surface water drainage, should be submitted and agreed in writing with the Local Planning Authority. The plan shall detail who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

Reason: To ensure effective management of the surface water drainage system in accordance with Policy LP32 of the Peterborough Local Plan 2019.

C15 In accordance with the Proposed Site Plan 12 P2 dated 18th November 2022, parking shall only be permitted in the spaces 50-55 between 08:00-18:00.

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

C16 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of use, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy LP32.

C17 The development hereby permitted shall only be carried out in accordance with the following approved plans:

- Overall Plan Existing 11 P1
- Overall Plan Proposed 12 P2

- Elevations - Teaching Block Tree Line Screen 23 P1
- Prelim AIA 9432-D-AIA A
- Elevations - Teaching Block 20 P2
- Elevations - New Reception 22 P1
- Elevations - Accommodation & Reception 21 P1
- Education Block FF Plan 15 P1
- Location Plan 10 P1
- Reception GF Plan 16 P1
- Education Block GF Plan 14 P1
- Proposed Floor Plans 13 P1
- Ecological Appraisal dated October 2022
- Tree Survey, Arboricultural Impact Assessment dated November 2022

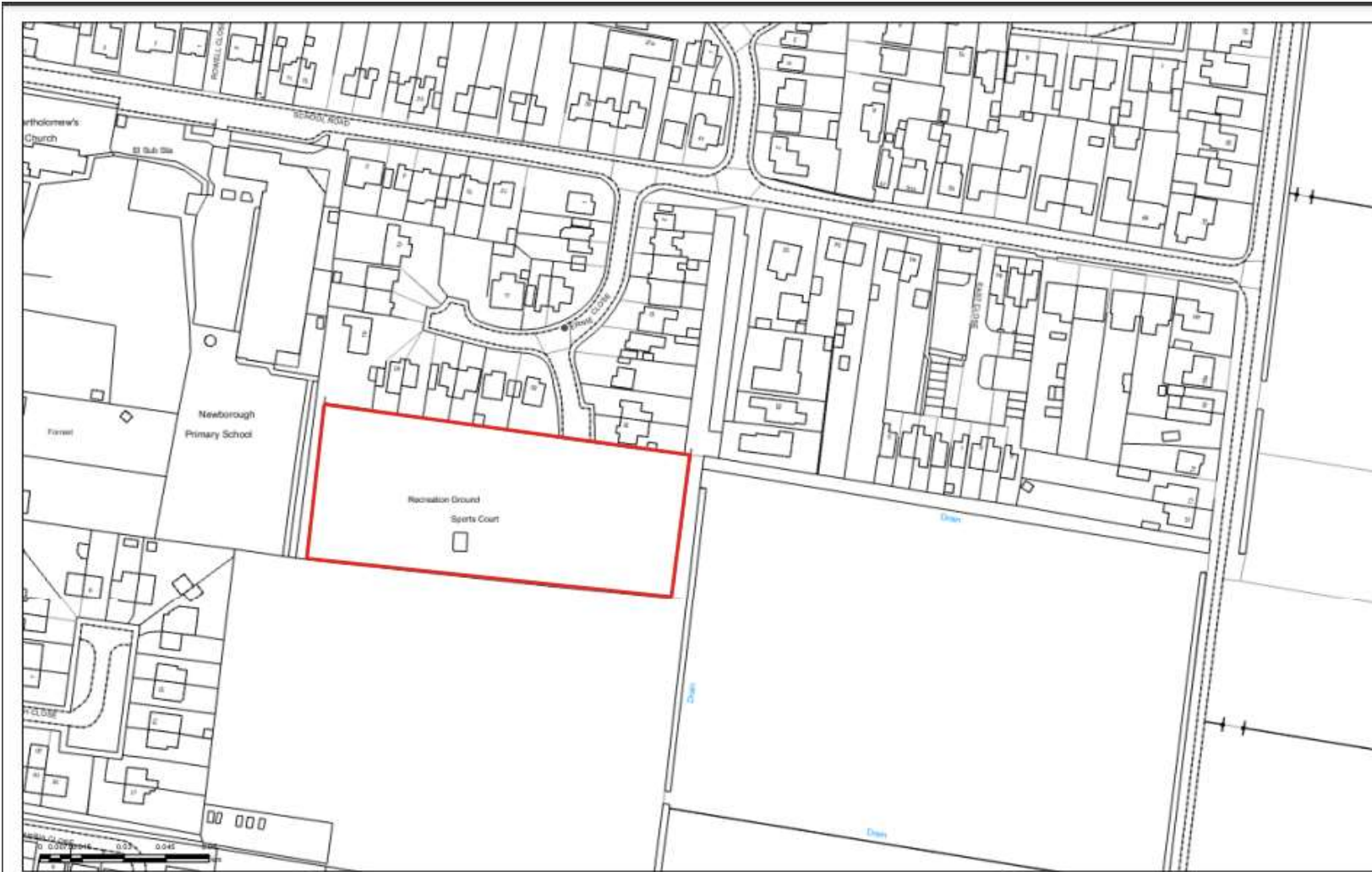
Reason: For the sake of clarity and proper planning.

- C18 No above ground construction shall take place unless and until details of brickwork, roof covering, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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

Copies to Councillors - Councillor Saqib Farooq  
Councillor Peter Hiller

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Reference: 22/00463/FUL

Site address: Open Space, Fernie Close, Newborough, Peterborough

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**Application Ref:** 22/00463/FUL

**Proposal:** Construction of a Skate Ramp

**Site:** Open Space, Fernie Close, Newborough, Peterborough  
**Applicant:** Ms Irene Healiss  
 Newborough & Borough Fen Parish Council

**Agent:** Mr Paul Sharman  
 Sharman Architecture

**Referred by:** Head of Service

**Reason:** Due to extent of public interest

**Site visit:** 27.05.2022

**Case officer:** Miss Molly Hood  
**Telephone No.** 07967 318633  
**E-Mail:** Molly.Hood@peterborough.gov.uk

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

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

### Site Description

The application is an area of public open space accessed of Fernie Close. The site currently contains a central football pitch, play equipment to the western side and a bench along the southern boundary. To the north of the site are residential properties, with their private amenity space bordering on to the area of open space. To the south and east is open countryside and the western boundary borders the school. The boundary treatments vary from concrete posts with chain link fencing, hedgerows and timber fencing, there are also some sporadic trees along the boundaries. There are several mature trees in the south-east corner of the public open space.

The application site is situated outside the village envelope for Newborough and within Environment Agency Flood Zone 3.

### The Proposal

Permission is sought for the construction of a skate ramp on the existing area of open space. The proposal is formed from one unit which is split into two ramps with a central reservation. The ramps will reach a maximum height of 1.5m, with the addition of 1m steel railings at each ramp end. The total length of the ramp is 16.5m, with then 1.4m of banked earth at each end.

## **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 (2021)**

- 8 Promoting healthy and safe communities
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

## **Peterborough Local Plan 2016 to 2036 (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 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.

### **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.

### **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, 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.

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## **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.

## 4 Consultations/Representations

### **Environment Agency (27.05.22)**

The Environment Agency does not wish to make any comments on this application. It does not appear to match any of the criteria on the consultation checklist.

### **PCC Pollution Team (25.07.22, 03.08.22)**

Initial Objection - based on the proximity of the proposed skate park to local residents (33km from property boundary) and the absence of a noise impact assessment for this development.

However, since the submission of the Noise Report, they consider that this proposal is now acceptable. The following should be noted:

This department previously commented on the proximity of the skate park to nearest sensitive receptors and the noise impact this proposal may have on these residents. Whilst there is no specific standard to measure such noise, some guidance documents were quoted. Both SkateboardGB, Skateboarding Design and Development Guidance for Skateboarding - April 2021 and Get Your Skates On! – A guide to developing BMX and Skate Parks in your area (Produced in 2005), clearly advised careful consideration needs to be given to noise. For this reason, a noise assessment was recommended to more robustly consider the proposal's acceptability.

Get Your Skates On! – A guide to developing BMX and Skate Parks in your area (Produced in 2005) states that:

"It is good practice that facilities are located no less than 100m from the nearest residential property and 30m from any property boundary (although this can vary slightly depending on the site and any neighbours). You should also ensure that noise from the facility does not exceed 55 decibels to avoid causing a nuisance to local residents. (page 11)

The submitted acoustic report demonstrates that the 55dB level as described in the document above can be achieved.

Whilst noise levels are not an entirely suitable mechanism for establishing the likely acceptability for such proposals (as with many other sports and leisure activities), since there are no accepted standards for comparing any predicted levels against in these instances (unlike, for example, the comparison of the effect of industrial noise upon residential premises [BS4142:2014]); the noise assessment and modelling are acceptable to this department.

This noise modelling in the report is based on the skate park being utilised only during daytime hours (7am-11pm), the control in place to prevent night-time use is negating to install floodlighting in the area. The use of the Skate Park in the evenings will obviously be seasonal.

On this basis, it is suggested that, should the planning department be minded to accept this proposal, that a condition preventing flood lighting from being installed is included to prevent night-time use of the Skate Park and therefore noise during unsociable hours.

It should be noted that inaudibility at the nearest residents should not to be expected.

In the noise report noise modelling also included calculations with a 2-metre barrier in place to provide further mitigation, however, no detail on the acoustic properties of the barrier were provided. It is possible that use of such a barrier whilst mitigating the noise from the Skate Park, might in itself create an additional area for congregation/unsociable behaviour.

When considering complaints of nuisance under the Environmental Protection Act 1990 it is important to note that planning decisions that alter the character of the area and therefore affect the acceptability of particular noise and use, impact on whether certain activities would be judged as nuisances [Wheeler v JJ Saunders Ltd, 1996].

The designation via the planning regime of areas suitable for certain uses is has an important contribution to the operation of the decision-making process in the statutory nuisance regime.

Consequently, should following granted planning permission, residents complain about noise emitted from this development it is highly unlikely that any action would be possible under the statutory nuisance regime.

**Police Architectural Liaison Officer (PALO) (08.06.22)**

Consider that there may be some space to hide behind the bunds created. However nothing recorded in this location on crime and incident systems, in relation to anti-social behaviour.

Considers that skate board ramps are in the main good for the local young people. They can however attract an older age group (even from nearby villages without such a facility) and later gatherings with the resulting noise and possible ASB, particularly during the lighter summer evenings.

Advised lighting and CCTV in some locations but with the lack of incidents here that may be something to consider in the future should the need arise and can be fitted retrospectively.

**Michael Britton (16.06.22)**

Some concerns raised including:

Retrofitting Skate Parks requires careful consideration due to the potential of heavy usage & the disturbance that this can bring to existing residents. Furthermore they have the potential (unlike the majority of other Play provision) in drawing in users from outside of a Village thus requiring the need for car parking etc.

Close proximity of trees also noted. Suggests that the Parish consider alternative Play provision being installed for teenagers at this location in lieu of a Skate Ramp.

**PCC Tree Officer (10.06.22)**

Objection, on arboricultural/landscape grounds.

The application/scheme is unacceptable currently, as insufficient information has been submitted to make an informed decision/recommendation regarding the above proposals, amendments could be made to make it acceptable. Revisions sought are for a soft landscaping scheme and tree protection measures.

**Lead Local Drainage Authority (17.06.22)**

Initial objection due to insufficient information surrounding the surface water strategy for the site, including a sustainable drainage system.

However, after the submission of a Flood Risk Assessment the recommendation was altered to a holding objection, with a condition recommended for a surface water strategy, maintenance plan and annual logs.

**North Level District Internal Drainage Board (26.05.22)**

North Level District IDB has no comment to make with regard to the above application.

**SHELAA Contact**

No comments received

**PCC Wildlife Officer (15.06.22)**

No objection.

The site is on a small area of amenity grassland, will not involve the removal of any woody

vegetation, will not be lit and will not impact any habitats which are used by protected species. As such considers there to be no ecological conditions appropriate to place on this application unless it is determined that the site will have lighting or removal of woody vegetation.

**PCC Peterborough Highway Authority (24.01.23)**

The LHA has no objections to the proposals.

The site is currently used as a football pitch and the proposed change of use is not expected to result in significant additional traffic.

**Local Residents/Interested Parties**

Initial consultations: 20

Total number of responses: 87

Total number of objections: 18

Total number in support: 69

The representations received have been summarised below:

**Comments received in Objection**

Parking and Highways

- Access for construction vehicles during the build.
- Extra cars bringing children to the park.
- No parking.
- Already times when emergency vehicles cannot get through.
- Cars already park on Fernie Close for school pick up and drop off, along with existing resident parking on street.

Residential Amenity

- Noise from skateboards, wheels on the ramp and people.
- To close to residential properties as advised by Skate UK who gives greater distance for skate ramps to deter antisocial behaviour.
- Could be used at any time during the day until dark.
- Close to many houses backing onto the field. Only 32m between the proposal and No.18.
- Already witnessed anti-social behaviour, climbing on top of the youth shelter, tyres screeching, loud music, foul language, mopeds driving on the park.
- Concerned will create more anti-social behaviour and could encourage aggressive play.

Principle of Development

- Existing skate parks at Crowland, Eye, Werrington and Deeping surely another park is excessive.
- Young children and parents may not want to use the play area in such close proximity to proposal. Will take the use of park away from the primary school.
- Will impact the football pitch – reducing in size.
- Situated in a small play area not a wide open sports field, which skate ramps are not designed for.
- It's an Olympic sport and not suitable in a child's play area.
- Used for dog walking.

Other Matters

- Safety of young children, who is responsible for anyone injured?
- Ground conditions are difficult to build on. All properties on Fernie Close are constructed on 8m deep piles. No detail on the foundations.

- Soke Road corner which had a lot of money spent on it has been half finished no bench or telephone box.
- The project benefits less than 100 people, it is a lot of money to spend on something for so few. Could the money be spent on an alternative scheme that benefits more people?
- May affect the house value and put off future buyers.

#### Trees and Environment

- There will be an environmental impact.
- Suspect tree canopy and roots may be an issue, along with fallen leaves in the autumn.
- An area of 120 sq m of soil to be removed which is a very soft peat soil full of absorbed carbon being replaced with approx 300 tons of concrete not a suitable environmental proposition.
- Will change the area.

#### Parish Consultation

- No contact from the Parish Council either verbal or written has been made about the skate ramp.
- Every person that tries to comment or object is being removed, blocked or comments turned off.
- Parish Councillors have engaged with suppliers without any form of competition.
- Although it is acceptable to conduct market research it is not acceptable to request quotes and design ideas to show to school kids before they have confirmed the budget.
- The cost of raw materials and labour has increased substantially this year adding to the original quote asking the question is this skate ramp a viable project.

#### Maintenance

- The land is leased from the Church Commissioners and only has a few years left before it expires. Will it be removed?
- How will these be kept clean (litter) and remove graffiti.
- The general maintenance of the playing field has deteriorated recently with the grass field and trees.
- Why can't the community that want this either have the skate park the opposite end. Or put it in the contract of the building of new houses that it has to go there.

#### Flood Risk

- The land they plan to put it on is below sea level so a large heavy skate ramp may cause some issues.
- Concrete skate ramps can disperse large amounts of rainwater leading to runoff. The field already takes time for water to disperse.

#### **Comments received in Support**

##### Principle of Development

- Children of the village raised contributions to the ramp. Therefore, the money shouldn't be used for something else.
- No existing youth clubs or public transport for young people to find entertainment.
- Provision for older children to socialise in a safe environment and be active – alternative to football or cricket.
- Another skill that local children might not necessarily be exposed to or interested in unless they had to opportunity to participate locally.
- Fernie Close park is the right place to build one as parents can supervise children of different age groups.

- Sports England gives guidance that skateparks should be 30 meters away from the nearest domestic property boundary. This planning application satisfies that.
- The playground has been off Fernie Close for 60 years.
- The Parish have researched and over 200 children at the neighbouring Newborough Primary School have voted to have a skate ramp. Children from AMVC have asked for a skateboard ramp to.
- Crowland Parish Council are on record stating "there has been no increase in anti-social behaviour in their playground following the introduction of a skatepark" and have gone further stating "it was the best thing the Parish Council has ever done for Crowland"

#### Residential Amenity

- If there is something for children to focus on they are less inclined to engage in anti-social behaviour.
- Precedent set with Eye village skatepark 30 meters from the nearest residential property.
- Kicking a football is nosier than a skateboard on a concrete ramp.
- The proposal is for a quieter concrete structure and there is just one ramp, whereas Eye skatepark has six wooden ramps.

#### Highway Safety

- It's illegal to use a skateboard on a public highway.
- Why would children travel from other areas as there are surrounding skate parks. Majority of children using it will live in the village and therefore won't need a car or parking.
- There are no footpaths on the main roads to the nearby skate parks and makes it dangerous.
- 345 square meters of council maintained land between numbers 13 & 15 Fernie Close. Using the 9 foot width of a standard parking bay, there appears to be space to provide parking for 14 cars. The kerb has even been dropped already. All I am saying is that should parking become a problem in the future, the Parish Council has parking options.

#### Environmental

- New build properties result in top soil being removed, how many objections have been submitted on the basis of this on the 30 new properties between Thorney Road and Hawthorn Close.

#### Drainage & Flood Risk

- The porous fast draining nature of the peat soil should not warrant the expense initially of drainage. Soakaway could be added retrospectively should water logging become an issue.
- The Highways Development Team & SuDS Flood Risk Team should be asked to publish where in the National Planning Policy Framework does it state where a small hard surface/ structure situated in a playground, that is not a building, away from roads or other buildings, falls within the National Planning Policy Framework and in particular is subject to a flood risk assessment. The Crowland and Eye skate parks don't have any form of drainage.

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

The main considerations are:

- a) Principle of Development
- b) Character of the Area
- c) Amenity of Neighbouring Occupiers
- d) Highway Safety and Parking
- e) Flood Risk
- f) Trees and Wildlife
- g) Other Matters

## a) Principle of Development

The application site is situated outside the village boundary of Newborough. However, the site is already established as informal open space to serve the village with existing play equipment and sports pitches. The open space is fenced and clearly defined from the open countryside to the east and south and is effectively part of the village. Policy LP23 advises local green space will be protected in line with the NPPF, which rules out new development on these sites other than in very special circumstances. The proposal is a skate ramp in the south-east corner, on a site which is defined as informal parkland and amenity open space, therefore falling under the provisions of Policy LP23.

NPPF paragraph 99 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.

Some public representations question the need for the skate ramp given the existing skate parks at Crowland, Eye and Werrington. In addition, concern was raised on the size of the existing sports field and whether it will impact the existing football pitch, dog walkers or deter young children or the primary school from using the play area. However, other comments support the introduction of sports equipment for older children and to provide an area for socialising. Claims are made regarding Crowland Parish Council seeing no increase in anti-social behaviour however this hasn't been verified.

The development is not removing a section of the existing playing field, it simply creates the provision for an alternative sports and recreational facility. The area will be still accessible to the public for use and enjoyment. The skate ramp is in close proximity to the existing end goal of the football pitch and the agent has supplied a drawing which illustrates the two provisions do not overlap or compromise each other. The playing field is separate to the primary school and whilst there are other pieces of play equipment already located to the west of the field, the introduction of the skate ramp is not considered to compromise any of the existing facilities available to the public.

It is accepted the skate ramp is aimed for older children, however it shouldn't be seen as reason to prevent this provision of sports equipment purely on the likely age of the user. The skate ramp is considered to be sensitively located to still create some distance between the younger childrens' play equipment and is not sandwiched in between. It should be noted that this is a public playing field where children and young persons of all ages can currently access/play on the field.

Additional information was sought to evidence the assessment and its conclusions of the skate ramp and its location. In January 2022 the Parish Council reached out to the community seeking suggestions on what new equipment was wanted in the Fernie Close Park and following this a working group was formed to explore the skate ramp idea. Furthermore, in 2021 a snap opinion survey carried out on Facebook demonstrated 216 people in favour and 12 against. The Parish Council accept that not everyone has access to Facebook, however the Parish were reassured there was sufficient demand. The Parish also wanted to provide facilities for teenagers in the village, as the Parish considered this was limited currently.

The Parish confirmed a total of six sites were explored for the siting of the skate ramp, including the allotments, Newborough Cricket Club and Quorn Close Play Area. However all but one of the sites were discounted due to insufficient separation distances or lack of permissions. The Fernie

Close site was chosen as the land is leased from the Church Commissioners as a playground and the 10 years on the lease was sufficient to accommodate the spending of the s106 funds. Concern is raised in the representations surrounding the lease of the land expiring and the cost of future clearance if it should expire. Whilst it is noted the land is leased, the site has been deemed to meet the requirements of the Parish Council and the responsibility of the site and possible clearance will fall to the Parish Council should it expire. Although the representations raise concern of viability and sufficient use of the Parish money, this is not a matter for consideration under this application.

The proposal will create an alternative means of sports equipment which is currently not present in Newborough in a sustainable and easily accessible location, on an existing informal playing field. The proposal doesn't compromise the existing football pitch or overcrowd the existing play equipment, creating a degree of separation between the different age ranges of equipment. On balance, the benefits of the new sports equipment are considered to outweigh the loss of a small currently grassed area of the playing field, as well as ensuring the open space caters for all age ranges. As such the proposal meets the requirements of paragraph 99(c) of the NPPF and Policy LP23 of the Peterborough Local Plan 2019.

Whilst the principle of the development is considered compliant to Policy, the proposal remains subject to other material planning considerations and in accordance with Policy LP23 assessment is required on the character, appearance and ecology.

#### **b) Character of the area**

The skate ramp is situated in the south-east corner of the site in between existing mature trees, in total seven trees will surround the east and west sides of the ramp. There will be visibility of the skate ramp within the public realm, however the development will not appear out of character as it will be adjacent to football goals, netball hoop and other play equipment. The trees will add a degree of screening and the earth mounds with suitable low level landscaping on the sides will soften the appearance. Overall, the design respects the context of the site and reduces visual intrusion to the playing field. No trees will be removed to facilitate the development and appropriate landscaping for the earth mounds can be secured via condition. The development will not result in significant harm to the character or appearance of the area. In light of the above, the proposal complies with policies LP16 and LP23 of the Peterborough Local Plan 2019.

#### **c) Amenity of Neighbouring Occupiers**

Representations have raised concern over the impact of noise and disturbance from the use of the skate ramp, in particular from scooters and bikes. The concerns also relate to potential anti-social behaviour from the introduction of a skate ramp, possibly resulting in noise and disturbance. However, some representations express the view that giving young persons the opportunity to focus on sport/recreation could reduce anti-social behaviour. Public representations referenced Skate UK and Sports England regarding greater separation distances between skate ramps and residential properties, however no details were provided and this hasn't be found.

The applicant has followed the Guidance for 'Outdoor Play from the Fields in Trust' which recommends that a wheeled sport space should be at least 30m from the boundary of local residential properties. The Parish advised that whilst permission is sought for the small ramp, which is just one element of a typical skateboard park, regard was still had to neighbouring properties. The nearest residential property is No.18 Fernie Close, which is approximately 33.2m from the northern edge of the proposal.

The scale/massing of the skate ramp is not considered to result in an overbearing, overshadowing or unacceptable impact on the curtilages of the residential properties which adjoin on Fernie Close. The skate ramp is located along the southern boundary, which is furthest from the residential properties, and it is considered the orientation of the ramp from North to South has been sensitively designed to avoid conflict with those neighbouring dwellings. Public representations also reference the concrete material of the ramp could be quieter when compared to a wooden ramp.



The Council's Senior Landscape Technical Officer raised concerns with the development, advising retrofitting Skate Parks requires careful consideration due to the potential of heavy usage & the disturbance that this can bring to existing residents. It is accepted the ramp will introduce some noise to the area and the Council's Senior Environmental and Pollution Control Officer has been consulted on the acoustic report submitted with the application [Noise Impact Assessment – Proposed Skate Ramp dated November 2022].

The Senior Environmental and Pollution Control Officer advised whilst there is no specific standard to measure such noise, some guidance documents were quoted, these being:

- SkateboardGB,
- Skateboarding Design and Development Guidance for Skateboarding - April 2021
- Get Your Skates On! – A guide to developing BMX and Skate Parks in your area (Produced in 2005) – *'It is good practice that facilities are located no less than 100m from the nearest residential property and 30m from any property boundary (although this can vary slightly depending on the site and any neighbours). You should also ensure that noise from the facility does not exceed 55 decibels to avoid causing a nuisance to local residents. (page 11)*

The submitted acoustic report demonstrates the 55dB level as described in the document 'Get Your Skates On!', can be achieved. However it should be noted that inaudibility at the nearest residents should not be expected.

The Officer adds that noise levels are not an entirely suitable mechanism for establishing the likely acceptability for such proposals (as with many other sports and leisure activities), since there are no accepted standards for comparing any predicted levels against in these instances (unlike, for example, the comparison of the effect of industrial noise upon residential premises [BS4142:2014]). Therefore the noise assessment and modelling are acceptable to this department.

This noise modelling in the report is based on the skate park being utilised only during day light hours (7am-11pm), the control in place to prevent night-time use is negating the installation of floodlighting in the area. Public representations raised concern that the ramp could be used at any time during the day, until dark. It is accepted the ramp could be used at any time of the day, however this also applies to any aspect of the playing field and the degree of use is seasonal. The playing field is a public facility and is not restricted in terms of pedestrian access to opening hours. It would be unreasonable to condition the hours of use of the skate ramp. It is confirmed no external lighting is proposed with the scheme. In accordance with the Officers suggestion, a condition is recommended to ensure any external lighting requires further planning consent from the Local Planning Authority.

The noise report modelling also included calculations with a 2-metre barrier in place along the most northern part of the ramp, extending along part of the east and west sides to provide further mitigation, but no detail on the acoustic properties of the barrier were provided. However, the assessment demonstrates that an acceptable noise level could be achieved without the use of the barrier. In any case it is considered the use of such a barrier is likely to create a visual intrusion given the scale and could create opportunities for congregation/unsociable behaviour.

The skate ramp will be located in a public playing field where there are other aspects of existing play equipment and a football pitch, which already generate a level of noise. The use of the site will generate varying degrees of noise throughout the year. The acoustic report has demonstrated through modelling, that the skate ramp can operate below the 55dB level without an acoustic barrier, with no objections from the Senior Environmental and Pollution Officer. The suggested

acoustic barrier is not part of scheme, as greater concerns were raised over the visual impact and the reduction in natural surveillance it could result in.

Taking the above into account, no significant detrimental noise, pollution or other amenity impact is considered to occur as a result of the introduction of the ramp to the playing field and the proposal is therefore considered to comply with policy PL17 of the Peterborough Local Plan 2019.

#### **d) Highway Safety and Parking**

Representations have raised concern over the development bringing extra cars, lack of parking provision, and existing on street parking issues on Fernie Close. Comments also questioned access for construction vehicles and emergency services, as well as suggestions from where parking could be located. The comments also draw attention to no footpath connections to the nearby skate ramps.

In accordance with policy LP13 the number and nature of spaces provided, their location and access, should have regard to surrounding conditions and cumulative impact. The existing playing field has no onsite parking provision and has been in operation for decades without parking facilities.

The Senior Technical Landscape Officer advises skate parks have the potential (unlike the majority of other Play provision) in drawing in users from outside of a Village thus requiring the need for car parking etc. The Officer comments have been noted. However, it is stressed the proposal is a single ramp and not a complete skate park. In addition, there are skate parks and much larger ramps within the neighbouring settlements, such as Eye, Crowland and Werrington. Given the existing facilities in the surrounding area and the scale of the ramp proposed it is unlikely to result in a significant volume of visitors from outside of the village.

Furthermore, the Local Highway Authority have no objection to the proposal, noting the site is currently used as a football pitch and the proposed change of use is not expected to result in significant additional traffic.

The nature of the use means users are more than likely to travel to the ramp by foot or on the bikes, scooters, skateboards intended to be used on the ramp. The scale of facilities is targeted towards local users rather than becoming an attraction to the village. The skate ramp will be incorporated into an existing public open space and is not considered to warrant the inclusion of vehicular parking spaces.

Representations regarding existing on street parking problems during school times on Fernie Close were received. These are noted, and whilst the generation of additional traffic has been considered, existing unsafe off street parking is not a matter which can be assessed under the application and should be reported to the Police and Highway Authority.

In terms of access for emergency services, the playing field has a gated vehicular access and an unrestricted pedestrian access both access off Fernie Close. The playing field's only public access point is off Fernie Close, it is considered both emergency services and construction vehicles will use this existing access.

#### **e) Flood Risk**

Some public representations raise concern that the land is below sea level and concrete disperses large amounts of rainwater leading to runoff, which already takes time for water to disperse within the field. However, other comments question the need for a Flood Risk Assessment and drainage details given the fast draining nature of peat soil. The playing field is situated within Flood Zone 3 and in accordance with paragraph 167 of the National Planning Policy a Flood Risk Assessment is required for the development.

The sequential test seeks to steer development to areas at a lower risk of flooding. The Parish Council did consider a number of sites within Newborough with some outside of Flood Zone 3, but

still with some overlapping into Flood Zone 2. The five other sites considered were deemed unacceptable on the basis of unable to seek permission, below guidance of 30m or the lease was too short. As such the only available site was deemed to be the playing field on Fernie Close and the development is considered to pass the sequential test.

The Flood Risk Vulnerability Classification table illustrates that water compatible development such as amenity open space is appropriate in Flood Zone 3. As such the addition of a skate ramp in an existing water compatible amenity space is considered acceptable. However, the development is still required to demonstrate appropriate surface water drainage as it will introduce an area of impermeable surface. The Environment Agency and North Level District Internal Drainage Board have no comment.

The PCC Drainage Officer does not object to the application, however, seeks a number of conditions for a detailed surface water drainage scheme and a maintenance plan. The Officer had recommended a condition for a drainage scheme during construction, however given the small scale of the development this is considered unnecessary, unreasonable and is not proposed within the recommendation. However the conditions securing a detailed scheme for surface water drainage and a maintenance strategy are all proposed with pre-commencement agreement secured from the agent. These three conditions are considered to meet the six tests and are essential to effectively managing surface water drainage of the skate ramp.

In light of the above, the proposal is considered to comply with Chapter 14 of the NPPF and Policy LP32.

#### **f) Trees and Wildlife**

Public representations address the potential environmental impact, impact to trees and the removal of soil. The skate ramp will be situated in between seven existing mature trees. On the west are Beech and Prunus species and to the east are the remaining five Prunus trees. The block plan demonstrates the ramp itself is outside the root protection areas of the trees and the earth mound boundary only marginally overlaps.

The Council's Tree Officer objected on the grounds that insufficient information had been submitted to make an informed decision/recommendation regarding the above proposals, but amendments could be made to make it acceptable. This objection was based on a request for a landscaping scheme to support appropriate screening and enhancement to the area. The Officer suggested a mixed native hedge to both the southern and eastern boundaries consisting of a double staggered row.

A landscaping condition will be recommended to secure appropriate landscaping to the earth bunds, i.e. low level planting is secured. However, landscaping will not be sought on the boundaries or for any tall vegetation to ensure the visibility towards the skate ramp is maintained and not obscured. On a more general note it is considered clear visibility and therefore surveillance is essential for not only the skate ramp but the playing field in general.

The Tree Officer also requested tree protection measures by way of protective fencing and ground protection shown on a Tree Protection Plan (TPP). Given the close proximity of the skate ramp and the surrounding trees, this is recommended to be secured via a pre-commencement condition. The agent/applicant have agreed to the use of the pre-commencement condition. A requirement of the TPP is that it shall also, include a works area for the storage of materials, machinery and the mixing of cement, washing out of wheelbarrows etc. This is essential to not only ensure no compaction or harm to the existing trees but also no obstruction to the remainder of the playing field during construction.

It is considered the location of the skate ramp would not compromise or significantly impact the existing trees on site. Furthermore, the scheme has been designed to maintain existing cover, which adds screening and therefore complies with policy LP29.

The development is situated on the existing playing field and due to the close relationship with the surrounding countryside and existing trees on site, the Council's Wildlife Officer has no objection, advising the site is on a small area of amenity grassland, which will not involve the removal of any woody vegetation, will not be lit, and will not impact any habitats which are used by protected species. As such the Officer considers there to be no requirement for ecological conditions unless it is determined that the site will have lighting or removal of woody vegetation.

In light of the above, the proposal complies with Policy LP28 of the Peterborough Local Plan 2019.

#### **g) Other Matters**

##### Maintenance

The public representations reference the current maintenance and condition of the playing field, questioning how the skate ramp will be kept clean, litter managed and if this happens, how will graffiti be removed. The management of the skate ramp will be a matter for the applicant, the Parish Council. The Parish have confirmed the bins are emptied and managed by the City Council.

Questions were raised on who is responsible for anyone injured. However this would be again a matter for the Parish Council and the same circumstances apply as the existing playing equipment on the field.

##### Alternate Scheme

One representation seeks the positioning of the skate park at the opposite end or for it to be put in the contract of the new houses that it has to go there. The application can only consider the proposed development as submitted and cannot consider any alternative scheme including the inclusion of a skate ramp in a new residential development.

The Council's Senior Landscape Technical Officer suggested an alternative Play provision being installed for teenagers at this location in lieu of a Skate Ramp. However, the application is assessed on the merits of the scheme submitted and cannot consider an alternative project on the site.

##### Parish Consultation

Some representations state no contact was made from the Parish Council either verbally or written, with concerns that comments or objections are being removed, blocked, or turned off. Parish consultation or any contact with suppliers prior to the submission is separate to the application. Publicity of the planning application was carried out by the Local Planning Authority under the statutory requirements of The Town and Country Planning (Development Management Procedure) Order 2015 (As Amended) No comments received as a result of publicity have been blocked or removed under the consultations of the planning application and a total of 87 responses have been received.

##### Ground Conditions

Ground conditions were highlighted in the public representation, advising Fernie Close properties are constructed with 8m deep piles. The onus is on the applicants to ensure suitable foundations for the ground conditions.

##### Non-material considerations

One representation commented on the uncompleted Soke Road corner, however this is separate to the application under consideration.

Concerns were raised over effects on property value, however this is not 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 result in a loss of public open space in accordance with Policy LP23 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of impact on the design and character of the site and surrounding area in accordance with Policy LP16 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of impact on neighbour amenity in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- The proposal would not result in an adverse level of the safety of the adjacent public highway in accordance with Policy LP13 of the Peterborough Local Plan (2019); and

## 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 only be carried out in accordance with the following approved plans:

- Location Plan dated 6th April 2022
- Skate Ramp Section NPC/04/A dated 6th April 2022
- 3D View of Ramp dated 6th April 2022
- Enlarged Plan to Skate Ramp Area NPC/03/B dated 26th April 2022
- Existing Location Plan & Site Plan NPC/02/B dated 4th July 2022

Reason: For the sake of clarity and proper planning.

- C 3 The materials of the skate ramp hereby approved, shall be in accordance with drawing Skate Ramp Section NPC/04/A dated 6th April 2022. The development shall be carried out in accordance with the approved details.

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 Prior to the commencement of development a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- o Verification of the suitability of the infiltration of surface water. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

- o Provide calculations that the proposed infiltration system to manage the worst case storm of 100year plus 40% climate change.
- o Provide detailed engineering drawings of each component of the drainage scheme.
- o Provide a written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The surface water drainage system shall be implemented prior to the commencement of the use.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policy LP32 of the Peterborough Local Plan 2019. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

- C 5 Prior to the commencement of use of the skate ramp a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policy LP32 of the Peterborough Local Plan 2019.

- C 6 There shall be no external lighting illuminating the ramp unless planning permission has been first obtained from the Local Planning Authority.

Reason: In the interests of residential amenity, character of the area and biodiversity, in accordance with Policies LP16, LP17 and LP28 of the Peterborough Local Plan (2019).

- C 7 (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme;

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place;

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme;

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the protective fencing must be in place and adequate prior to development commencing to ensure the trees are protected.

C 8 Prior to the commencement of use of the skate ramp a scheme for soft landscaping of the banked earth shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting
- Proposed planting plans including species, numbers, size and density

The soft landscaping shall be carried out within the first available planting season following completion of the development or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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

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

Copies to Councillors- Councillor Steve Allen  
Councillor Rylan Ray  
Councillor Nigel Simons

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