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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

TUESDAY 27 JUNE 2023

1.30 PM

Bourges/Viersen Room - 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:**

4.1 **21 February 2023** 5 - 14

4.2 **21 March 2023** 15 - 28

5. **Development Control and Enforcement Matters**

5.1 **22/01477/FUL - 2C Cyrus Way Cygnet Park Hampton Peterborough PE7 8HP** 29 - 40

5.2 **22/01621/WCPP - Recreation Ground Thorpe Lea Road Peterborough** 41 - 50



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5.3	21/01002/OUT - Land At Horsey Bridge Whittlesey Road Stanground Peterborough	51 - 118
6.	Local Plan Issues and options paper	119 - 186
7.	Quarterly Appeals Report	187 - 206

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Committee Members:

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

Substitutes: Councillors: G Casey, Mahmood and Seager

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

CASE OFFICERS:

Planning and Development Team: 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, James Croucher, 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, 21 FEBRUARY 2023
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

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

Officers Present: Sylvia Bland, Head of Planning
Joanna Turnham, Legal
Dan Kalley, Senior Democratic Services Officer
Chris Gordon, Planning Solicitor
Sarah Hann, Highways
Molly Hood, Senior Development Management Officer

35. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

36. DECLARATIONS OF INTEREST

There were none.

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

There were none

**38. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING HELD ON 13 DECEMBER 2022**

The minutes of the meeting held on 13 December 2022 were agreed as a true and accurate record, subject to the following amendment:

From:

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.

To

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 *abstentions*) the proposal was

GRANT subject to conditions and the signing of a legal agreement securing off-site highway mitigation.

39. PLANNING AND ENFORCEMENT MATTERS

39.1 22/00722/R3FUL - Clare Lodge 8 Lincoln Road Glington Peterborough

The Committee received a report, which sought permission 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.

The Senior Development Management Officer introduced the item and highlighted key information from the report and the update report.

Gerry Kirt, Parish Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There were a number of issues with the application, this included a conflict of interest. The Council had made a lot of money out of Clare Lodge, which, at this point was not making as much money as it previously had. Peterborough City Council owned Clare Lodge and operate the premises, from this the Council received a financial benefit. If permission were granted how could residents believe that a fair and balanced decision had been made. It was the view of the Parish Council that this application should be referred to a third party to determine.
- The application site was outside the village envelope and contradicted LP2 and GNP2. This was not a community asset as residents at Clare Lodge came from around the Country and did not, therefore, serve local residents. It was felt that this was not an exception to the rules and policies in place. The applicant was trying to re-label Clare Lodge a community asset.
- The Parish Council had emailed Council officers to get confirmation that the principles around the village envelope would be reviewed and amended. Officers confirmed that this could be reviewed as part of the review of the local plan but only at the point it was reviewed in its entirety and not before. If the plan was re-drawn, then the Parish Council would not be objecting to the principle of the application.
- There had been no community involvement prior to the application being submitted. Local residents would be affected by the 50-55 car park spaces that were proposed along with the location of the bin storage, which would result in the loss of amenities to those residents who bordered the application site and was contradictory to LP17.
- In terms of car park provisions there was other suitable positions for this, including to the south of the site. Clare Lodge had incorrectly claimed that the did not own

the land to the south of the site, however when looking at land registry documents this was contradictory and showed that Clare Lodge did own the land to the south where the car park provision could be placed.

- One of the final points was around lighting and whether the planning team had the resources to enforce issues around lighting to local residents.
- In conclusion if the policy team had acted and re-drawn the envelope or committed to doing so in the future this meeting to discuss the application would not be needed. If committee approved this then it signalled that the council only viewed neighbourhood plans as advisory.
- When the original envelope was drawn no one, at that time, though it would follow the perimeter of Clare Lodge, rather than the boundary that was drawn up. The Parish Council was seeking some reassurance from planners that they would seek to extend boundary in the future, however, this was unable to be provided.

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

- There were a number of properties that backed onto Clare Lodge and was addressing the committee on behalf of those residents who were unable to attend the meeting. Beyond the boundary fence was the kitchen, bins and vehicles that were associated with Clare Lodge. There were a number of times that staff arrived late into the evening. In addition, the extractor to the kitchen was left on all night.
- One of the major concerns was that there was a rat infestation associated with the bins being so close to the boundary fence. In addition, a skip had been left outside near the boundary fence for some time and a new one had recently been installed in the last week. A lot of noise and dust had been generated from the parking spaces and the bins.
- With regards to the car park spaces the 50-55 mentioned would be better place across the way and away from the residents back fences. It was difficult to see how any conditions imposed could be enforced.
- It was pleasing to see that some conditions had been imposed however they were void of real detail.
- There were no issues with the work that Clare Lodge carried out and the importance of the facility for those who were in need.

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

- Clare lodge worked with some of the most abused people in the country and looked to work with vulnerable people as best as possible. It was important to try and give those in the facility the most normal school day as possible.
- There was no intention to increase the number of students or staff that the facility could manage as a maximum. Part of the proposals was to look at creating a more sustainable energy focus on the site and keep on improving the lives of the residents that used the facility.
- In terms of rat infestations, the site was managed by an external contractor who maintained the site and this part of their responsibilities. There had been no mention of any rat infestations to management of the site.
- There was a possibility that not granting the application could affect inspections going forward. This was a chance to update the energy systems at the site which were quite costly.

- There was an acknowledgement that more engagement and consultation with residents could have been carried out.
- Advice had been given that the land to the South of the site was not owned by Clare Lodge, however if it was the applicant would look at feasibility of moving the car park and bins to this location.
- The facility was very much a part of the community in Glington. This included a number of staff from the local area who worked there. There was no plan at the current time to increase the number of staff, however the plans were needed to ensure there was space when shift patterns overlapped.
- This was a national service run by Peterborough City Council and local people were employed wherever possible.
- There had been two meetings with the parish council to discuss issues. There was no proof at this stage that the rats had come from Clare Lodge. The site was inspected twice a year by Ofsted and any rat infestations would most likely have been picked up.

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

- The Council's statement of community involvement did not compel the applicant to carry out consultation but did strongly encourage engagement.
- In terms of the boundary and village envelope, in order to change this it needed to form part of the local plan. It was therefore not possible to give any undertaking on this as it would form part of the consultation when the local plan was being updated.
- In terms of issues around bins and moving the location of this and the car park it was not something the committee could make a decision on. The committee needed to make a determination based on what was presented to them.
- As part of the description of what a community facility was it did have a wider catchment area than just Glington.
- Although the initial submission and discussions mentioned an increase in employee numbers there was no proposed increase in capacity in the final submission.
- It was confirmed that there was no requirement in law for the applicant to carry out a consultation, however it was good practice and strongly encouraged to do so.
- There were different types of uses that could be used in a building such as Clare Lodge, which fell under the wider description of community uses but did not have to serve just the community within where they were used.
- All vehicles used Lincoln Road to access the site, which caused a large amount of dust and disturbance.
- There had been no formal complaints around bin storage comments made during the application process.
- There was clear support for Clare Lodge and the need for the facility to provide the best possible education. The applicants were looking at expanding the site due to the need to do so following the Ofsted report. There were compelling arguments to move the bin storage and car park spaces, however this was outside of the remit of the committee.
- It was important to note that there had been 41 objections to the application along with the concerns raised by the Parish Council. There was nothing the committee could do at this stage to influence the location of the storage bins and car park it was strongly advised that officers and the applicant have another look at the location of these provisions to see if it was possible to move them. It was debatable

as to whether this was a community facility but did provide some employment for the local community. Even though there were concerns over the application this was a much-needed facility and the updates were needed to ensure the facility provided the best service to those using it.

- Whilst there were shortcomings with the application and if further discussions had taken place, then it was likely the application would not have come to committee. There was support for asking the developer to consider moving the location of the storage bins and car park.
- It was concerning that the Council's own best practice on consulting stakeholders had not been adhered to and that it was important to ensure developers followed this in the future. There were some concerns over the encroachment of the village envelope, there was no recourse for the Parish Council who had put in place their own neighbourhood plan.
- All applications were dealt with on their own merits. In the applicants address it was confirmed that there would be no increase in numbers.
- Following the site visits the locations of the bins was still close to the boundaries of neighbouring properties, if the application was refused there was nothing compelling the applicant to move those and therefore the same issues would arise.
- Some of the issues come from the Council marking its own homework and the applicant had not followed through with the process as they should have done. However, there was no merits to refuse the application.
- There was an opportunity to make some improvements if the developers had taken note of the comments raised by the public and members. The simplest solution was to take away the location of the bins and car park.
- Officers were encouraged to work with the developer to look at the location of the storage bins and car park.

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 (Unanimous) the proposal was **GRANT** subject to conditions.

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 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.

39.2 22/00463/FUL - Open Space Fernie Close Newborough Peterborough

The Committee received a report, which sought permission 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.

The Senior Development Management Officer introduced the item and highlighted key information from the report and the update report,

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

- The Ward Councillor confirmed they fully supported the idea of a skate ramp, although there were concerns over the location of the proposal. It was ideal that that the skate ramp was 50m to 80m away from the nearest property. The application in question was no more than 30m from the nearest property and would not be mitigated by sound proofing. In addition, there was no lighting provision which was not ideal in terms of protecting children's safety.
- There were better locations in the village that could be used for the skate ramp.
- The Parish Council was pleased to support the application, the history of the playing field went back to the 1960's, the parish council leased the land from the church and this was done on an ongoing renewal, currently up to 2032. The Parish Council were happy that the application fitted in with of the lease and could continue to be used by the local community.
- Members were informed that the Parish Council made significant investment in the playing field and the children were really happy to have this in the village, this was a skate ramp and not a skate park and it was not envisaged that anyone from outside the village would use the ramp.
- Discussions around the use of the site started a few years ago, the Parish Council were happy to support this application. An open morning was held at the Parish Council a number of years ago which allowed residents a say on what they wanted to see the land being used for.
- The application Followed guidance from Sport England guidance and was over 30m from the nearest house.
- The children of the village raised money to support the installation of the ramp and raised over £1,300 which was donated to the Parish Council to help with the installation of the skate ramp.
- A number of different assessments had been completed to ensure the ramp was viable and had been approved by all parties. This was something that the children of the village were looking forward to.
- In terms of support for the application there had been a number of letters of support. The local school had been visited and they were supportive of the proposal.
- At meetings of the Parish Council there was general overall support for the application. Most of the objections had come from nearby residents who were impacted the most by the installation of the ramp.
- Other locations were looked at but there was no other viable site that the Parish Council could put forward for the skate ramp. Although there might be some other locations the Parish Council did not own these pieces of land.
- It was suggested that other sites could be used, for example the Longhurst development, however the Parish Council were not looking at investing in privately owned land.
- There was an ongoing problem with the length of the grass on the field and no organised football matches had taken place there. There were also issues with anti-social behaviour and this would only increase with the introduction of a skate ramp.
- No feedback had been given by the Police, however there had been some reports of anti-social behaviour in the area and this was before a skate ramp was introduced.

- Although there had been a lot of support for the application this was mainly duplicate letters of support. Although there was support for a skate ramp this was not the right site.

Kevin and Patricia Richards addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- Residents had not been formally consulted on the skate ramp, the proposed site was unsuitable due to noise and anti-social behaviour. The ideal distance for the skate ramp from neighbouring properties was 80m to 100m. There were residents living directly next to the playing area, some residents had lived at the location for nearly 40 years and there was now a real possibility that their enjoyment of a peaceful cul-de-sac would be disturbed.
- There were three skate ramps in a three-mile radius two of these had graffiti and reported with Anti-Social Behaviour.
- The play park had recently been upgraded, however there had been issues with groups of young people play loud music and leaving bottles and cans thrown across the ground.
- Families were using the play park on weekends and would be put off going if there were anti-social behaviour problems. In addition, there was the potential for additional cars to block the end of the road causing an issue for residents trying to access their properties.
- There had already been an increase in the number of cars coming into the park, mainly for letting dogs out to run around the green space. More vehicles would only add to the issues, especially as there were no designated car park spaces by the open space.
- The idea of a skate ramp was a good one, however this was the wrong location. All the residents down Fernly Close objected to the application, those in support lived.
- If the application was successful then there was a strong chance the noise levels would increase as more people would be in the vicinity.
- The skate ramp itself generated noise and this would be constant throughout the day.
- There would be a negative impact on the play park which was used by families of younger children, they would be less likely to use the park if there was a skate ramp and the possibility of more anti-social behaviour.

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

- The ramp itself was 1.5m in height the railings then added another 1m. There are no significant concerns over loss of amenity.
- The introduction in the skate ramp would increase the noise level. The acoustics had been looked at and the report showed it was below the level of 55 dB and this was below the minimum level.
- It was not considered that the additional footfall was confined to the construction of a skate ramp. This was based on two people using the ramp for eight hours a day.
- Following reports of the acoustic levels of the potential skate ramp, Council officers did not have concerns over compliance of noise pollution levels. Although the police had commented on the possibility of late gatherings there were no time restrictions imposed.

- The effect of children playing had been considered in the acoustic report and was not deemed to have negative impact.
- The 30m minimum distance had been advocated by Get Skating UK. It was confirmed that the acoustic report had looked at the 30m distance and confirmed it was acceptable.
- A skate park in the ward had experienced ASB, however this had stopped once the shelter had been removed. It was clear that the actual users of the skate park had re-claimed back use of the park for its intended purpose. The Parish Council was commended for taking into account the views of young people in the village. It was part and parcel of open space such as this that some noise would be created.
- Issues seem to be around the location of areas where people sit rather than the installation of a skate ramp. Have to applaud the parish council and going ahead with this application.
- Minded on balance to approve the decision, it was understandable the ward councillors' issues that they supported the skate ramp but not in the proposed location. The comments on Anti-Social Behaviour were unknown and there was no evidence to suggest that there would be ASB.
- Children of the village wanted the application to go ahead if it did not there was nothing for the children to do.
- The Parish Council had done a good thing and listened to the wants of the children. Although it was also important to listen to the elderly residents of the village who had understandable concerns around noise and more cars parking close to the property.
- The Children went out their way to help fund the ramp, this showed how much the children in the village wanted the application to come to fruition.
- It was hoped the site would be self-policed as the children would want to protect the site as that is what they wanted.
- The noise pollution experts had investigated and deemed that the application was acceptable under noise pollution levels.

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 (Unanimous) the proposal was **GRANT** subject to conditions.

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 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);

Chairman
1.30pm - 4.04pm

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**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON TUESDAY, 21 MARCH 2023, COUNCIL CHAMBER, TOWN
HALL, PETERBOROUGH**

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

Officers Present: Sylvia Bland, Development Management Group Lead
Molly Hood, Senior Development Management Officer
Karen Dunleavy, Democratic Services Officer
Chris Gordon, Planning Solicitor
Nick Greaves, Highway Development & Drainage Manager

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jamil and Andrew Bond. Councillor Bi and Sandra Bond were in attendance as substitutes.

41. DECLARATIONS OF INTEREST

No declarations of interest were received.

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

Councillor Rush declared to speak as Ward Councillor in relation to agenda item 21/01002/OUT - Land At Horsey Bridge Whittlesey Road Stanground Peterborough

The Committee agreed to agenda item 4.2 CAS15A/0001/22 - Land To The East Of Tolmers Leicester Road Thornhaugh Peterborough to be considered first.

43. PLANNING AND ENFORCEMENT MATTERS

**43.1 CAS15A/0001/22 - LAND TO THE EAST OF TOLMERS LEICESTER ROAD
THORNHAUGH PETERBOROUGH**

The Committee received a report, which sought permission to consider whether or not to register the land subject of this application as a Village Green. The application seeking Village Green status was by Mr Martin Witherington relating to land off Leicester Road, Thornhaugh. Peterborough City Council was the Commons Registration Authority under the Commons Act 2006 which administered the Registers of Common Land and Town or Village Greens. Under Section 15 of the 2006 Act, the City Council was able to register new land as a Town or Village Green upon application. This had not been a planning application where the policies of the Local Plan or NPPF were applicable. Members were not to consider whether the site was suitable for a village green in planning terms but to confirm whether the landowner had demonstrated compliance with the legal requirements set out in the Commons Act 2006

The planning officer introduced the item and highlighted key information from the report.

The Applicant, Mr Martin Witherington addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The previous owner agreed to donate the land to the applicant and current owner.
- The Thornhaugh/Wittering circular footpath runs to the north of the site.

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

- Members commended the Applicant for his public-spirited work.
- Members were in support of the application.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the application.

REASON FOR THE DECISION:

The onus had been on the Applicant to show, by their submissions and supporting evidence that, on the balance of probabilities, all of the statutory criteria under Section 15 of the Commons Act 2006 had been met in this case. The evidence illustrated the land was within the ownership of the applicant and no additional consents were required. The Applicant had demonstrated the statutory criteria with Section 15(8) of The Commons Act 2006 has been met.

The Committee agreed to extend the speaking time to 10 minutes for the applicant and objectors for the next item.

43.2 **21/01002/OUT - LAND AT HORSEY BRIDGE WHITTLESEY ROAD STANGROUND PETERBOROUGH**

The Committee received a report relating to an outline application which proposed a new business park which comprised of Uses Classes E, B2 and B8. Only the principle of development and its means of access were for consideration under this application, with all other matters being reserved for future consideration. The sole means of vehicular access would be via a new priority junction on the A605 towards the eastern end of the site, with the existing crane depot access rerouted through the site and its existing access closed.

A footway/cycleway was proposed to run through the site in a broadly EastWest direction. The application proposed up to 15,236sqm of employment space.

The illustrative site layout plan (which was not for approval at this time) showed this arranged in 20 individual buildings ranging in size from 265sqm to 2,000sqm, aimed at the Small/Medium Enterprise business sector, for which the agent considered there to be a high level of demand.

A landscape planting strip was illustrated along the north-western site boundary intended to provide a buffer to the adjacent houses, whilst the central portion of the site, to the north of the Scheduled Monument and outside the red line of the application site would also

remain free from development for the protection of archaeological remains. New tree planting had been illustrated along much, though not all, of the northern side of the A605.

Whilst scale and design were not matters for consideration at this time, the applicant had confirmed that the proposed buildings would be restricted to eaves heights of between 6m and 10.5m. The application was accompanied by sections through the site to show how this height and scale of development would sit within the surrounding landscape.

At this point Cllr Bi left the meeting 2:02pm and returned 2:08pm

The Head of Planning introduced the item and highlighted key information from the report and the update report, which included:

An amended recommendation that should the Committee be minded to approve the application, the decision would need to be referred to the Secretary of State for Housing, Communities and Local Government pursuant to the Town and Country Planning (Consultation)(England) Direction 2021. This was as a result of the amount of ancillary office space proposed which could exceed 5,000sqm and that the site was outside a town centre.

Upon receipt of any such referral, the Secretary of State had a 21-day period in which to decide whether or not to call in the application under Section 77 of the Town and Country Planning Act 1990 (as amended). If the Secretary of State had not called-in the application within that period, the Local Planning Authority might proceed to determine the application.

Amended conditions included:

- C12 to take on board considerations in relation to the water table as a result of landscaping
- C13 landscaping management plan
- C41 sequential site testing

The Committee agreed to extend the speaking time to 10 minutes for the applicant and objectors for the next item.

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

- The Ward Councillor spoke on behalf of the residents of Stanground, of which many were against the application.
- Whilst it was recognised that job creation and economic development was important for the area, this provision needed to be constructed in the right place in the city.
- The site was located in the Peterborough Fens Landscape Character area, with views across the Nene Washes, Flag Fen basin, Must Farm site and Horsey Toll Fort and was therefore rich with archaeological significance.
- The site had not been included on the Local Plan for allocation.
- The recent Historic England trenching exercise had uncovered significant waterlogged buried archaeological remains between Horsey Hill and Stanground, such as well-preserved wooden posts that had dated back to the bronze age and late iron age. The piles needed to construct the proposal would likely cut through the water bearing soils which could impact the ground water flow or levels.
- Historic England had raised concerns against the application on heritage grounds.

- It had not been demonstrated by the Applicant that the buried remains could be preserved underground in situ.
- Planting of trees and screening would affect the hydrology of the site and potentially result in the drying out of the buried archaeological remains. This issue had not met the requirements of the National Planning Policy Framework (NPPF) 194 and 195.
- Once the remains were buried underneath the proposed building, they would be lost forever and could not be excavated for inspection to ensure that they had remained intact.
- The tree officer was against the application on arboriculture and landscape grounds. The application was contrary to LP16, 17, 27 and the landscape proposed would certainly contribute to the desiccation of the soil to the preservation area.
- The application was objected to by the Council's archaeologists on the grounds that the proposal would not preserve the buried archaeological remains.
- The development would attract additional traffic to the area.
- The Eddison report had recognised the traffic issues in the Cardia junctions leading onto the Whittlesey Road, however, they had stated that it was not possible for the developer to improve existing issues.
- The review of available employment land in Peterborough was conducted by Eddison Storey and Barker, the Agent on behalf of Barnack Estates, and therefore, it was felt that the report was a biased one.
- There was employment land available at the Greyhound site, 12,000sqm, Oxney Road 22,000m and Newlands near the A1 with 230,000sqm should be given consideration before any alternative employment land was allocated. Furthermore, it was felt that there had been sufficient employment land within the city to accommodate the proposal.
- The A605 was already a busy road and concerns were raised that it could not withstand any further traffic, particularly when the North Bank Road was closed due to flooding. There were visually impaired bends on the road and it was questioned whether the road survey had been conducted sufficiently.
- It was queried whether consent been given by the landowner to conduct further assessments to access the site.
- The fact that the land had been previously identified for a regional freight interchange had not longer carried any weight.
- The site had been covered by minerals and safeguarded for clay, sand and gravel extraction. This fact seemed to have been ignored.
- The site had specific historic significance and therefore had not been allocated in the Local Plan. It was also too close to nearby residential properties and a precedent could be set for other developers if the application was approved.
- There had been significant objection raised against the proposal to the land, which had not been allocated within the LP in relation to the hydrology impact of rooting, tree officer objection, middle level objection, archaeology concerns and Historic England to name but a few.

Mr Richardson, and Mr Hodson objectors, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The site would be covered by materials such as tarmac, concrete and piles which would cover the archaeological buried remains that would be lost for all time if the proposal as approved, with no chance of reversal. There had been so many more archaeological remains to be discovered by Historic England, a further 99%.

- A drawing produced to show that the archaeology would be saved gave a false impression and the only option would be to conduct a thorough dig of the whole site.
- Once the site was covered there would be no way to assess whether the archaeological remains had become decayed due to water loss, not even if conducted by the Durham Miners. Therefore, the site was unique and considered a valuable asset to Peterborough.
- It was felt that Highways conclusion was somewhat confusing as the proposed exit road had been situated along an old, abandoned junction on the A605. The abandoned entrance had been disused due to its unsafe exit towards Peterborough.
- There had also been concerns raised with traffic congestion ever apparent on the A605 due to the North Bank closures, therefore it was felt that the proposal would exacerbate the current traffic issues.
- The peace and quiet of the site would be subject to continuous construction vehicle noises, similar to that suffered with the Horsey Bridge works. It was feared that the noise concerns would continue over night and the nearby residents would be deprived of sleep.
- The light that could be illuminated from the proposed site would impact residents and confuse day and night periods. Currently the site was pitch black and therefore not an issue for residents to sleep.
- The proposal would not sit on existing land levels and would affect the views and loss of the World War II hurricane hanger.
- Historic England objected to the tree planting, however the Tree Officer had stated that the screening proposed was adequate. Both opinions were correct, however, it was felt that the only solution was to allow no development.
- The City of Peterborough had too much to lose by approving the development, such as the early history, bronze and roman archaeological remains and therefore planning permission should be refused.
- There were over 100 available commercial buildings in Peterborough at present.
- Mr Hodson, the speaker, was a Planning Surveyor and Chartered Consultant, who lived in Whittlesey.
- Concerns were raised about the Highways comments made in relation to the A605 being capable of traffic.
- The A605 was already surcharged.
- The objectors house faced the front of the A605 and when the North Bank was flooded the traffic had been nose-to-tail congested.
- The estate road connection was bent and should be straight and should accommodate this type of access to assist long artic lorries to exit. Furthermore, installation of a roundabout could provide a more desirable solution.
- There had been lots of lorries causing issues in nearby industrial developments such as from Saxon Pit, the old London Brick site. Negotiations had taken place with three of the owners, which resulted in the lorries only travelling into the sites from the west. This would provide a solution for the current traffic congestion issues, which should be considered by the Council and Applicant in reserve matters.
- The objector would not be in support of the application even if the traffic suggestions were implemented, due to the facts raised by others in relation to the available employment land in Peterborough.
- The proposed access was near a drop kerb and therefore in the wrong place, which could be dangerous. This would be exacerbated by the temporary closure of the

North Bank Road and to instal a junction in that location would cause a real vehicle traffic issues.

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

- Barnack Estates was an employment ownership trust which operated similar to John Lewis, and specialised in high quality small, medium size enterprise (SME) sized business accommodation.
- The land proposed for development was not located on a green belt site.
- The application was submitted in May 2021 following months of work conducted on the proposals and with supporting information prior to and following pre application discussions held in 2020.
- There were over 200 objections from residents, and further information required by the technical consultees, which had not been unusual for a scheme of this size.
- In the past two years the Applicant had liaised consulted and altered the scheme and had recognised the input from Ward Councillors and residents, officers and their consultees.
- The site was a pre allocation site for a Railfreight terminal within the previous Local Plan (LP).
- The Current LP was out of date and due to be reviewed in 2036, however due to the lack of allocated employment land, it would be reviewed earlier.
- The employment land review, the recent 2022 update and review of GEA availability, had shown that very little land was underdeveloped or not subject to a current planning application.
- The Applicant had such a positive reputation and the business units constructed in Yaxley had already been acquired by SMEs before they were built. This also demonstrated the high demand for employment sites.
- The Red Brick Farm development had been delayed, which added to the pressure of lack of employment sites.
- There was a long lead in time for employment sites even when they had been allocated for development.
- If consent was granted it would be late this year before the proposal was completed with reserve matters and therefore, the first business occupants could accommodate units for 2024. This demonstrated that a pipeline of sustainable employment sites was needed in Peterborough. Furthermore, it was important to provide employment units to meet the demand.
- The Government advice and planning law was that applications should be determined in line with the LP to allocate employment land unless material considerations suggested otherwise.
- The entrance proposed had been moved to the eastern site to protect neighbouring amenity. In addition, the application had been adjusted to protect residents from too much light, traffic management and reverse beep noises from trucks.
- Traffic surveys had been undertaken to assess hard evidence of the traffic capacity.
- The Ponders Bridge construction had been completed, which had improved vehicle traffic movement in the area.
- A right turn lane would be installed into the middle of the road outside the entrance to alleviate any congestion on the road from vehicles travelling into Peterborough.
- Highway Officers had agreed the design of the road and cycleway.

- There was a comprehensive landscape strategy, which had been included alongside Whittlesey Road to screen the building and improve the view for neighbours.
- The applicant had invested over £100,000 on archaeological investigations to date and would be required to invest a further £500,000 going forward to preserve it as part of the development.
- The root of the ditch would be undeveloped, which would highlight the significance of the fort and its setting. There were rows of posts that were believed to be part of ancient walkways across the site. The design of the proposal would avoid any impact on the posts found and the drainage strategy would maintain a high-water table to preserve them.
- Condition 3 concerned a phased plan to preserve the posts and any issues could be assessed before the site was built.
- Archeology would be protected by conditions 15, 16 and 17. Therefore the buried posts would be protected.
- The master plan was illustrative only and the application at this stage was only an outline plan.
- Officers' concerns had been addressed and agreed subject to the imposition of strict conditions and a section 106 agreement.
- There would be sustainable interventions such as energy water consumptions, PV panels and electric vehicle charging points to be implemented by conditions 18 and 29.
- There would be a section 106 agreement applied to the wider Greenwheel route.
- The proposal would create 62 construction jobs, followed by 412 permanent jobs when the development had been completed and occupied. Furthermore, there would be a £15.7m investment into the local economy during construction followed by £21.8m each year following occupation of the development. In addition, the development would generate £13.8m in employee wages and income to the Council from annual business rates. Therefore, the proposal had demonstrated that a significant contribution to the economy would be generated if the application was approved.
- The Applicant had listened to and consulted on the archaeology and transport concerns and provided a sustainable development to provide employment opportunities for Peterborough.
- The hard evidence within the transport assessment plan was produced through the Trix Database, which calculated the traffic that would be created by the development. In addition, speed surveys were carried out to set the baseline of the current traffic volume, with any recent highway improvements undertaken. The specialists involved were experts in their field and therefore, would be very thorough in conclusion when undertaking assessments on road and junction capacity.
- The pipeline of deliverable employment sites mentioned in the objectors' address could not be relied on as they were either delayed, such as the A1 west site, and if current employment sites were going through the usual planning application process and being built, there would be little employment land allocation left until more sites were made available in the LP.
- The report on employment land review was commissioned by Barnack Estates and undertaken by Eddisons and Savills. The Employment Land review and update in 2022 had not mentioned the Horsey Bridge site as the intention was only to highlight to the Council that there was an issue with employment site allocation for the future and therefore, was the reason why the LP needed to be reviewed earlier.

- A review of the Local Plan was a lengthy process, which would take several years to complete before the proposed site to be included.
- The employment sites mentioned in the objector's address had been included within the review commissioned by Barnack Estates.
- The original economic land review had been submitted in May 2021 and updated in June 2022. The review was also updated to review the Gross External Area (GEAs). In addition, the Red Brick Farm development had progressed, and it was a constantly moving situation.
- The Huntingdonshire A1 west development had recently been withdrawn.
- It was uncertain as to whether the traffic issues highlighted on North Bank had been included within the traffic survey, however, the Highway Team been consulted with.
- The most important area reference made in relation to the proposal was in relation to archaeology. The area between Horsey Fort and the ditch, which travelled through the site, around the Fort and south of some cottages, was deemed the most important area. There were also ancient boardwalks that lay over the ditches however these formed the outer areas of the development that were not deemed most importance.

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

- Members were advised that the traffic on the proposed T junction layout was for quite a large site, with industrial units deemed appropriate by Highways Officers based on the evidence supplied by the applicant. Furthermore, the recent highway improvements near the T junction along the causeway had reduced vehicle speed limits from 60 to 40 miles per hour.
- Members were advised that if vehicles travelled from the west of the site, it should not cause a safety issue for pedestrians because of the junction alignment proposed by the Applicant.
- The traffic congestion issues raised had not concerned Highways officers as there were no accident clusters along that stretch of road. There was also good visibility with the access to the site as it had been located on a straight piece of road.
- Members were advised that the North Bank flooding incidents had not been included in transport assessment and traffic movement data as it was not appropriate to do because they were not normal conditions.
- Members were advised that the original access had been rejected by the Highway Officers, however, the new eastern access proposal was acceptable due to geometry and visibility.
- The Applicant's transport consultant used traffic surveys from 2015-2021 and the main survey was undertaken in October 2022 to understand the impact of the causeway to the east of the proposal. Traffic congestion issues had been a concern to Officers, however, the data received had alleviated that concern and the traffic movement had also shown to decrease in 2022. The trip generation, trip distribution and traffic growth had been considered robust. Therefore, the development no longer raised any concerns about road traffic congestion.
- There had been a significant amount of work carried out in relation to archaeology, which included a written scheme of investigation with the Council's archaeologist and Historic England about how the archaeological remains should be treated. Furthermore, eight trenches had been investigated few years ago. There would also be a great deal of work conducted before any building construction could take place. The area has become more waterlogged since the bronze age. In addition, conditions had been proposed for piling and drainage to ensure that the water table stayed stable to preserve the archaeological remains.

- The Applicant was well aware of the technical engineering requirements that would be in play to construct buildings on a site of such historic importance and therefore, was under no illusion that the construction would be a high cost build.
- The flooding of the North Bank through the winter had not been taken into account as it was not considered to be normal road conditions.
- Condition 30 could be adapted to ensure that the proposed bus stops would not cause vehicles to queue behind a bus, and to mitigate any issues to ease traffic flows
- Bus stops would be subject to change to a suitable location. The bus service in that area would operate an hourly rate and would be a request stop, and therefore, any delays would be of an acceptable level.
- The tree and shrub planting on the site and along the A605 would provide environmental benefits. Further benefits included in the sustainability strategy would link to the use of renewable energy sources such as water, installation of electric vehicle (EV) charging points, preservation of the archaeological which was also prevent further development around the site. The social benefits would also create local jobs for local people, enhanced footways and improvements to the Greenwheel.
- Any issues Members had with the road crossing on the central reservation at Horsey Toll junction could be conditioned such as speed limit restrictions. Furthermore, alternative locations could also be considered.
- Although the site was classed as agricultural land it had been graded at level three and was not as good a grade of farm land compared to other farmland in elsewhere in Peterborough. Members would want to take a balanced view over the creation of employment generation over land that was not of the best value for farming.
- The Pollution Team had not stated that there was an issue with pollution as a result of the proposed development, nor would one arise as a result of the approval.
- The Oxney Road employment land had been part of the Red Brick Farm development and in addition, the former Greyhound Stadium was part of Peterborough's existing employment land area. The recent review commissioned by the applicant had demonstrated that there was a shortage of employment land for a several reasons, such as existing buildings that had become out of date or no longer suitable for SMEs.
- Although the application had not been land allocated within the LP, each application should be considered on its own merits in relation to traffic implications or locations despite the LP requirement. However, land requirements and availability would change over time and therefore, other applications could be received that would dovetail into the LP review process.
- The site specifics were an important factor when considering a planning application. Sometimes, landowners and developers would see a development opportunity and submit applications before the LP review cycle had been completed, which had been a common occurrence. There were strict Government guidelines when considering premature planning applications and they cannot be refused solely on the fact that the land had not been included within the LP. Therefore, to refuse on this basis would not be appropriate.
- The Peterborough Landscape Assessment document was a description of different characteristics rather than the area as being of special importance.
- All the possible employment sites mentioned in the meeting had been allocated or had development permission approved or waiting on reserve matters, with the exception of Red Brick Farm which was awaiting development.
- There were a lot of larger employment units rather than SME units recently built in Peterborough and the Applicant's proposal would increase the availability of employment land.
- Some Members commented that the type of buildings required for SMEs were in short supply, with some coming onto the market in the form of subdivided big sheds, however, there was a supply issue.

- The site access and egress caused concern for some Members due to the proposed scale, and it was preferred that access be installed on the eastern side of the site.
- Members also raised concerns about the potential loss of the historic causeway and the opportunity to retrieve archaeological remains from the ground.
- Members commented that they would prefer to see the application presented at a future time to take on board the comments that had been made.
- Some Members were concerned about the location next to a residential site.
- The LP should be revised and the application should be put forward once the review had been completed.
- The Applicant stated that they had considered and addressed the 200 objections received, however, how would they be able to stop lorries beeping, light pollution and noise, which would be difficult to cover by a condition.
- The allocation of employment land review had been conducted by Eddisons, however, was paid for by Barnack Estate, the Applicant.
- Members felt that there had been sufficient employment land available in Peterborough to necessitate the proposed site.
- The traffic issues raised in relation to North Bank had been very relevant and this was magnified by the fact that vehicles would need to use this stretch of road when the Thorney to Whittlesey road had become flooded.
- Some Members felt that there had been a need for an SME pipeline, however, in practice the major issues raised were in relation to archeologic and traffic issues.
- Although Barnack Estates had undertaken a great deal of work and were prepared to invest considerable funds to protect the archaeology, the application seemed far too soon and therefore, should be revisited once the LP had been reviewed.
- Some Members commented that the road that had been bypassed recently between Cardea and Amazon, which had alleviated a great deal of the traffic issues for the area.
- Some Members commented that Barnack Estates had provided assurance that the archaeology would be protected due to the planning and financial commitment dedicated to do so.
- There had been a demand for SMEs in Peterborough and sites like the one proposed would help develop business in Peterborough.
- Traffic was not a concern for some Members because of the changes made at the railway crossing. In addition, the junction out of the site had been used on similar designs particularly at the recent business development at Yaxley, which had not caused any issues.
- There appeared to be deficit of employment land availability for Peterborough for SMEs and the LP needed improvement.
- There had been conditions to mitigate any archaeology issues.
- There were conditions to mitigate residents' concerns about light pollution, which seemed to be satisfactorily addressed by the Applicant.
- Some Members felt that the benefits had outweighed the potential harm that may be caused by the development.
- Some Members were concerned that a precedent could be set if the proposal was approved. Furthermore, it was felt that the concerns raised within the Ward Councillor's representation had not been dealt with and that the applicant and Officers had not done enough to convince Members otherwise.
- Some Members felt that the economic growth benefits to create SMEs outweighed the adverse impacts mentioned in debate.
- The neighbourhood amenity concern related more to the construction rather than the proposed buildings operation.
- There had been nothing to disprove the Highway Team's view that the access and egress of site traffic would cause issues. Furthermore, the concerns raised in relation to the bus stops would be addressed later in the application stage.

- The Applicant had taken on board issues raised and would invest a significant amount of financial investment and landscape design to offset the archaeology issues.
- There was a concern raised about whether the potential investment could be lost if the application was to be considered after the Local Plan had been reviewed. Furthermore, the issues raised by some Members, were not enough to refuse the application.
- Some Members felt that a need had been demonstrated, however, on balance, the application should be thought about more before they felt comfortable approving the proposals, mainly due to the potential highways impact.
- Some Members felt that to go against the LP due to its lengthy process would set a precedent for other developers identifying other land that had not been included.
- It was felt that green field agricultural land should not be developed in the way proposed. Furthermore, that land was historical to Peterborough and within the same league as Flag Fen and Must Farm.
- Comments had been made by Officers that to place concrete over the historic fort would preserve it, however some Members were not sure if the installation of 500 plus piles would.
- Fenland District Council were not in favour of the Kings Delph and Peterborough parts of the settlements being joined by the proposed development.
- There were 400 construction jobs that could be created as a result of the proposal if approved.
- The road was problematic; especially in terms of flooding on the North Bank however, Members had been advised by Highways that the issue should not be considered. Furthermore, Members felt that the issues could not be ignored, particularly when there had been £5m invested to improve the road conditions in terms of vehicle traffic movement.
- The Peterborough Fen was included within Peterborough's landscape character area and Members felt that this should be protected as per the policy. If the proposed development was approved, the Kings Delph area and identity of the settlements and the landscape settings would be lost and therefore was contrary to LP 27.
- The Fen area was very dark, and this would be lost due to the proposed lighting that would illuminate from the proposed building despite the type intended to be used, therefore the important view of the landscape and vistas would not be protected as per LP27.
- The applicant had submitted proposals to included protected views of the Cathedral however, Members felt that this had not carried much weight.
- It was important to refer to the LP and respect it when planning proposals were considered.
- Members were advised that to reject a planning proposal based on setting a precedent would be difficult and that paragraphs 49 and 50 National Planning Policy Framework (NPPF) had stated that fact. Therefore, if Members were minded to, they would need to consider these facts into their reason for refusal.
- Some Members commented that there had been many concerns raised in relation to why the proposal should be refused. However, it was felt that this was not a strong enough argument because it had been demonstrated on many occasions through questioning and debate that the LP was out of date and needed to be reviewed.
- Members commented that although it was apparent that the LP was out of date especially in terms of employment land, LP4 and LP27 and the considerations therein, demonstrated that the proposal should be refused.
- Members felt that it had not been proven that there was a lack of employment sites for Peterborough, which related to planning policy LP4 at sections a, b, c and d. In addition, there was no reason for deviation from the LP as employment land could

be developed in the city centre, through mixed used developments and the proposed land was in arable land.

- There had been sites throughout Peterborough in excess of 30,000 hectares of employment use.
- There would be an unacceptable impact to landscape and character of the area which was in relation to LP27.
- Some Members had issues with the views and vistas that would be impacted due to the archaeological heritage aspect and that particularly important land would become employment development and not arable land.
- An issue would also be present in terms of unacceptable impact on the neighbourhood amenity due to light pollution if the development was approved

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against the officer recommendation and **REFUSE** the application. The Committee **RESOLVED** (6 For, 2 Against, 1 Abstention) to **REFUSE** the application.

At this point the Committee took a 10-minute break.

REASON FOR THE DECISION:

1. The applicant had failed to demonstrate that there was insufficient land within the city centre, elsewhere in the urban area (within General Employment Areas and Business Parks) or within urban extensions that was suitable for the proposed development leading to inappropriate development within the countryside, contrary to Policy LP2 and LP4 of the Adopted Peterborough Local Plan (2019).
2. The applicant had failed to demonstrate that the visual and landscape impact of the proposed development would not cause harm to the Peterborough Fens landscape character area including its special character, local distinctiveness, features of historical importance, and important views and vistas, contrary to Policy LP27 of the Adopted Peterborough Local Plan (2019).

44. Quarterly Report

The Committee received a report, which outlined the appeal cases which covered the period from 1 October to 31 December 2022.

The Head of Planning 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:

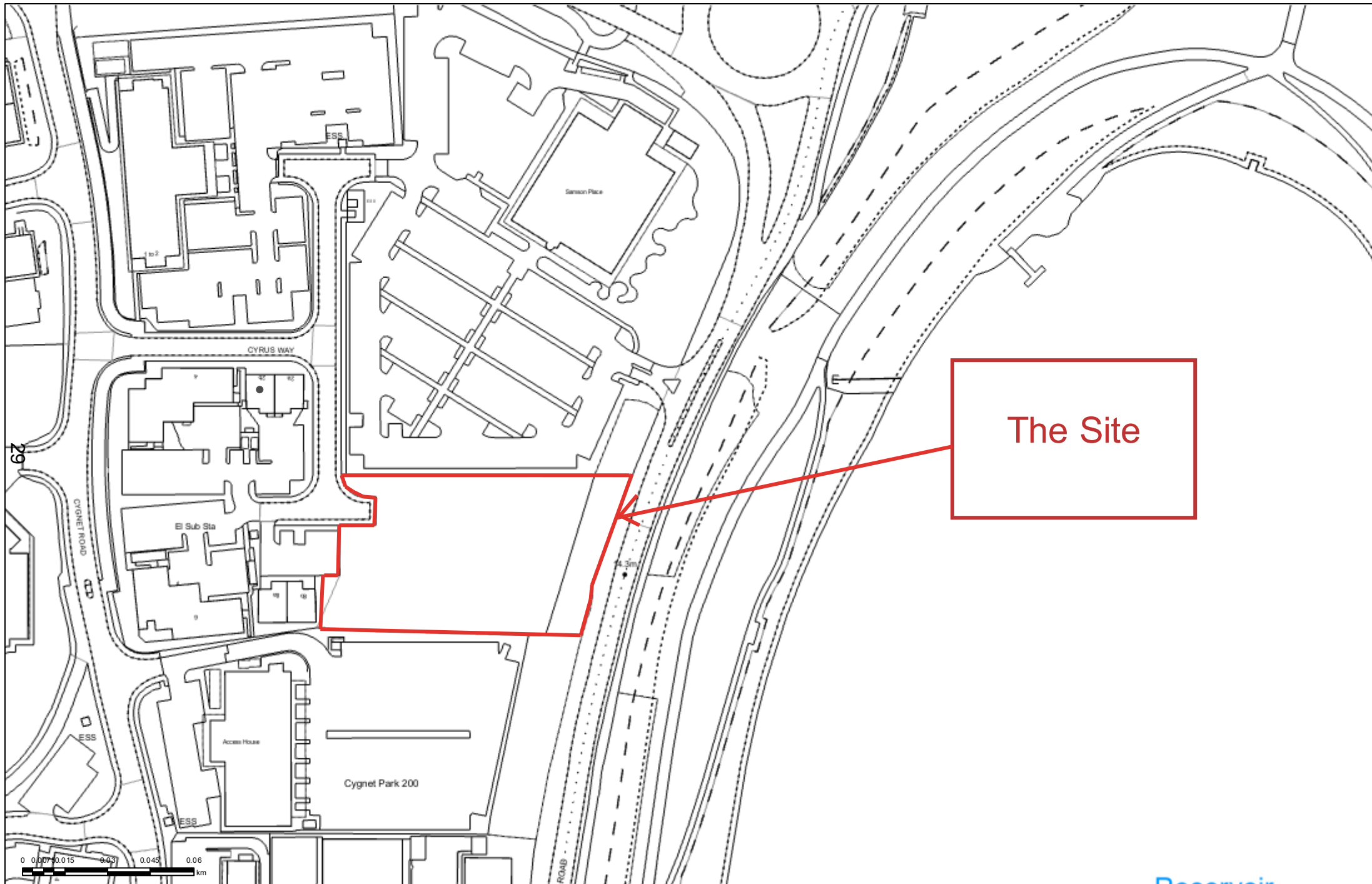
- There was an appeal in Maxey that had taken a lengthy period to resolve, however, a response was expected within the next few weeks.
- The Government was weighted in favour of telecoms prior approval applications being allowed.
- The outcome of the outbuilding appeal at Oundle Road with plans for a higher roof would be reported within the next appeals report.
- The Committee's general performance was high in terms of determining applications correctly, which was evident within the current quarterly report.

RESOLVED:

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

4.54PM
CHAIRMAN

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Planning Committee Location Plan- 22/01477/FUL-2C Cyrus Way, Cygnets Park Hampton, Peterborough, PE7 8HP

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Application Ref: 22/01477/FUL

Proposal: Temporary use of land for external storage and stationing of temporary portacabin

Site: 2C Cyrus Way, Cygnet Park Hampton, Peterborough, PE7 8HP
Applicant: Beeson Wright Ltd
Agent: Ms Kate Wood
 Eddisons Barker Storey Matthews

Referred by: Head of Service (Sylvia Bland)
Reason: Appearance of the use in relation to the character of the surrounding area which has a business park setting.

Site visit: 08.11.2022

Case officer: Mr Asif Ali
Telephone No. 07572 463902
E-Mail: asif.ali@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 to the east of Cyrus Way which is accessed via Cygnet Road. The application site is in close proximity to London Road which is located to the east of the application site separated by a grass verge. The application site as well as the surrounding area falls within the Hampton General Employment Area (GEA).

The surrounding plots around the application site have been developed and are of a pleasant modern appearance, and whilst the site and adjoining land received permission for 12no. B1 units under reference 06/00771/FUL which was amended by 06/01567/FUL. It is noted within the Design and Access Statement that the British Sugar development extends into the northern part of the application site and therefore there is no extant planning permission on the application site.

The applicant currently stores their caravans at Club Way also located within the Hampton GEA, located to the north of the GEA. The use of that site was permitted under permission ref 21/01154/FUL, this is a temporary use which expires on or before 1 November 2024 which would be a temporary use for approximately 3 years. The agent has advised that the Applicant has applied for this application as a replacement with the 21 permission currently serving two businesses, with the application site being only used by one business.

Proposal

The proposal seeks the benefit of planning permission for the temporary use of land for external storage and stationing of a portacabin.

The application required further information and clarifications in terms of use and highway impact as well as issues raised by Pollution Control colleagues and the Tree Officer. These issues were resolved with the submission of further information, and Officers recommend a 3-year temporary permission.

2 Planning History

Reference	Proposal	Decision	Date
06/01567/FUL	Revision to scheme for three buildings previously approved as part of 06/00771/FUL for 12 detached B1 office buildings	Permitted	30/11/2006
06/00771/FUL	Erection of 12 detached B1 units	Permitted	17/08/2006
08/01630/FUL	Three detached offices - (alternative design to four approved as part of 06/0771/FUL)	Permitted	27/04/2009

3 Planning Policy

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

Peterborough Local Plan 2016 to 2036 (2019)

LP04 - Strategic Strategy for the Location of Employment, Skills and University Development

LP4 a) Promotes the development of the Peterborough economy. Employment development will be focused in the city centre, elsewhere in the urban area and in urban extensions. Provision will be made for 76 hectares of employment land from April 2015 to March 2036. Mixed use developments will be encouraged particularly in the city, district and local centres.

LP4b) Employment Proposals not within General Employment Areas or Business Parks will be supported provided that there are no suitable sites within allocated sites/ built up area, it is of an appropriate scale, would impact on the viability of an existing allocated site and not result in any unacceptable impact.

LP4c) The expansion of existing businesses located outside of allocated sites will be supported provided existing buildings are re-used where possible, there would be no unacceptable amenity, highway or character impacts.

LP4d) Conversions and redevelopment of non allocated employment sites to non allocated employment uses will be considered on their merits taking into consideration the impact on the area, the viability of the development including marketing evidence and the impact of continued use of the site.

LP4e) Proposals which directly assist in the creation of a university campus will be supported.

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.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

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

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

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

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

Part 2: Habitats and Geodiversity in Development

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

Part 3: Mitigation of Potential Adverse Impacts of Development

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

LP29 - Trees and Woodland

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

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

LP32 - Flood and Water Management

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

LP33 - Development on Land Affected by Contamination

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

4 Consultations/Representations

Councillor Nicolle Moyo (30.03.2023)

John, Farooq and I as Hargate and Hempsted Ward Councillors would like to object to the proposal on the following material considerations:

- Agreement with Highways' objections. Insufficient provision for potential additional traffic to and from the site which can have a negative impact on highway operations and ongoing developments all of which could cause road safety issues and contravene LP13.
- Concerned by a lack of a noise assessment provided that there will be lorry movements, manoeuvring of caravans and the carrying out repair or maintenance works which are likely to generate noise and cause disturbance to neighbouring premises and offices during operational hours of the proposed use.

Hampton Parish Council (03.11.2022)

Without a transport and noise assessment or any other additional details the Parish Council cannot make any comments on this application. Additional information regarding this would be welcomed.

PCC Peterborough Highways Services (30.03.2023) (FINAL)

Initially further details were required to assess the proposal's impact on the public highway and the internal access arrangements. On submission of revised details, the LHA raised no objection subject to condition to ensure public has no access to the site.

PCC Pollution Team (08.06.2023) (FINAL)

No objection to the development subject to condition securing no excavations on site, all structure to be raised off the ground level, site to be covered by a stone blanket of limestone, unsuspected contamination, lighting and hours of use.

Environment Agency (26.10.2022)

Do not wish to make any comments.

PCC Wildlife Officer (15.12.22)

No objection subject to an acceptable soft landscaping scheme is secured to screen the site from London Road.

PCC Tree Officer (19.12.22)

No objection subject to landscaping scheme condition.

The Wildlife Trusts (Cambridgeshire)

No comments received.

Local Residents/Interested Parties

Initial consultations: 13

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

Five comments were received from two separate addresses, objecting to the proposal. The objections can be summarised as follows:

- The proposed use of the land is not within keeping of the surrounding area which consists of modern office developments.
- We chose this location due to the certain prestige of the area but allowing the proposal de-values our office and brand to the general public.
- The access would be affected by larger, slow-moving vehicles with the delivery and collection of caravans affecting our and other businesses in the area.
- Not opposed to the land being used however have concern that a caravan site is not the best use

of it.

- Cygnet Park is within the wider Hampton development area granted outline permission 91/P00556/OUT and permission reference 06/00637/WCPP extended the life of the original outline. Condition B1 of the original outline requires development is undertaken in accordance with the access arrangements and broad land use allocations on the Development Plan which show the land use for the site and surrounding area as B1 Business.
- The surrounding land uses is Class E Office (formerly B1a) which is entirely different in nature and character from the industrial and distribution uses which are concentrated further to the north of Phorpres Way.
- The proposed B8 use is inconsistent, incompatible, and out of character with the current land use of the area and the original outline planning permission.
- The site's designation for development primarily for uses within Classes B1, B2 and B8 (under Policies LP4 and LP44 of the Local Plan 2019) is not fit for purpose and Class B8 open storage use should not be introduced in the business park setting even on a temporary basis as it would be detrimental to the character and amenity of the business park contrary to Policies LP16 and LP17.
- Eyesore and out of character which will harm the visual amenity of the office complex.
- Concerns about the potential noise impact on its head office from lorry movements, manoeuvring of caravans and carrying out repair or maintenance works which will disturb staff and visitors.
- Restricting house of operations is not effective as the offices are occupied during the operational hours of the proposal. Unacceptable impact on the amenity of the occupiers of the surrounding offices which is not acceptable even on a temporary basis.

5 Assessment of the planning issues

The main considerations are:

1. Principle
2. Visual amenity impact
3. Neighbour amenity
4. Highway safety
5. Pollution Control
6. Trees
7. Other

1. Principle

The application site is located within the Hampton General Employment Area (GEA), the Hampton GEA includes a wider area than Cyrus Way including Phorpres Close, Club Way, Cygnet Way and Phorpres Way. LP4 is the spatial strategy policy for employment uses, with Policy LP4 stating that uses including former B1 (current E(g)), B2 and B8 uses. The proposed use of external storage would be a B8 use which complies in principle with the desired employment use class that the adopted Local Plan directs towards GEAs.

Whilst the 1991 Outline permission set aside the application site and surrounding area for former B1 use, it is important to note that the current application is not a Reserved Matters application and as such would not be required to be in compliance with the original Outline permission or any subsequent variations of the Outline.

Further, the designation of the site was carried out by the adopted Local Plan in 2019 as a General Employment Area and was not designated as a Business Park, the distinction is important to note as the desired uses for a GEA as mentioned would be former B1, B2 and B8 uses whereas for a Business Park the desired use would be former B1 uses with any other uses to be permitted in a Business Park to be restricted to uses ancillary to former B1 uses. Therefore, with regards the principle of development a B8 use is acceptable within GEA and in accordance with Policy LP4 of the adopted Peterborough Local Plan (2019).

In light of the above it is considered that the principle of development is in accordance with Policy LP4 of the Peterborough Local Plan and subject to materials considerations as set out below.

2. Visual amenity impact

The application site is located adjacent to modern commercial buildings which are of a good quality within Cyrus Way. The application site itself is directly adjacent to a large car park to the north of the site and a smaller car park to the west of the site, to the east of the site is London Road. The site notably has a break in vegetation to the eastern boundary with London Road with significant vegetation on either side of the application site which makes the break more noticeable.

The proposal does not include any fixed structures aside from a portacabin located adjacent the access to Cyrus Way with the remaining area designated as storage of static caravans (minus a route for turning and circulation).

The current use is being carried out within the Hampton GEA on Club Way a short distance away to the north approved under 21/01154/FUL and Officers did not view the visual impact to be unacceptable noting that on a temporary basis, the use is considered to be acceptable. Officers noted on the 21 permission that the storage is low level when viewed in relation to the adjacent buildings and is considered to be acceptable temporarily, subject to suitable screening to the eastern edge, a prominent gateway. Each application is assessed on its own merits; however, Officers would consider the 21 permission to be relevant in terms of the proposed use being located within the same GEA with a similar context as viewed on the prominent gateway which would be views from London Road.

The proposed includes a Landscaping Scheme which was found acceptable by the Council's Tree Officer along the eastern boundary with London Road this would provide screening along the prominent London Road boundary. Concerns have also been raised with regards views from within Cyrus Way and especially the visual impact on adjoining occupants. The current site was previously used as a type of site compound area for adjacent construction works and currently poorly maintained with a mixture of unkept vegetation, gravel, mud and stone mainly on site.

The proposal would make effective use of land in accordance with Section 11 of the NPPF (2021) specifically paragraph 119, and allow for time for a formal application to be submitted for the redevelopment of the site. To be clear Officers view the temporary low level external storage use appropriate in light of the screening to be secured by condition for a 3 year period only and a permanent use of the site for the proposed development would not be acceptable. Officers have advised the Agent that the external storage use would not be supported as a long-term use, and it is unlikely that an extension is allowed for the proposal for any further period than 3 years. Therefore, the LPA would take a pragmatic approach to allow the proposal as a meanwhile use with the visual impact being on balance acceptable on a temporary/short-term basis.

Officers would consider that any permanent use/development would need to be similar in nature to the adjoining development and in keeping with the overall Hampton GEA character.

Given the above it is considered that the proposal would not, on balance, result in an adverse level of harm on the visual amenity of the site and surrounding area in accordance with Policy LP16 of the Peterborough Local Plan (2019).

3. Neighbour amenity

The proposal would result in a small portacabin structure the footprint of which measures approximately 2.4m by 6.5m. It is considered that there would be limited overbearing, overlooking or overshadowing impact from the proposed development. The concerns relating to the use from the adjoining neighbours related to the noise and amenity impact from the repair works as well as the vehicle movements. The repair works mentioned within the application were queried with the Agent who confirmed that these related to internal refurbishment works and did not mean any significant repair works to the mechanics of the caravans. A condition will be secured to control the use of the site for the storage of the caravans and ancillary internal refurbishment works which would appropriately control the use of the proposal. A further condition was recommended in

relation to the operating hours from 8am to 5pm from Monday to Saturday, to control the use of the site and avoid operations in any anti-social hours which would result in an adverse level of impact on adjoining neighbours.

It is further considered that the site was designated for GEA use and given the site location, as well as the location adjacent to London Road which is a busy road there would be limited adverse noise and amenity impact from the proposed development which would adversely impact the adjoining users.

In light of the above it is considered that the proposal would not result in an adverse level of neighbour amenity impact in accordance with Policy LP17 of the Peterborough Local Plan (2019).

4. Highway safety

The Local Highway Authority (LHA) initially requested further information with regards the proposal in order to provide comments on the application, however, on submission of the proposed information raised no objection. The LHA recommended a condition that no public access is allowed on site, a condition will be secured onto the decision notice that states that the site can only be used for the storage of caravans and for ancillary refurbishment works only to ensure that the site is not used for any retail purposes. The concern around public access from the LHA related to parking and turning facilities on site for customers, however, the recommended condition is considered sufficient to avoid any additional traffic/highway impact from the proposed development.

In light of the above it is considered that the proposal would not result in an adverse level of highway safety impact in accordance with Policy LP13 of the Peterborough Local Plan (2019).

5. Pollution Control

The Pollution Control recommended conditions relating to contamination, lighting and operating hours. The agent provided the necessary details to deal with the contamination conditions prior to determination as such the recommended conditions were reduced to just the unsuspected contamination condition, lighting and operating hours.

In light of the above it is considered that the proposal would be in accordance with Policy LP33 of the Peterborough Local Plan (2019).

6. Trees

The Tree Officer raised no objection to the proposal subject to a condition securing a landscaping scheme to the eastern boundary of the application site with London Road. The Agent was content in dealing with the landscaping details prior to determination and a specification document was submitted that was acceptable to the Tree Officer as such a compliance condition would be recommended onto the decision notice.

In light of the above it is considered that the proposal would be in accordance with Policy LP29 of the Peterborough Local Plan (2019).

7. Other

Neighbour comments have raised concerns of which some have been addressed above, however, other issues not addressed above will be discussed below:

- We chose this location due to the certain prestige of the area but allowing the proposal de-values our office and brand to the general public.

The visual amenity impact and principle of development within the GEA have been discussed above, and it is considered that the proposal would not result in an adverse level of impact on the design and character of the area.

- The access would be affected by larger, slow-moving vehicles with the delivery and collection of caravans affecting our and other businesses in the area.

The application site is located within a GEA and the traffic/highway impact has been considered for the area, and it is considered that the highway impact from the proposed use would not result in an adverse highway impact from delivery and collection vehicles.

- Not opposed to the land being used however have concern that a caravan site is not the best use of it.

The LPA can only consider the application before us, whilst there may be better uses for the application site Officers can only consider the impact of the proposed development as submitted and the assessment is set out above.

- The surrounding land uses is Class E Office (formerly B1a) which is entirely different in nature and character from the industrial and distribution uses which are concentrated further to the north of Phorpres Way.

The allocation for the site remains as a General Employment Area and as such the LPA will be recommending applications in line with the adopted Local Plan (2019). Whilst the change to the Use Classes Order has removed use class B1 and merged it into use class E, this does not change the spatial strategy the LPA has in relation to employment uses.

- The site's designation for development primarily for uses within Classes B1, B2 and B8 (under Policies LP4 and LP44 of the Local Plan 2019) is not fit for purpose and Class B8 open storage use should not be introduced in the business park setting even on a temporary basis as it would be detrimental to the character and amenity of the business park contrary to Policies LP16 and LP17. The GEA designation remains valid for the site and has been judged as an appropriate area for employment uses as part of the spatial strategy for employment uses under LP4. The site is not designated as a Business Park under the Local Plan.

- Restricting house of operations is not effective as the offices are occupied during the operational hours of the proposal. Unacceptable impact on the amenity of the occupiers of the surrounding offices which is not acceptable even on a temporary basis.

The hours of operation are considered appropriate for a commercial setting and given the GEA designation it is considered appropriate for a commercial use to be located within the site. The noise and amenity impact has been considered by the Pollution Control team as well as Officers and no adverse impact was identified on adjoining neighbours, this would include the adjoining residential properties as well as commercial properties.

6 Conclusions

The principle of development is considered to be acceptable on a temporary basis for three years. Conditions are also recommended for the site to be restricted to two companies and for parking and turning, in accordance with the Highway Authority response. The appearance of the proposal is considered to be acceptable subject to a condition for screening to the eastern side and the development will not be detrimental to residential amenity due to its location on a GEA.

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 one year from the date of this permission.

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

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

- Proposed Site Plan (received 16/12/2022)
- Parking and Circulation Plan (received 07/03/2023)
- Plans and Elevations as Proposed (Drawing number AC0101 Revision F01)

Reason: For the avoidance of doubt.

- C 3 The site shall only be used for the purposes of caravan storage with ancillary internal refurbishment and for no other purpose.

Reason: In order to protect and safeguard the amenity of the area in accordance with Policies LP4 and LP16 of the Peterborough Local Plan (2019).

- C 4 Prior to the first use of the development hereby permitted the circulation route as shown on the 'Parking and Circulation Plan' (received 07/03/2023) shall be set out and maintained as such until 30 June 2026.

Reason: In the interest of public highway safety ensuring sufficient space on site to turn and leave the site in a forward gear, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C 5 Prior to the first use of the development hereby permitted the site shall be covered by a stone blanket of limestone. Thereafter there shall be no excavations of the site and all structures shall be raised off the existing ground level.

Reason In the interest of future occupier amenity and mitigating against contamination risks in accordance with Policies LP17 and LP33 of the Peterborough Local Plan (2019).

- C 6 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).

- C 7 Prior to installation and operation of any lighting, details of the lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The information will demonstrate that the scheme shall not exceed the obtrusive light limits specified for environmental zone E3 in the Institution of Lighting Professionals document "Guidance Notes for the Reduction of Obtrusive Light: Guidance Note 01:21".

Thereafter the development shall be implemented in accordance with the approved details, including any necessary mitigation, and shall thereafter be retained and maintained as such in perpetuity.

In the event of any reasonable complaint being received by the Local Planning Authority, the Developer or their successors in Title, shall be required to undertake an assessment to demonstrate compliance with the above lighting limit and submit this within 28 days of

notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority.

Reason: In order to protect future occupier of any contamination risk in accordance with Policy LP33 of the Peterborough Local Plan (2019).

- C 8 The landscaping scheme as detailed within the document 'Landscaping Scheme specifications' (received 28 March 2023) shall be fully implemented in accordance with the details along the entire eastern boundary of the application site adjacent London Road and maintained as such thereafter within the first planting season following the commencement of the use hereby permitted.

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

- C 9 The operating hours for the site shall be Monday to Saturday from 8am to 5pm only.

Reason: In the interest of adjacent occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C10 The use hereby permitted shall be discontinued on or before 30 June 2026; and all stored items, portacabin and any associated paraphernalia shall be removed from the site within 3 months of this date and the land re-instated to its former condition in accordance with details to be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing as part of an approved planning permission.

Reason: In order to protect and safeguard the amenity of the area and in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

Copies to Councillors- Councillor Mohammed Farooq
- Councillor John Howard
- Councillor Nicolle Moyo



Reference: 22/01621/WCPP
Site address: Recreation Ground, Thorpe Lea Road, Peterborough

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Application Ref: 22/01621/WCPP

Proposal: Variation of Condition 8 (removal of building) of planning permission 18/00251/R3FUL

Site: Recreation Ground, Thorpe Lea Road, Peterborough,
Applicant: Peterborough City Council
Agent: Mr William Nichols
Lanpro

Referred By: Cllr Jamil
Reason: Lack of justification for continued use

Site visit: 22.12.2023

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 to the eastern side of the Recreation Ground, forming a closed sports pitch with a supporting modular building that provides a classroom, changing facilities and toilets. The perimeter of the site is fenced, with mature landscaping screening majority of the development.

To the north, south and east of the wider area are mature tree/shrub belts with residential dwellings along Thorpe Lea Road and Vermont Grove further to the north. There is also an open watercourse/ditch running along the north-western boundary of the site. Further to the south is a foot/cycleway which runs east-west along the banks of the River Nene connecting the City Centre (to the east) with Orton Mere and Ferry Meadows (to the west). The proximity to the river puts part of the site within Flood Zone 2.

Permission was previously received (18/00251/R3FUL) to change the use of the site from public open space to a closed sports pitch and running track for the use of West Town Primary School. The facilities on site also included a temporary mobile building to form a classroom, changing facilities and toilets. The perimeter of the sports pitch and building were to be enclosed by a 2.4m high weldmesh security fencing.

The Proposal

Permission is sought to vary the wording of Condition 8 to allow for a further five years for the mobile classroom, changing facilities and toilets. The building would remain positioned in the north-west corner of the site and solely for the use of West Town Primary School.

2 Planning History

Reference	Proposal	Decision	Date
18/00251/R3FUL	Creation of a sports pitch and running track, a mobile classroom, changing facilities and WCs including perimeter fence and associated soft landscaping	Permitted	15/06/2018

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
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change

Peterborough Local Plan 2016 to 2036 (2019)

- LP07 - Health and Wellbeing
- LP13 - Transport
- LP16 - Urban Design and the Public Realm
- LP19 - The Historic Environment
- LP28 - Biodiversity and Geological Conservation
- LP32 - Flood and Water Management
- LP24 - Nene Valley
- LP33 - Development on Land Affected by Contamination

4 Consultations/Representations

PCC Wildlife Officer (04.01.23)

No objection as the revised condition does not create any new significant negative impacts on ecological constraints relevant on the site.

The Wildlife Trusts (Cambridgeshire)

No comments received

Inland Waterways Association

No comments received

PCC Property Services

No comments received

PCC Tree Officer (21.12.22)

No objection on arboricultural landscape grounds. The site is not within a Conservation Area and there are no Tree Preservation Orders (TPO's) on or adjacent to the site.

Thorpe Gate Residents Association (11.01.23)

1. The original permission contained the condition that the field would be restored to public use and the building removed after 5 years – Condition 8.

2. Unable to locate the justification of need letter mentioned in the Planning Statement of

21.11.2022.

3. The field is used in limited occasions over the last years and raises questions about the established need for physical activities.

4. Had the field still be available to public, it would have been used hundreds of times by local people. Significant loss to the community has proved to be little to no use to the school.

5. West Town School have been advertising the field as being available for rent for sports use – they quickly removed notice when members of the public raised concern. However, activities of rental still continued to older children than primary age.

6. The field adjacent was previously for a biodiversity area and is now lost to accommodate the playing field and relocated goal posts. The proposal has destroyed an area of great biodiversity and ecological value.

7. The hut has never been used by Nene Valley for nature education which was one of the original justifications.

8. No justification to extend the planning permission and oppose this. It's requested to return the field to its original use.

Local Residents/Interested Parties

Initial consultations: 154

Total number of responses: 7

Total number of objections: 4

Total number in support: 1

Comments objecting or against the development

- The justification letter contains no detail that was not available in the original documents.
- The school has made extremely little use of the sports field and therefore cannot be said to be 'need' for the field or the changing hut.
- The changing hut has never been used for the alternative proposed use by Nene Park trust.
- The structures and landscaping works undertaken since planning permission was granted must be removed, as agreed in Condition 8, and restored to their original use for the general public.
- The building should be removed to allow for the public to have it for recreational use and the adjacent field should be rewilded.
- If this is fenced off, where will children in the local area play football.

Support

- In support – whilst it's still in use its needed.

5 Assessment of the planning issues

The application seeks to vary condition 8 of planning permission 18/00251/R3FUL, as such only the material planning considerations pertinent to this variation will be considered and are as follows:

- a) Principle
- b) Residential Amenity
- c) Appearance and Context
- d) Flood Risk
- e) Other Matters

a) Principle

Paragraph 95 advises local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications. The Local Planning Authority remain of the opinion that this provision also covers Physical Education (PE) space. The original application (18/00251/R3FUL) sought to improve the existing facilities for the site, as the previous playing fields were approximately 1km from the school. The current site provides those facilities for PE space within approximately 300m of the West Town Primary School.

Public representations and Thorpe Gate Residents Association have raised concern with the proposed variation of the condition and the 'need' of the facility. The comments reference that Condition 8 required the field to be restored to public use and the building removed after 5 years. The wording of condition 8 is as follows:

C8 *The mobile classroom building hereby permitted shall be removed and the land restored to its former condition no later than 5 years from its first use, in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.*

Reason: In order to reinstate the original use of the land or site and preserve the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version).

Condition 8 only requires the removal of the mobile classroom building and does not apply to the use of the remainder of the land for the football pitch, running track, landscaping or fencing. Therefore, by removing the building it would not restore the use of the land as a public open space.

Concerns were raised on the 'need' of the facility, advising it has only been used on limited occasions over the last few years and whether there is suitable justification. A letter was received in support from the Peterborough Education Capital Projects Officer confirming the continued need for these facilities as the school site has no grass playing fields. The building is an essential part of the offsite sports provision, as it provides the school students with toilets, changing facilities and a classroom space when accessing the school playing field. The importance of the facilities to support the school delivering the PE curriculum and ensure the children have access to the appropriate welfare facilities, such as toilets and a changing area is acknowledged. Without the building the nearest facilities would then be within the main school building approximately 300m from the site.

It is considered there is a continued need for the building in order to support the continuance of off-site provision of the PE space and the betterment of the school facilities as originally sought to achieve under application 18/00251/R3FUL. It is acknowledged the Planning Practice Guidance (PPG) advises it is rarely justifiable to grant second temporary permissions, however there are exceptions such as cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities. This particular proposal is considered to be one of these exceptions, given the necessity of the facilities to support the PE curriculum.

Whilst the proposal originally permitted has resulted in loss of part of the recreation ground, it is considered there are still sufficient facilities available for the enjoyment of the public given the area to the west. The football goals were relocated as part of 18/00251/R3FUL and remain on public open space for use. As such there are no principal concerns to a further five years of the mobile home being present on the site and is considered to meet the requirements of paragraph 95. However, the application remains subject to all other materials considerations.

b) Residential Amenity

The mobile classroom, changing facilities and toilets will remain solely used by the West Town Primary School and would only be used during school hours in term-time. The proposal does not seek to allow for community use outside these school hours (i.e. in the evenings or at weekends) albeit there may be school-run after-school clubs which use the facilities. In light of this relatively limited use, the impact arising from the development in terms of noise/general disturbance would only occur during the daytime and would not take place during those times at which local residents would reasonably expect a quiet level of amenity (weekends and evenings).

In light of the above, the proposal complies with Policy LP17 of the Peterborough Local Plan 2019.

c) Appearance and Context

Within the Officer Assessment of 18/00251/R3FUL it was acknowledged that the building was of a construction that can deteriorate over time, hence the granting of this for only a temporary period. However, the building is currently in a good condition and the appearance remains satisfactory. It is considered the building is not in a condition that warrants its removal or alterations and therefore no visual concerns are raised with the building remaining on situ for a further five years.

In light of the above, the proposal complies with Policy LP17 of the Peterborough Local Plan 2019.

d) Flood risk

The southern half of the application site (sports pitch) is located within Flood Zone 2, whilst the location of the mobile building lies within Flood Zone 1. As the building itself, which is the only aspect of the original permission subject to the variation, a site specific flood risk assessment is not required. Given the classroom and facilities are located within Flood Zone 1 it is considered the proposal would not be at unacceptable risk from flooding and would not increase the flood risk elsewhere, in accordance with Policy LP32 of the Peterborough Local Plan 2019.

e) Other Matters

The public representations advise of a loss of the biodiversity area due to the original permission and this loss remains. The landscaping as required under 18/00251/R3FUL has matured significantly and is considered to make a good contribution to the ecology value of the site. The Wildlife Officer raises no objection to the varying of the condition, advising that this does not create any significant negative impacts on ecological constraints relevant on the site.

Similarly, the Trees Officer has no objection to the proposal, noting there are no Tree Preservation Orders (TPO's) on or adjacent and the site is not within a Conservation Area.

Matters of ground contamination were handled under application 18/00251/R3FUL.

The classroom and facilities are only used by the school and as per the original application students and staff access the site by foot. The vehicular access is only used for maintenance vehicles and any emergency vehicles, should they be required.

The public representations raised concern of the school advertising the sports pitch for use in breach of the previous conditions, but that this was rectified. If the use of the sports pitch is contrary to the restrictions applied under the conditions, then this can be reported to Planning Enforcement for further investigation. Furthermore, Condition 3 of the original permission restricted the use of the facility and therefore it could not be used for Nene Park Trust.

A number of conditions have been updated to reflect the implementation and subsequent discharges of the conditions.

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 represent improved sports education facilities for pupils of West Town Primary School which should be afforded great weight, in accordance with paragraph 95 of the National Planning Policy Framework (2021)
- The proposal would not result in unacceptable harm to the residential amenity of the neighbouring occupiers, in accordance with Policy LP17.
- The proposal would not result in harm to the character or appearance of the surroundings, in accordance with Policy LP16.

7 **Recommendation**

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

C 1 The development hereby permitted shall be carried out in accordance with the following drawings:

- Site Location Plan (drawing number 18-8-1017-DR-001 Revision P4);
- Proposed Site Plan (drawing number 18-8-1017-DR-800 REV P8)
- Proposed Indicative Temporary Mobile Classroom Floor Plan (drawing number 18-8-1017-DR-801 Revision P1);
- Proposed Temporary Mobile Classroom Elevations (drawing number 18-8-1017-DR-802 Revision P1); and
- Proposed Boundary Treatment Elevation (drawing number 18-8-1017-DR-803- REV P3).
- Landscape Management and Maintenance Plan (Rev 01 02.07.18)
- Landscape Schedule
- Sports Provision Method of Construction/ Management & Maintenance Plan Rev 01 dated 09.01.19
- Tree Pit Details (drawing number 18-8-1017-HBS-DR-L-804 P1)
- Hamson Barron Smith and Peterborough City Council (dated 15.05.18)

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

C 2 The development hereby permitted shall solely be used by West Town Primary School and shall not be open for use by members of the general public, external sports or community groups.

Reason: The site is not capable of accommodating the parking demand generated by public use and to prevent unacceptable harm from arising to the amenities of neighbouring occupants, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan 2019.

C 3 The vehicular access from Vermont Grove/Thorpe Lea Road shown on drawing number 18-8-1017-DR-800 Revision P8 'Proposed Site Plan' shall not be used by anything other than pedestrians, cyclists, emergency vehicles or vehicles required for the purpose of maintaining the site or wider Thorpe Meadows public open space.

Reason: In the interests of highway safety and to preserve the amenities of neighbouring occupants, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan 2019.

- C 4 The soft landscaping scheme shall be maintained in accordance with drawing 18-8-1017-DR-800 REV P8 (Proposed site plan), the Landscape Management and Maintenance Plan (Rev 01 02.07.18) and Landscape Schedule.

For the avoidance of doubt the maintenance of the shrubs as shown on Drawing 18-8-1017-DR-800 REV P8 (Site Plan) is to be carried out by the Education Dept.

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

Reason: In the interests of visual amenity and enhancement of biodiversity, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan 2019.

- C 5 The development shall be maintained in accordance with the approved details by Sports England as per the Sports Provision Method of Construction/ Management & Maintenance Plan and Drawings 18-8-1017-DR-800 REV P8 (Site Plan) and 18-8-1017-DR-803- REV P3 Proposed Boundary Treatment Elevation.

Reason: To ensure the playing field is prepared and maintained to an adequate standard and is fit for purpose, in accordance with Policy LP23 of the Peterborough Local Plan 2019.

- C 6 The mobile classroom building hereby permitted shall be removed and the land restored to its former condition no later than 31st August 2028, in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.

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

Copies to Councillors- Councillor Amjad Iqbal
- Councillor Mohammed Jamil
- Councillor Alison Jones

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Reference: 21/01002/OUT
Site address: Land at Horsey Bridge, Whittlesey Road, Stanground

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SUPPLEMENTARY REPORT

Application Ref: 21/01002/OUT

Proposal: Outline application for the construction of a business park of up to a maximum floorspace of 15,263sqm, comprising offices (Use Class E), industrial uses (Use Class B2) and storage and distribution uses (Use Class B8), with details of access secured and all other matters reserved

Site: Land At Horsey Bridge, Whittlesey Road, Stanground, Peterborough

Applicant: Barnack Estates UK Ltd

Agent: Ms Kate Wood
Eddisons Barker Storey Matthews

Site visit: 29.07.2021

Case officer: James Croucher

Telephone No. 07920 160079

E-Mail: James.Croucher@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions and a Section 106 agreement to secure footway/cycleway provision and improvements

Appendices: 1. P&EP Committee Report, 21.03.23
2. Counsel’s opinion (Exempt Information, not for publication)

1 Introduction

This application was considered by the Planning & Environmental Protection Committee on 21st March. The report to that Committee is appended and sets out details of the proposed development, consultation responses, relevant planning policies and Officers’ assessment of the material considerations.

At the 21st March Committee members resolved to refuse outline planning permission for two reasons:

R1: The applicant has failed to demonstrate that there is insufficient land within the city centre, elsewhere in the urban area (within General Employment Areas and Business Parks) or within urban extensions that is suitable for the proposed development leading to inappropriate development within the countryside, contrary to Policy LP2 and LP4 of the Adopted Peterborough Local Plan (2019).

R2: The applicant has failed to demonstrate that the visual and landscape impact of the proposed development would not cause harm to the Peterborough Fens landscape character area including to its special character, local distinctiveness, features of historical importance, and important views and vistas, contrary to Policy LP27 of the Adopted Peterborough Local Plan (2019).

Determination was then suspended after the application was called in to the Appeals and Planning Review Committee. The call-in request was withdrawn on 22nd May.

The application is being brought back before the Planning and Environmental Protection Committee for two reasons, which comprise new information/evidence/material considerations to inform the decision-making of the Committee on this item:

1. To provide Committee with additional clarification on the interpretation of Local Plan Policy LP4 on “Other Employment Proposals”; and
2. To advise Committee on the robustness of the reasons for refusal put forward when the application was considered, given the Counsel advice that has since been sought and received and in light of a realistic appeal to the Planning Inspectorate by the applicant

2 Technical Updates

Local Highway Authority

The A605 is used a diversion route when the North Bank is closed due to occasional flooding. During the past financial year, North Bank was closed twice due to flooding (once in November 2022 and again in March 2023) for 5 days on each occasion. The Local Highway Authority continues to have no objection to the proposed development subject to conditions and a Section 106 agreement.

Historic England

Historic England has agreed that its archaeology-related concerns can be mitigated by a range of conditions, though its comments in respect of the setting of the Scheduled Ancient Monument remain.

PCC Archaeologist

Has agreed that concerns can be mitigated by a range of conditions.

Tree Officer

Having initially objected on landscape grounds, is now satisfied that concerns can be addressed through robust conditions in respect of a revised masterplan and additional information at reserved matters stage. Continues to advise that the site will not be able to accommodate the full quantum of development shown on the Illustrative Masterplan once the various arboricultural and landscape constraints are taken into account.

Neighbours

5 further responses have been received from members of the public, objecting on highway grounds (specifically raising concerns over existing and worsened traffic congestion), impact on wildlife, and loss of open land. Comments are made in respect of tree screening, cycle links, archaeology, flood risk assessment, junction design, and a perception that corporately the Council wishes to see this development proceed.

Applicant

Soil tests and an agronomist’s assessment instructed by the applicant have confirmed the site is Grade 3b – moderate quality agricultural land. Best Most Versatile agricultural land comprises Grade 1-3a land.

A June 2023 update to the Employment Land Availability Report has been submitted, setting out that the final plot at Gateway Peterborough is now under construction; that a hybrid application at the Greyhound Stadium has now been submitted; and that no new vacant land has become available in any of the General Employment Areas.

A detailed LVIA Addendum & Rebuttal Report has been submitted, setting out the applicant’s case that, whilst any development will give rise to change in the landscape of the area and the views of

receptors; the visual and landscape effects would be localised. The report asserts that a sensitively considered and designed layout, strategic landscape infrastructure, retaining an area of undeveloped land for archaeological interest, along with new internal development planting, will help to visually integrate the development into the surrounding landscape.

Legislation

For clarification, the Ancient Monuments and Archaeological Areas Act 1979 (as amended) referenced in the 21st March Committee Report is directly relevant only to the adjacent Scheduled Ancient Monument itself.

3 Policy Interpretation

In their assessment in the 21st March Committee Report, Officers applied Local Plan Policy LP2 as having greater weight than Policy LP4. This was because Policy LP2 gives strategic direction on the location and scale of all new development based on a clearly-defined settlement hierarchy, specifying that only a limited range and type of developments will be acceptable outside the Peterborough Urban Area or the village envelopes. The application site is outside the Peterborough Urban Area boundary and is not amongst the list of allowable exceptions specifically cited within Policy LP2 or within the cross-referenced list at Policy LP11. For this reason the proposed development was considered by Officers to be a departure from the Local Plan, albeit justified in the planning balance for the reasons set out in the appended report and therefore an acceptable departure.

However, both Policy LP2 *and* Policy LP4 are identified at Appendix B of the Local Plan as being strategic policies, meaning that neither has supremacy and both must be read in conjunction, as part of a holistic application of the Local Plan's policies.

The courts have made clear that the *interpretation* of planning policy is a matter of law, whereas the *application* of policy to the facts of any particular proposed development is a matter of judgement for the decision-maker. Accordingly, Officers have sought Counsel's opinion on the apparent conflict between Policy LP2 and LP4, and have received legal advice on how Policy LP4 in particular should be interpreted.

In interpreting Policy LP4, and in particular developments proposals which may fall under the sub-heading "Other Employment Proposals", Counsel has noted that:

- (i) The Local Plan is permissive and, indeed, supportive of employment development which meets local needs;
- (ii) Policy LP1 sets out that the Council will take a positive approach to development proposals;
- (iii) Policy LP2 confirms that the City of Peterborough sits at the top of the settlement hierarchy, and in the absence of any other market towns is patently the most sustainable part of the Council's area for development, in general terms;
- (iv) The proposed development would be outside the development boundary contrary to LP2, but LP4 specifically contemplates development that may lie outside "the built up area of the existing settlement".
- (v) There is no suggestion the size of the proposal is not "commensurate with the scale and character of" the City.

Counsel has advised that, in the case where a need for additional employment land outwith the allocated sites or built up area is clearly demonstrated, the provisions in the "Other Employment Proposals" section of Policy LP4 support such development providing that they would not cause "significant" planning harms of the type identified. Significant harm plainly connotes more than material harm, and acknowledges that certain types of harm, for instance visual amenity and/or landscape harm, are likely to arise as a consequence of using land outside the urban area. That is

why the threshold is put at “significant”. If those significant harms do not arise, not only is the policy permissive of such development, it is positively supportive of it.

It is therefore the case that an alternative policy interpretation to that set out in the 21st March Committee Report should be applied.

Giving greater weight to the settlement hierarchy in Policy LP2, as Officers did in the 21st March Committee Report, leads to the conclusion that the application is a departure from the Local Plan, whereas the subsequent legal clarification of the “Other Employment Proposals” criteria in Policy LP4 does not necessarily generate the same result. The former approach (as previously advised) requires the decision-maker to weigh all material considerations in the planning balance to determine whether a departure is justified, whereas the latter approach (which is now advised in light of Counsel’s advice) requires the decision-maker to assess whether the specific “Other Employment Proposals” criteria have all been demonstrably met, and therefore accords with Policy LP4.

In practical terms, it is the same broad range of material considerations that are applicable in both instances, and both instances require the exercise of planning judgement. The difference is that applications being considered under Policy LP4 “Other Employments Proposals” can be seen to accord with the Development Plan even when they are outside the settlement boundary, subject to a judgement which includes whether they cause any “significant” adverse impacts to character and appearance, neighbouring amenity, the local highway network, and the viability of delivering any allocated employment site.

The officer assessment of each of the criteria of policy LP4 is summarised as follows:

- The submitted employment land reviews clearly demonstrate that there are no suitable or appropriate sites or buildings within allocated sites or within the built up area of the existing settlement.
- A development of up to 15,236 sqm covering a site area of 6.3 hectares is commensurate with the scale and character of the Peterborough city urban area.
- There would be no significant adverse impact on the character and appearance of the area as evidenced by the submitted LVIA and supplementary LVIA. The distance between the site and neighbouring properties together with proposed landscaping would ensure there would be no significant adverse impact on the amenity of nearby residents.
- There would be no significant adverse impacts on the local highway network as borne out by the results of the Transport Assessment. There are no objections from the Local Highway Authority.
- The remaining undeveloped allocated employment sites are at Oxney Road and Red Brick Farm. There have been no objections from the owners of these sites. The quantum of development proposed would not have a significant adverse impact on the viability of these allocations.
- The proposed footway/cycleway, bus stop and travel plan would ensure the proposals maximise opportunities for modal shift away from the private car.

Officers continue to consider that the applicant has robustly demonstrated that insufficient employment land remains to last the remainder of the Local Plan period, and that the proposed development would not generate any “significant” adverse impacts under the criteria of Policy LP4.

4 Visual and Landscape Impact

In light of Counsel’s clarification on the interpretation of Policy LP4, the landscape considerations at Policy LP27 must be considered with the test of “significant” adverse impact in mind.

Almost every part of Peterborough outside the Principal Urban Area falls within one of six Landscape Character Areas (further divided into 18 sub-areas) as identified in a Landscape

Character Assessment undertaken in 2007. The purpose of that document is to provide guidance on the character and local distinctiveness of the landscape within these areas, and to assess the landscape in terms of its sensitivity to change and ability to accept development. There are no designated or protected landscapes within Peterborough that have been recognised for their special landscape quality or value, as would be the case within a National Park or an Area of Outstanding Natural Beauty; rather, the Landscape Character Assessments are intended to be used in the determination of planning applications to ensure the diverse character of the area's landscape is respected, maintained and, where possible, enhanced.

The application site is within the Peterborough Fens character area, and within that sub-area (d) Horsey Toll, described as "an area of slightly elevated landform to the south of the fens". The document evaluates this sub-area as being of moderate strength of character and in moderate condition, with low overall ecological sensitivity and moderate cultural sensitivity. Although noting that the openness of the area would mean that new development would be significant outside the sub-area's notional boundaries, it also concludes that the character of Horsey Toll needs to be improved in order to ensure a more attractive and robust edge to the expanding City of Peterborough.

Assessment of landscape and visual impact is a matter of judgement, with Committee members being required to come to their own conclusion as to whether the visual impact of the proposed development is acceptable, could be mitigated to render it acceptable, or would carry some degree of harm which needs to be considered. Counsel has confirmed that the test at Policy LP4 ("Other Employment Proposals") is whether there would be "significant adverse impact on the character and appearance of the area" for a proposal to be unacceptable, whereas Policy LP27 takes a more criteria-based approach which confirms that planning permission will be granted if the proposed development would:

- a. recognise and, where possible, enhance the character and special qualities of the local landscape through appropriate design and management;
- b. reflect and enhance local distinctiveness and diversity;
- c. identify, maintain and, where possible, enhance any natural or man-made features of significant landscape, historical, cultural, wildlife and geological importance. Where a proposal may result in significant harm, it may be permitted in exceptional circumstances, if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated;
- d. safeguard and enhance important views and vistas, including sky lines in to, out of and within the development layout;
- e. protect the landscape settings and separate identities of settlements; and
- f. provide appropriate landscape mitigation proportionate in scale and design, and/or suitable off-site enhancements.

Having raised initial concerns with the Illustrative Masterplan, the Council's Tree Officer is now satisfied these can be dealt with through robust conditions requiring not only the submission of a revised masterplan, but also additional information at reserved matters stage. This would address initial concerns in respect of the insufficient levels of screening that the indicative landscape planting illustrates, in particular from the A605. A specific list of landscape mitigation requirements is therefore recommended to be conditioned which will inherently inform changes to the Illustrative Masterplan at reserved matters stage to ensure the development is appropriately screened. This can be achieved without compromising the water levels within the site subject to the submission of an acceptable technical solution which will be controlled by conditions C13 and C15.

Considered against the criteria in Policy LP27, subject to the recommended conditions the proposed development would:

- a. recognise the special qualities of the local landscape through appropriate design and management, through the approval of a revised masterplan at reserved matters stage including additional tree planting and other landscape screening;
- b. reflect local distinctiveness and diversity, through the provision of additional native tree planting to be secured at reserved matters stage;
- c. identify and maintain both natural and man-made features of significant landscape, historical, cultural, wildlife and geological importance, including mitigating any harm to historical features through the conditions identified and explored within section (d) of this report;
- d. safeguard important views and vistas, most notably by protecting an existing view corridor to the cathedral;
- e. protect the landscape settings and separate identities of settlements by virtue of landscape buffer planting and retaining an open gap between the proposed development and Kings Delph to the east; and
- f. provide appropriate landscape mitigation proportionate in scale and design, to be secured via the various conditions which are recommended.

Consequently, subject to the recommended conditions and appropriate design and consideration at reserved matters stage, the proposed development is considered capable of complying with Policies LP27 and LP29 of the Adopted Peterborough Local Plan (2019).

5 **The Planning Balance**

Having received Counsel's advice on the interpretation of Policy LP4, Officers now consider that the proposed development does not constitute a departure from the Development Plan and in principle is a permissible form of development under Policy LP4 "Other Employment Proposals".

It remains the case that the policies which are most important for determining the application, in particular, those governing the allocation of employment land, are out-of-date (LP44 to LP46). Officers are satisfied that the applicant has demonstrated that this is the case. Consequently, both Policy LP4 and paragraph 11 of the National Planning Policy Framework point to planning permission being granted.

Policy LP4:

There would not be "significant" adverse impacts to character and appearance, neighbouring amenity, the local highway network, and the viability of delivering any allocated employment site

National Planning Policy Framework:

Paragraph 11(d) states that where the policies which are most important for determining the application are out-of-date, the local planning authority should grant permission unless:

- i. the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In respect of national policy test 11d(i), whilst there would be an effect on designated heritage assets and other heritage assets of archaeological interest, subject to the recommended conditions those effects would not provide a clear reason for the application to be refused.

In respect of national policy test 11d(ii), it is necessary to weight the benefits and adverse impacts in the planning balance, refusing planning permission only if the adverse impacts "significantly and demonstrably" outweigh the benefits.

It is also necessary, in light of Historic England's comments in respect of the "less than substantial" harm to the setting of the Scheduled Monument to the south, to apply National Planning Policy

Framework paragraph 202 and to weigh that “less than substantial” heritage harm against the public benefits of the proposed development.

The main benefits of the proposed development are economic ones, which National Planning Policy Framework paragraph 81 directs the decision-maker to give "significant weight". These include job creation, the provision of additional land for employment development in light of an identified but unexpected shortfall, construction expenditure, a significant forecast quantum of Gross Added Value to the local economy, and additional tax receipts. Improved footway/cycleway connections are a benefit of more limited weight.

Officers continue to conclude that the 'less than substantial' harm to the setting of the Scheduled Monument would be outweighed by the identified public benefits of the proposal.

Subject to the recommended conditions, the completion of a Section 106 agreement to secure highway-related improvements, and careful consideration of matters of detail at reserved matters stage, the adverse impacts of the proposals, as identified within the report, are considered to be capable of mitigation (both individually and cumulatively) such that adverse impacts would not "significantly and demonstrably" outweigh the benefits. The proposed development would comply with the policies of the development plan taken as a whole.

6 Robustness of the previously-adopted refusal reasons

Members are requested to carefully considered Counsel's advice included as Exempt Information at Appendix 2 of this report.

7 Summary

In light of Counsel's policy interpretation advice, Officers now consider that (i) the application accords with Local Plan Policy LP4; and as before that (ii) the planning balance points to planning permission being granted in the face of the employment policies in the Local Plan being out-of-date.

Officers therefore advise that Outline Planning Permission is **GRANTED** subject to the completion of a Section 106 agreement and the following updated conditions:

- C 1 Approval of details of the means of access, layout, appearance, landscaping and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before the development of any Phase approved pursuant to the Phasing Plan required by condition 3 of this permission is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

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

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 3 Prior to the submission of any application for reserved matters, a Phasing Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Phasing Plan.

The Phasing Plan shall include (but not be limited to):

- a. Existing features, including topography and those trees and shrubs to be retained;
- b. The extent of road to be constructed to adoptable standard;
- c. SUDS provision;
- d. Foul and surface water drainage;
- e. Structural landscaping;
- f. The order in which plots will be released;
- g. Zones to be kept clear from development in order to safeguard a view corridor from the A605 towards Peterborough Cathedral; h) Fire hydrant provision;
- a. Details of haul routes, routing and parking for construction traffic;
- b. Means of temporary and permanent access to the existing commercial uses to the north of the site;
- c. Provision of a footway/cycleway connecting through the site to and from the A605.

Reason: To secure the comprehensive and co-ordinated development of each part of the site, and to clearly identify the outline consent pursuant to which each part of the site will be developed in accordance with the policy standards required by the development plan and any other material considerations.

- C 4 Details submitted pursuant to condition C1 shall be restricted as follows:

- No building shall exceed a height of 10.5m from slab level to eaves and no building shall exceed a height of 13.2m to its highest point.
- The total cumulative quantum of floorspace shall not exceed 15,263sqm GIA

Reason: In order to ensure that development is restricted to that which has been applied for, and in order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

- C 5 No individual premises on the approved development shall exceed 2,000sqm and no individual occupier shall occupy more than 2,000sqm in total on the development.

Reason: In order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

- C 6 Prior to the submission of any reserved matters applications the applicant shall submit a Design Code for the written approval of the Local Planning Authority. The Design Code shall include but not be limited to:

- facing materials palette
- fenestration options
- shutters to vehicular openings
- security shutters
- roof form

- signage zones
- refuse storage

Reserved matters subsequently submitted pursuant to condition C1 shall comply in full with the approved Design Code.

Reason: In order to ensure the creation of high-quality buildings and place in accordance with paragraph 126 of the National Planning Policy Framework (2021) and Policy LP16 of the Adopted Peterborough Local Plan (2019).

- C 7 The rating level of noise emitted from the site shall not exceed 45 dB LAeq, 1 hour between 07:00 and 23:00 Monday to Friday and 35dB dB LAeq, 15 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises using measurements and assessment made in accordance with BS:4142:2014.

Reason: In order to avoid any significant noise nuisance from the development to nearby sensitive premises.

- C 8 Reversing alarms fitted to vehicles that are used regularly at premises shall be of a non tonal (white noise) design.

Reason: In order to safeguard the amenity of nearby residential occupiers.

- C 9 There shall be no deliveries, heavy goods vehicle movements, use of fork-lift trucks or use of any other vehicles fitted with reversing alarms operating on the site other than between the hours of 07:00 and 23:00.

Reason: In order to safeguard the amenity of nearby residential occupiers.

- C10 No external lighting shall be erected until a Lighting Strategy for all lighting across the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for, protected habitats breeding birds, bats and badgers that are likely to cause disturbance; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species and/or habitats.
- c. demonstrate that the use of lighting the development, and used at individual premises, does not exceed the obtrusive light limits specified for environmental zone E3 in the Institution of Lighting Professionals document "Guidance Notes for the Reduction of Obtrusive Light: Guidance Note 01:20 ".
- d. demonstrate how lighting of private roads, driveways or parking areas shall be arranged so that no danger or inconvenience is caused to users of the adjoining existing or proposed public highway.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances may any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In order to protect the amenity of local residents, in the interests of highway safety, and to safeguarded ecology in accordance with Policies LP13, LP17, and LP28 of the Adopted Peterborough Local Plan (2019).

- C11 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment, in accordance with Policy LP31 of the Adopted Peterborough Local Plan (2019).

- C12 Notwithstanding the indicative site layout indicated on Illustrative Masterplan reference AP0201 Revision U, the landscaping details submitted pursuant to condition 1 shall include but not be limited to:

- a. Tree and shrub planting to form a landscape buffer along the western site boundary adjacent to the River Nene (Old Course)
- b. Tree and shrub planting to form a landscape buffer along the northern site boundary adjacent to the Kings Dyke
- c. Tree and shrub planting to form a continuous landscape buffer alongside the A605 at both Whittlesey Road and Toll Road
- d. Tree and shrub planting to form a landscape buffer on "blue land" alongside the A605 which allows screening of the development from adjacent residential properties at 1 and 2 Toll Cottage and Tollbar Cottage
- e. Tree and shrub planting to form a landscape buffer along the north-western boundary of the "blue land" labelled "Archaeological Preservation Area" which may in part be placed within the car parking areas of a revised site layout
- f. Tree and shrub planting within the development including street tree planting and tree planting within all car parking areas
- g. A Landscape Management Plan including long term design objective and management/maintenance responsibilities
- h. Planting Plans including trees, species, numbers, size, densities, showing suitable soil volumes, tree pit details, including root barriers/deflectors, means of support and details of means of watering to provide suitable/appropriate irrigation rates
- i. An implementation programme for each phase of the development
- j. Hard surface materials
- k. Boundary treatments

All landscaping works shall be undertaken in accordance with the measures approved within the Water Table Minimum Level Preservation Scheme as required by condition 15 of this approval. The development shall thereafter be carried out in accordance with the approved hard landscaping details prior to first occupation/ use of the element to which it relates. In the case of soft landscaping this shall be implemented in the first available planting season following the first occupation or use of the element to which it relates. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan.

If within a period of five years from the date of planting of any tree or shrub or any tree/shrub planted in replacement of it, is removed, uprooted, destroyed or dies or becomes otherwise defective another tree or shrub of the same species and size as that originally planted shall be planted in the same location and in the next available planting season unless an alternative arrangement is agreed in writing by the Local Planning Authority.

Reason: In order to mitigate the impact of the development on the landscape and the minimise its effect on nearby residential properties in accordance with Policies LP16, LP27 and LP29 of the Adopted Peterborough Local Plan (2019).

- C13 The landscaping reserved matters details to be submitted pursuant to condition 1 shall specifically include details of root protection, root containment and irrigation in respect of new tree and hedgerow planting along the entire southern boundary adjacent to the A605.

All landscaping works shall be undertaken in accordance with the measures approved within the Water Table Minimum Level Preservation Scheme as required by condition 15 of this approval.

The development shall thereafter be carried out in accordance with the approved hard landscaping details prior to first occupation/ use of the element to which it relates. In the case of soft landscaping this shall be implemented in the first available planting season following the first occupation or use of the element to which it relates. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan.

If within a period of five years from the date of planting of any tree or shrub or any tree/shrub planted in replacement of it, is removed, uprooted, destroyed or dies or becomes otherwise defective another tree or shrub of the same species and size as that originally planted shall be planted in the same location and in the next available planting season unless an alternative arrangement is agreed in writing by the Local Planning Authority.”

Reason: In order to protect and safeguard the amenities of the area whilst balancing the need to safeguard archaeological heritage assets, in accordance with Policies LP16, LP19 and LP29 of the adopted Peterborough Local Plan (2019) and Chapters 15 and 16 of the National Planning Policy Framework (2021).

- C14 Any landscaping abutting the River Nene (Old Course) along the north-western site boundary (as shown indicatively on drawing number AP0201 Revision U) which is removed in association with or as a result of works to the gas main shall be replaced in the first available planting season following the completion of works to the gas main with a species and size of planting equivalent to that which was removed.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the adopted Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework (2021).

- C15 Prior to the submission of any reserved matters applications the applicant shall:
- a. Submit a Water Table Minimum Level Preservation Scheme for the written approval of the Local Planning Authority which demonstrates that the individual and combined effects of foundations, other below-ground works, impermeable areas and landscape planting, along with any water table mitigation measures, shall not result in the water table within the site or the adjacent "blue land" labelled "Archaeological Preservation Area" on the Illustrative Masterplan (drawing number AP0201 Revision U) falling below 1.90m AOD at any time. Reserved matters applications shall therefore accord with the Water Table Minimum Level Preservation Scheme and development shall be implemented in accordance with the approved Scheme. Any mitigation measures identified in the approved Scheme shall be implemented in full and retained for the lifetime of the development.
 - b. Only in the event that the applicant is unable to secure the Local Planning Authority's written approval for a Water Table Minimum Level Preservation Scheme then a Written Scheme of Investigation ("WSI") in respect of the Late Iron Age and Later Bronze Age post alignments shown at Figure 4 of the Archaeological Evaluation Report (Cambridge Archaeology Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfill the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail

the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ or, where this is not possible to achieve, to mitigate the impact of the development on the historic environment and to ensure investigation, recording, reporting and presentation of the Late Iron Age and Later Bronze Age posts affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a pre-commencement condition as measures to safeguard the minimum level of the water table to ensure preservation in-situ of archaeological assets must inform reserved matters designs or, if this is not possible, the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

- C16 Prior to the submission of any reserved matters applications a Written Scheme of Investigation ("WSI") in respect of the alignment and extent of the Bronze Age ditch and rampart shown in part at Figures 2 and 4 of the Archaeological Evaluation Report (Cambridge Archaeological Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority.

The WSI shall fulfil the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of the ditch and rampart archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a precommencement condition as the works set out in the WSI must be submitted, approved and undertaken in order to inform the subsequent reserved matters application(s) in respect of internal means of access, siting and landscaping.

- C17 In respect of those parts of the site not included within conditions 15 and 16 above, no development shall commence until an archaeological mitigation strategy, including a Written Scheme of Investigation ("WSI"), has been submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfil the requirements specified in a Brief issued by Peterborough City Council Archaeology Services. Thereafter, for the land that is included within the WSI, no development shall take place except in complete accordance with the approved WSI, which shall be implemented in full.

The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and

recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phasing of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials.

This condition may be discharged in stages but shall not be fully discharged until the whole mitigation strategy set out in the WSI has been fulfilled to the satisfaction of the Local Planning Authority. Stages for discharge may be as follows:

1. Submission and approval of the WSI
2. Completion of the agreed fieldwork and post investigation assessment, as applicable
3. Reporting/publication
4. Archiving

Should significant remains be encountered in the course of the fieldwork, the Local Planning Authority shall be immediately informed and the applicant shall ensure that any such exposed remains are undisturbed until their significance can be determined and consideration of their reburial/retention in situ or other mitigation is addressed.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a pre-commencement condition as the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

- C18 Development shall be undertaken in accordance with the Sustainability Strategy dated 14 February 2023.

Reason: In accordance with sustainability objectives set out at Policy LP31 of the Adopted Peterborough Local Plan (2019).

- C19 No works except demolition shall takes place until 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, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.

- Detailed engineering drawings of each component of the drainage scheme.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- An Implementation Programme sequencing the elements of and order within which the entirety of the approved strategy will be implemented

The scheme shall subsequently be implemented in accordance with the approved details.

Reasons:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- To ensure the effective operation of SuDS features over the lifetime of the development. - To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.
- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C20 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reasons:

- The National Planning Policy Framework paragraphs 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.
- Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. - To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.
- Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.
- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C21 Prior to the occupation of any part of the development a Drainage Maintenance Strategy detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been 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.

Thereafter the surface water drainage provision within the site shall be maintained in perpetuity in accordance with the approved Drainage Maintenance Strategy. An annual Maintenance Log demonstrating compliance with the approved Drainage Maintenance Strategy must be kept and must be made available to the Local Planning Authority upon request.

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 Adopted Peterborough Local Plan (2019). Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

C22 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 occupation of any phase, 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.

C23 The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the following documents:

- o Preliminary Ecological Appraisal (James Blake Associates, September 2021)
- o Landscaping and Ecological Management Plan (James Blake Associates, March 2021)
- o Landscape Master Plan (James Blake Associates, March 2021)

These documents detail the methods for maintaining the conservation status of Ecological Constraints and must be complied with at all times.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C24 No development shall take place (including any ground works or site clearance) until a method statement for the resurvey of Badgers has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s), survey requirements and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance, as applicable;
- g. disposal of any wastes arising from works, as applicable.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C25 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 nesting birds, reptiles and Great Crested Newts 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: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

- C26 No building or construction work or any kind shall take place within 30 metres of any part of the site containing material evidence of Barn Owl occupation unless survey-based evidence has been provided to the Local Planning Authority that no birds are nesting at the identified feature within 3 days of work commencing.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

- C27 Prior to the first occupation of any part of the development a Full Fibre Broadband Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall demonstrate how each of the premises is to be provided with a Full Fibre Broadband connection of not less than one gigabit (1,000 megabits) per second. The approved Full Fibre Broadband Scheme shall be implemented prior to the first occupation of each premises.

Reason: To ensure adequate telecommunications infrastructure is provided in accordance with Policy LP14 of the Adopted Peterborough Local Plan (2019).

- C28 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of existing and proposed site levels including the finished floor levels of all new buildings and any associated parking. The development shall thereafter be carried out in accordance with the approved details.

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

- C29 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of the following, as appropriate:

- Details of new footpaths and cycleways including how these tie into the existing foot/cycle ways and bridleways;
- Details of the internal access roads/cycleways/footways and junctions within the site - Car parking, circulation, turning areas and loading and unloading areas. - Electric charging points/infrastructure;

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the highway network is suitable for the traffic volumes predicted and to allow for safe/easy access by pedestrians, in accordance with Policy LP13 of the Local Plan (2019).

- C30 Notwithstanding the details shown on drawing Y411-PL-SK-202 C, prior to commencement of development above slab level a revised design for the western pedestrian and cycle access to the site, connection(s) to the Green Wheel, new bus stops and crossing of

Whittlesey Road along with the associated refuge island shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the means of access for pedestrians and cyclists has been constructed in accordance with the approved plans.

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

- C31 Construction shall not begin until detailed drawings (based upon drawing Y411-PL-SK-203 B) for the design of the junction between the proposed access road and the highway have been approved in writing by the Local Planning Authority; and the building(s) shall not be occupied until that junction has been constructed in accordance with the approved details.

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

- C33 Visibility splays clear of any obstruction over a height of 600mm above carriageway level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 120m measured along the channel line of the public highway from the centre line of the proposed access road. The channel line must be measured along the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access.

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

- C34 The existing 'Crane Depot' access junction with the A605 shown on Location Plan reference 2472-AP0101 Revision D shall be permanently closed to vehicular traffic before the new access hereby approved has been brought into public use or in accordance with a timetable agreed in writing by the Local Planning Authority. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority. The permanent closure shall be carried out prior to the first occupation of any building on the site.

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

- C35 The gradient of the access shall not exceed 1:20 for a distance of 20 metres from the back edge of the existing public highway.

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

- C36 Development shall not commence until a fully operational jetted drive-thru bath type wheel cleaning apparatus has been installed within the site on all exits and the area between this and the public highway is hard surfaced in either concrete or tarmac and maintained free of mud, slurry and any other form of contamination whilst in use. All vehicles leaving the site shall pass through the wheel cleaning apparatus which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The wheel cleaning apparatus shall be retained on site in full working order for the duration of the construction of the development.

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

- C37 No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic 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. A scheme for dealing with complaints.
 - f. 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 Policies LP13 of the Adopted Peterborough Local Plan. This is a pre-commencement condition as the Construction Traffic Management Plan needs to be in place before works start on site.

- C38 Notwithstanding the details shown on the Illustrative Masterplan (drawing number AP0201 Revision U) this permission confers approval only for the first 20m of the new site access from channel line of the A605 as measured along the edge of the carriageway on the side of the highway in the location of the new access. Reserved matters application(s) submitted pursuant to condition C1 shall include details of the alignment and arrangement of the remainder of the internal access road required to serve the development.

Reason: The site layout shown on the Illustrative Masterplan does not take into account archaeological and other constraints and requires revision, meaning that that it is not appropriate to approve or fix the extent of the internal access road at this time.

- C39 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any subsequent Order revoking or re-enacting that Order with or without modification) no occupation of any building or its curtilage shall take place other than within Use Class E (offices), B2 (industrial) or B8 (storage and distribution) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). No occupation with Use Class E shall take place other than as offices falling within Use Classes (E)(c), E(e) or E(g).

Reason: A further assessment would be necessary to ascertain whether any alternative use would be acceptable in this location, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). Reason: The s

- C40 The development hereby permitted shall be carried out in accordance with the following approved plans/details:
- Location Plan reference 2472-AP0101 Revision D

- Junction design drawing reference Y411-PL-SK-203 Revision B
- Landscape and Ecological Management and Maintenance Plan Revision A (James Blake Associates, May 2021)
- Flood Risk Assessment Revision V1 (Parsons Consulting Engineers, November 2022)
- Framework Travel Plan (Cannon Consulting Engineers, May 2021)

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

C41 Any reserved matters application which proposes in excess of 280sqm of office space (falling within Use Class E(c), E(e) or E(g)) which is not ancillary to a primary use falling within Use Class B2 (industrial) or B8 (storage and distribution) shall be subject to a Sequential Site Test.

Reason: In order to ensure a robust assessment of the effect of office development on nearby centres in accordance with Policy LP12 of the Adopted Peterborough Local Plan (2019).

Copies to Councillors- Councillor Ray Bisby
- Councillor Chris Harper
- Councillor Brian Rush

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Application Ref: 21/01002/OUT

Proposal: Outline application for the construction of a business park of up to a maximum floorspace of 15,263sqm, comprising offices (Use Class E), industrial uses (Use Class B2) and storage and distribution uses (Use Class B8), with details of access secured and all other matters reserved

Site: Land At Horsey Bridge, Whittlesey Road, Stanground, Peterborough

Applicant: Barnack Estates UK Ltd

Agent: Ms Kate Wood
Eddisons Barker Storey Matthews

Site visit: 29.07.2021

Case officer: James Croucher

Telephone No. 07920160079

E-Mail: James.Croucher@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions and a Section 106 agreement to secure footway/cycleway provision and improvements

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

The Site

The site is irregularly shaped and comprises 6.25 ha in size. It is located in Stanground.

The application site lies on the northern side of the A605 Peterborough to Whittlesey road, with the River Nene/Kings Dyke running along the northern boundary and a tributary of the river forming the western boundary. Residential development and associated public open space lie on the opposite side of the tributary, whilst beyond the northern boundary (on the opposite side of Kings Dyke) is a crane depot along with industrial uses. A gas governor abuts the site's north-western corner.

To the south of the A605 is agricultural land and Horsey Grange Farm, from which rises the former Civil War hill fort known as Horsey Hill which is a Scheduled Monument. A pair of semidetached houses at Toll Cottages is located on the road frontage to the west of Horsey Hill, as well as a bungalow.

The site itself is generally flat, comprising agricultural land which is set at a lower level than the A605 but at a similar height to Toll Cottages. It contains some boundary trees and a concrete road which links the adjacent crane depot with the A605.

The Proposed Development

This is an outline application which proposes a new business park comprising Uses Classes E, B2 and B8. Only the principle of development and its means of access are for consideration under this application, with all other matters being reserved for future consideration.

The sole means of vehicular access would be via a new priority junction on the A605 towards the eastern end of the site, with the existing crane depot access rerouted through the site and its existing access closed. A footway/cycleway is proposed to run through the site in a broadly east-west direction.

The application proposes up to 15,236sqm of employment space.

The illustrative site layout plan (which is not for approval at this time) shows this arranged in 20 individual buildings ranging in size from 265sqm to 2,000sqm, aimed at the Small/Medium Enterprise business sector, for which the agent considers there to be a high level of demand. A landscape planting strip is illustrated along the north-western site boundary intended to provide a buffer to the adjacent houses, whilst the central portion of the site, to the north of the Scheduled Monument and outside the red line of the application site would also remain free from development for the protection of archaeological remains. New tree planting is illustrated along much (though not all) of the northern side of the A605.

Whilst scale and design are not matters for consideration at this time, the applicant has confirmed that the proposed buildings would be restricted to eaves heights of between 6m and 10.5m. The application is accompanied by sections through the site to show how this height and scale of development would sit within the surrounding landscape.

2 Planning History

There is no planning history on the site itself, albeit the concrete track crossing the site giving access from the crane yard to the A605 formed part of planning application 16/00080/MMFUL:

“Erection of Gas to Grid Anaerobic Digestion Plant to comprise four digester tanks, technical operations building, silage clamp, storage lagoons, four liquid waste tanks, Gas Flare, Gas Upgrading System (GUS) and Gas Entry Unit (GEU), separator, cooling unit, transformer, heating kiosk and two underground propane tanks.”

Refused 17 July 2017

3 Planning Policy

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

Ancient Monuments and Archaeological Areas Act 1979 (as amended)

National Planning Policy Framework (2021)

Section 2: Achieving Sustainable Development

Section 4: Decision-making

Section 6: Building a strong, competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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.

LP03 - Spatial Strategy for the Location of Residential Development

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

LP04 - Strategic Strategy for the Location of Employment, Skills and University Development

LP4 a) Promotes the development of the Peterborough economy. Employment development will be focused in the city centre, elsewhere in the urban area and in urban extensions. Provision will be made for 76 hectares of employment land from April 2015 to March 2036. Mixed use developments will be encouraged particularly in the city, district and local centres.

LP4b) Employment Proposals not within General Employment Areas or Business Parks will be supported provided that there are no suitable sites within allocated sites/ built up area, it is of an appropriate scale, would impact on the viability of an existing allocated site and not result in any unacceptable impact.

LP4c) The expansion of existing businesses located outside of allocated sites will be supported provided existing buildings are re-used where possible, there would be no unacceptable amenity, highway or character impacts.

LP4d) Conversions and redevelopment of non-allocated employment sites to non-allocated employment uses will be considered on their merits taking into consideration the impact on the area, the viability of the development including marketing evidence and the impact of continued use of the site.

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.

LP11 - Development in the Countryside

Part E: The Rural Economy- Development involving the expansion or conversion of an existing employment use/building or use for tourism/leisure will be supported provided it is an appropriate scale, would not adversely affect the local community/services and would not cause harm to the character of the area and would be accessible.

Part F: Protecting the Best and Most Versatile Agricultural Land- Proposals should protect this land to ensure the continuation of the agricultural economy. With the exception of allocated sites proposals affecting this land will only be accepted if there is lower grade land available, the impacts

have been minimised through design solutions and where feasible the land is restored when the development ceases.

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.

LP14 - Infrastructure

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

LP16 - Urban Design and the Public Realm

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

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.

LP22 - Green Infrastructure Network

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

LP27 - Landscape Character

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

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or

adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation. National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

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

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

Part 2: Habitats and Geodiversity in Development

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

Part 3: Mitigation of Potential Adverse Impacts of Development

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

LP29 - Trees and Woodland

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

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

LP31 - Renewable and Low Carbon Energy

Development proposals will be considered more favourably where they include measures to reduce energy demand and consumption, incorporate sustainable materials, incorporate decentralised or renewable energy or carbon off setting. Proposals for non wind renewable energy will be considered taking account of the impact of the landscape including heritage assets, amenity, highways and aviation. Wind proposals will also only be considered if in addition to these factors the site is in an adoptable Neighbourhood Plan and the proposal has local support.

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.

4 Consultation and Representations

Local Highway Authority

No objection in principle, advising that the Transport Assessment demonstrates that the development could be accommodated without causing significant capacity or safety issues on the A605.

The Stage 1 Road Safety Audit has raised issues with a few detailed elements of the design, which can be addressed through the detailed design of the scheme.

The detailed design of the access will need to include passing vehicles on the swept path analysis, to ensure that the potential for side-swipe collisions is minimised.

It is unclear from the information submitted how much floorspace of each use class is being applied for and a condition is recommended accordingly. This will affect the parking requirements within the site. Adequate parking and turning must be provided at reserved matters stage.

There appears to be a need to carry out works on land outside the application site (in areas which do not appear to be highway) in order to access the site. Consent from the landowner will be required for these works, noting that the applicant has demonstrated that the affected land is owned by the City Council, but is not highway).

The existing crane depot access is to be removed as part of the development, with highway verge being reinstated in this area; this should be controlled by condition.

As A605 Whittlesey Road is Classified, the off-site works will need to be designed in accordance with Design Manual for Roads and Bridges (DMRB).

Off-site highway works are required to improve accessibility by cycle. These would be by providing additional directional signage and some engineering works to provide access to the Green Wheel cycle network. Additionally, the proposed east-west footway/cycleway crossing the site will need to be constructed to adoptable standard and offered for adoption. All these works should be secured in a Section 106 agreement.

Peterborough Cycle Forum

No objection in principle. Welcomes the provision of traffic-free access for pedestrians and cyclists at the western end of the site, but more can be done to make access on foot or by cycle as convenient and attractive as possible, especially bearing in mind the high number of objections from local residents due to concerns over traffic congestion. The Cycle Forum requests additional access for pedestrians and cyclists is provided via a bridge across the River Nene (Old Course).

Every building should have an external cycle parking facility for its employees. Parking should be in the form of Sheffield stands and covered and should be located close to each building entrance in a position where it is overlooked.

PCC Rights of Way Officer

No comments to make.

Historic England

Historic England maintains its concerns about the application on heritage grounds. The additional information has underlined the high significance and potential of the buried archaeological and palaeoenvironmental remains at the site and has not satisfactorily demonstrated that they could be

effectively preserved in situ. We remain concerned about the impact of the proposed development and the associated mitigation planting would have on the setting and significance of the Horsey Hill Fort scheduled monument.

The proposed development site lies within the immediate setting of the 'Horsey Hill Fort: a Civil War fieldwork' scheduled monument. Whilst trees on the fort itself make outward views from the monument difficult, the sense of the open landscape to the north of the fort, and its former viewshed, can be readily appreciated from the adjacent section of Whittlesey Road. The proposed development would result in the introduction of an arc of new built infrastructure to the north of the scheduled monument, shortening the views northwards from the fort across what is currently open arable. This would have an adverse impact on the setting of the fort and cause harm to its significance.

The application includes proposals to screen the development from the adjacent scheduled monument by planting a native tree belt alongside Whittlesey Road. A planting belt in this location would completely remove the northward views from the fort across the open landscape to the north, including the currently proposed Archaeological Preservation Area and would result in additional adverse impact on the setting and significance of the monument. Whilst moving the screening planting to the northern side of the Area of Archaeological Preservation would retain slightly more of the open context to the north of the fort, we note that the Peterborough City Council Tree Officer has stated that the site cannot be 'adequately or appropriately landscaped to offer both the screening and enhancement required of the site'. We also note and agree with the Tree Officer's observation that planting of trees for screening would adversely affect the hydrology of the site and potentially result in the drying out of currently important waterlogged buried archaeological remains. Historic England's Position: Historic England has concerns about the level of information and interpretation provided in the Tier 2 Hydrological Assessment Report and the way in which these have been integrated with the results of the Archaeological Evaluation Report and Drainage Strategy. We consider that the currently provided information does not meet the requirements of NPPF paragraphs 194 and 195.

The Archaeological Preservation Area as originally proposed in the southern part of the site does not take into account the full extent or significance of the archaeological remains discovered in the 2022 archaeological evaluation. The archaeological evaluation has demonstrated that the proposed development site contains highly significant waterlogged buried archaeological and palaeoenvironmental remains. The proposed development has potential to adversely impact the significance of these non-designated heritage assets through direct construction impacts and potential longer-term hydrological changes. Whilst the proposed development presents possible foundation design options which could result in the protection of the buried archaeological remains from direct construction impacts (excluding potential dewatering during construction) we have serious concerns about the viability of the long-term preservation in situ of the buried archaeological and palaeoenvironmental remains at the site.

Even if accompanied by ongoing monitoring of groundwater levels, preservation by foundation design would offer little security for the future survival of the archaeological remains if there were subsequently changes in the hydrology of the site. Once the archaeological remains were buried beneath the proposed buildings at the development site there would be no opportunity to record them through excavation if they were found to being adversely affected by reduced groundwater levels in the future. Notwithstanding our comments about the shortcomings of the Tier 2 Hydrological Assessment, Historic England considers that preservation in situ of the buried archaeological remains at the site is unlikely to be a viable option and that, if the development were to be granted planning permission, there would need to be full excavation and recording of the buried archaeological remains in accordance with NPPF paragraph 203. However, such an approach would not address the impact of the proposed development on the setting of the Horsey Hill Fort scheduled monument and the harm to its significance that would arise as a result. Historic

England considers that, with the planting screening on Whittlesey Road as proposed, the proposed development would result in a medium or higher level of 'less than substantial harm' n NPPF terms. If adequate screening would be possible adjacent to the development on the northern side of the proposed Archaeological Preservation Area, it is likely that the level of harm through change to the setting of the monument would be marginally reduced due the retention of a slightly larger area of visibly open space to its north. We recommend that further consideration is given to the possible screening/planting options in terms of minimising the adverse impact on the setting of the Horsey Hill Fort scheduled monument.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194, 195, 200, 202 and 203 of the NPPF.

Members should be aware that there have been further discussions between the Local Planning Authority, Historic England and the PCC Archaeologist following the submission of the above comments, as summarised later in this report.

PCC Archaeologist

Concerns. Fieldwork to date has established that this is a site of national importance with equivalent significance to scheduled monuments. Footnote 68 of the NPPF states that "non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets."

There are still concerns about the current outline application.

- Hydrology: Historic England has expressed concerns about the water monitoring carried out during the wet season in October, thus presenting the best-case scenario for the height of the water table. The worst-case scenario has not been presented. (Further comments/recommendations are deferred to Historic England).
- Setting of the Scheduled Monument (SM) at Horsey Bridge English Civil War Fort: Historic England has expressed concerns about the tree screening which could have an adverse impact on the setting. (Further comments/recommendations are deferred to Historic England).
- Trees: The PCC arboriculturist has expressed concerns about the potential effect of rooting on the hydrology and in terms of direct impact on the buried archaeology. (Further comments/recommendations are deferred to the PCC arboriculturist).
- Access Road: The access road has the potential to impact upon the Bronze Age earthworks, namely the projected line of the ditch and surviving elements, if any, of the original bank underneath the A605.
- Archaeology:
 - o The full extent of the archaeology on the higher ground (approximately, the western half of the site) remains unknown.
 - o The line of the Bronze Age ditch remains uncertain.
 - o Masterplan: the masterplan does not show the location of the piles in relation to the archaeology exposed to date.

Members should be aware that there have been further discussions between the Local Planning Authority, Historic England and the PCC Archaeologist following the submission of the above comments, as summarised later in this report.

PCC Conservation Officer

No objections. The applicant has demonstrated that the limited views of the Cathedral across the site can be retained by maintaining a 'Views Corridor' at reserved matters stage.

Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

PCC Wildlife Officer

No objection subject to conditions. This project is unlikely to cause significant biodiversity loss through habitat destruction however it may create new negative impacts to protected species or habitats. The conditions above reflect this and have been recommended in order to ensure that there is no lasting negative impact.

It is noted that there already exists a lighting plan, however this plan does not detail how it has been created as to avoid new negative impacts on ecological constraints. This is particularly relevant due to the sensitivity of local habitats.

PCC Tree Officer

Objects on landscape grounds. Does not believe the site can accommodate the quantum of development shown on the Illustrative Masterplan once the various constraints are taken into account.

Environment Agency

No objection. We consider that the main source of flood risk at the site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regards to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals. In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

PCC SUDS Officer

No objection subject to conditions. The applicant has provided an acceptable drainage strategy.

IDB (Middle Level Commissioners)

Object. The Commissioners oppose this development as, in its current form, it contravenes the Commissioners byelaws and is considered would detrimentally affect both navigation, the aquatic environment, water level and flood risk management both locally and within the adjacent Fenland and Huntingdonshire District Council areas. In view of the contents below, the size of the development and the possible adverse effect on the respective systems, the applicant is urged to discuss this with the Commissioners via the post-application consultation procedure. Concerns are in respect of:

- Water level and flood risk management systems
- Navigation
- Water transfer
- Environmental issues
- Water quality

The IDB's objection was in relation to the originally submitted Illustrative Masterplan, which the applicants amended in light of the IDB's objection. Additional drainage information was also submitted to which the Council's SUDS Officer and the Environment Agency had no objection, but on which the IDB has not commented. Drainage and flood risk considerations are discussed in the main body of this report.

PCC Pollution Control Team

No objections subject to conditions in respect of noise, lighting and contaminated land

PCC Minerals & Waste Officer

No objection. The site lies within a Minerals Safeguarding Area for brick clay, and the western half of the site lies within a MSA for sand and gravel (Minerals and Waste Local Plan Policy 5). There are insufficient grounds to maintain an objection in relation to Minerals & Waste Policy 5.

Anglian Water

No objection subject to a condition. The foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows

Cadent Gas

No objection.

Cllr Rush - Objects:

- The land is not allocated for development in the Local Plan.
- The proposed business park is to be built on agricultural land not allocated in the local plan.
- The access point will bring extra traffic on to an already busy road and will nullify the £millions spent on the Pondersbridge project to ease the build up of traffic on to the Cardea by-pass and in to Stanground.
- The excavation could destroy unearthed Bronze Age Artefacts near or on the course of the old course of the river that runs from Must Farm to Horsey Toll Fort and across to Flag Fen. Uncovered Artefacts could be destroyed.

Fenland District Council

Comments. The proposal would introduce a new and markedly different character of built development to the area at odds with the existing built environment and the urban extension of the City allocated in the development plan. The proposed development appears to project out from the existing planned edge of the settlement along the route of the A605 as it runs between Peterborough and Whittlesey. The further development of the city in this direction would result in the reduction of the separation between the two settlements, in particular due to the proximity of the site boundary to the existing built development to the west of Whittlesey along Kings Delph. If development is permitted in this location then it will contribute towards the coalescence of the two settlements, which is contrary to good planning practice and policies of both the Peterborough Local Plan and the Fenland Local Plan.

Local Residents/Interested Parties

Initial consultations: 108
Total number of responses: 206
Total number of objections: 204
Total number in support: 2

Adjacent occupiers

Initial public consultation (July 2021) - 163 objections received:

Principle of development

- Land is not allocated for development in the Local Plan
- Plenty of vacant commercial premises are available elsewhere in the City
- Commercial uses are not appropriate in this location, near existing housing
- Need has not been demonstrated
- Applicant's commercial justification report is biased
- Other commercial development applications nearby have been refused
- This is not brownfield land in need of regeneration, such as the greyhound track
- Town Centre brownfield sites (for example, around the railway station) should be redeveloped in preference to this greenfield site - better locations closer to the A1 exist

Traffic & transport

- Increased traffic using an already busy road
- Proposed junction location is inappropriate
- Proposed junction design is inappropriate
- Round-the-clock traffic generation from the type of uses proposed
- Already difficult for residents to enter/exit their private driveways
- Cardea bypass should be dualled
- Proposed bus stop locations are inappropriate

Drainage & flood risk

- Insufficient local wastewater capacity
- Surface water runoff may cause localised flooding
- Existing run-off from the A605 would be exacerbated
- The site is low-lying and flood risk here is likely to increase with climate change

Amenity

- Noise and disturbance to nearby residents, loss of existing tranquillity
- Disturbance and potential property damage caused by piling
- Overbearing impact and loss of outlook
- Light pollution
- Potential odour pollution
- Vibration disturbance caused by piling or heavy vehicles during operation
- Disruption during construction
- Insufficient new planting is proposed to properly shield the development from nearby properties

Ecology

- Bats have been seen flying across the site
- Often heron, hedgehogs, pheasants or swans seen on this land
- Loss of existing trees
- Loss of grassland habitat
- No Biodiversity Net Gain Assessment has been submitted

Heritage

- Effect on retained archaeology
- Insufficient archaeological investigation has taken place
- The site layout takes no account of what archaeology might yet be uncovered

Other

- Too prominent in the wider landscape
- Insufficient screening is proposed
- Additional litter created by employees
- Broadband speed in the area is very poor

Case Officer Note: a number of consultees have raised concerns as to the effect of the proposed development on their own private property values. This is a not a material consideration.

2 letters of support received:

- Supports the new Business Park, if the following is considered as part of development:
 1. Speed limit from Kings Dyke to Park Farm/Cardea is reduced to 30mph.
 2. Foot path extended from Kings Delph to Park Farm.
 3. Cycle lane incorporated with Footpath, Kings Delph to Park Farm.
 4. A605 through Kings Delph, when it rains, considerable water floods onto properties, 107 to 127. This must be resolved.
- More jobs within the area are needed for the younger generation to go to and learn different skills instead of the Amazon and IKEA warehouses
- Would help with money spent within local businesses in Stanground, including retailers

Further public consultation (December 2022)

26 further objections were received as a result of consultation on additional information submitted by the applicant, including an amendment to the proposed site access location, opposite the B1095 Milk & Water Drove junction. Additional issues raised were focussed on the revised location of the proposed access, and previous concerns were reiterated. The 26 objections received as a result of the December 2022 further public consultation should be considered in addition to, rather than instead of, the 165 objections received following the initial public consultation.

- The revised access location would be particularly hazardous to residents entering/exiting 1 & 2 Toll Cottages
- Exiting vehicles' headlights would shine directly towards 1 & 2 Toll Cottages
- Additional noise, disturbance and pollution from vehicles entering/exiting the site in the proposed location
- Even less opportunity for screening the development from 1 & 2 Toll Cottages if the access is immediately opposite them

Revised access proposals reconsultation (January 2023)

15 further objections received as a result of the most recent reconsultation, when the applicant reverted the location of the proposed access away from the B1095 Milk & Water Drove junction back to the position originally proposed when the application was submitted. No new material considerations were raised at this stage, when those who did express a view reiterated their previous concerns. The 15 objections received as a result of the December 2022 further public consultation should be considered in addition to, rather than instead of, the 191 objections received following the first and second public consultations.

5 Assessment of the planning issues

The main matters for consideration are

- a) Principle of Development
- b) Highway matters
- c) Visual impact
- d) Heritage Matters
- e) Neighbour Amenity
- f) Biodiversity
- g) Contamination
- h) Drainage
- i) Legal Agreement
- j) Other matters
- k) The planning Balance

a) Principle of Development

Acknowledging that the site is not allocated for development and lies outside the Urban Area boundary, the applicant has sought to justify their application by demonstrating that the City's supply of employment land available for development will be exhausted well before the end of the current Local Plan period (2036). The effect of such a shortfall, should one exist, would be that prospective employers would be likely to have difficulty developing or finding employment premises in the City, whilst existing employers looking to enlarge, downsize or simply move premises would also be likely to encounter difficulties. In these instances, employers may be forced to look elsewhere for their new premises, with an associated placement of employment opportunities outside of Peterborough. Diversity of employment land availability and premises types/sizes is essential to avoid the over-reliance of the local economy on any single employer, market sector or employment type.

The applicant has submitted a detailed and extensive Employment Land Report which, following careful review, is considered to substantiate their case. The applicant's assessment demonstrates that Peterborough, having been successful to date in delivering new employment development on the sites allocated in the Local Plan for that purpose, now has limited remaining opportunities left for employment development. Of the 160 hectares allocated in the Local Plan for employment development, only 49.5 hectares of this currently remains - mainly at the 30 hectare Red Brick Farm site. Even with some redevelopment of existing employment premises within the General Employment Areas or elsewhere in the City (such as the land South of Hotpoint or at the Greyhound Stadium), market demand evidence submitted by the applicant demonstrates that this will not be sufficient to meet the demand for employment land by the time the current Local Plan period ends in 13 years time.

Of particular note is the extent to which a number of the allocated employment sites constructed to date have been developed for large footprint single-occupier warehousing and distribution premises. This is perhaps unsurprising given the excellent access of those sites to the trunk road network, and in itself complies with the Local Plan's employment policies. Nonetheless, this is a land-hungry employment use which has reduced the amount of allocated employment land left available for Small-to-Medium Enterprises.

At the same time, some level of vacancy within existing units is entirely expected and indeed necessary to ensure proper functioning of the employment land/premises market. If all units were occupied all the time, it would make relocating premises exceptionally difficult if not impossible, particularly given the potentially time-consuming nature of an employer fitting out their new premises with machinery or equipment before it can become operational and the existing premises vacated. The evidence submitted by the applicant does not reveal that an excessive or unusually high level of unit vacancies currently exists within the City, over-and-above that which would be expected in an active employment premises market.

The case made by the applicant is therefore a valid one. The absence of sufficient employment development opportunities can justify the release of additional (unallocated) sites for employment development ahead of the next Local Plan review, and in such instances the Local Planning Authority must consider each application that comes forward on its own merits, in light of the employment land demand and availability evidence available at that time.

The application site had previously been allocated for development under Policy CS7 of the 2011 Core Strategy as part of a Regional Freight interchange on a wider 135ha site known as Magna Park. The site had been allocated as strategic facility, intended to provide an interaction between road and rail, with the aim of reducing road traffic on the A14, and would have involved significant warehousing development and associated goods vehicle movements. Development did not take place in accordance with the Core Strategy site allocation and this site was not carried forward into

the current Local Plan. The previous site allocation in itself no longer carries any weight, but it is nonetheless of note that the land has, in the past, been considered suitable for employment development.

Also relevant is that site is covered by a minerals safeguarding area for brick clay extraction, with the western part of the site also safeguarded for sand and gravel extraction within the adopted Minerals and Waste Local Plan. The applicant contends that, because of the comparatively small size of the site, its proximity to nearby residential development, and its sensitive archaeological setting, it would be both impractical and undesirable to enter into commercial-scale minerals extraction in this location.

The applicant has submitted an Economic Benefits Statement which explores the potential value the development could bring to the local economy. By analysing national and local statistics, and then applying these to the proposed development on the optimistic basis of 100% B2 (manufacturing) occupancy, the Statement sets out that:

- around 400 permanent new full-time-equivalent jobs could be created
- a contribution of approximately £21 million per annum (Gross Added Value) to the local economy
- employee wages estimated at £13 million per annum
- estimated annual business rates of approximately £274,000 per annum

Whilst these estimates are considered to be a best-case scenario, nonetheless the quantum of economic benefit to the local economy is likely to be considerable. National Planning Policy Framework paragraph 81 confirms that decision-takers must place "significant weight" on the need to support economic growth.

As a matter of both planning law and planning policy, a departure from the policies of an adopted Local Plan is permissible when material considerations indicate this this is justified. Having taken all of the above into account, and in light of the compelling justification provided by the applicant, employment development on this unallocated site is considered capable of being an acceptable departure from the adopted Local Plan, provided that the detailed material considerations below are or can be made demonstrably acceptable. A rounded judgement considering all the material considerations in the planning balance will therefore be required.

b) Highway matters

The application has attracted a large number of consultation responses, with traffic concerns featuring prominently in neighbours' comments.

The A605 Whittlesey Road is a busy route, with the proposed development taking a single new point of access at a simple priority junction towards the eastern end of the site. An existing access opposite the B1095 Milk and Water Drove junction which serves the crane depot has previously been judged unsuitable by the Council for any intensified usage, forming one of the refusal reasons in 2017 for a Gas to Grid Anaerobic Digestion Plant to the north of the crane depot (16/00080/MMFUL). The existing access would therefore be stopped-up, with the crane depot instead being accessed via the proposed new junction and estate road. The new A605 junction would not be signalised and would be a simple priority junction, albeit with right-turning traffic heading from the Whittlesey direction into the development having a dedicated right-turn lane.

The Local Highway Authority has assessed existing and forecast traffic flow data submitted by the applicant and is satisfied that, in principle, the A605 could accommodate the additional movements generated by the proposed development without any significant impacts on the transport network in terms of capacity or congestion. This is the policy test set out at National Planning Policy Framework paragraph 110 and, as a reminder, paragraph 111 goes on to clarify that "development should only be prevented or refused on highways grounds if there would be an unacceptable

impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Consequently, having regard to the quantum of objections received on highway grounds, the information submitted by the applicant, and the assessment of the Local Highway Authority, it is considered that in principle the proposed development could be accommodated on the existing highway network in an acceptable manner.

The Local Highway Authority has reviewed the location and design of the proposed new access junction (a simple give-way arrangement with a protected right-turn lane for westbound traffic entering the site) and is satisfied that this is appropriate in principle. The detailed junction design can be controlled by condition.

In terms of provision for non-motorised traffic, the application includes measures to encourage walking, cycling and the use of public transport. The existing No.31/33 Peterborough to Whittlesey bus service passes the site hourly during the day, but does not operate on Sundays or Bank Holidays and does not run past 7pm. Whilst the two new bus stops that have been proposed on the A605 to serve the application site are welcomed, the existing bus service would not be sufficient for shift workers starting before 6am or finishing at, say, 10pm. A new central pedestrian refuge is proposed which would assist pedestrians crossing the A605 to reach the proposed new westbound bus stop.

Consequently, measures to enhance the site's accessibility by cyclists and pedestrians are also necessary. A new footway/cycleway is proposed which would connect to the existing footway/cycleway on the opposite side of the River Nene (Old Course) which the illustrative masterplan shows running continuously through the site and out the other side. This new footway/cycleway would provide a safe and convenient route for cyclists and pedestrians away from the busy A605 and should be constructed to adoptable standard. This, and its subsequent adoption, can be secured in a Section 106 agreement. There is an existing underpass to the A605a and crossing over the River Nene (Old Course) which is part of the National Cycle Network.

Onsite parking and turning are not for consideration at this time, but would need to be proposed and considered in detail at reserved matters stage. Nonetheless, the illustrative masterplan demonstrates that an appropriate quantum of car and cycle parking could be provided onsite, along with adequate turning and manoeuvring facilities.

Charging points for electric vehicles are required by Part S of the Building Regulations, at the rate of 1 charger-equipped space for every commercial building served by more than 10 spaces, plus a further 20% of all spaces being pre-wired for future additional charging points. This exceeds the level of provision recently secured by the Council on other employment developments prior to the publication of the current Part S, and given that there is no specific electric vehicle charging points policy in the Adopted Local Plan there is no justification in this instance to require a level of provision in exceed of the Building Regulations. Nonetheless, a condition requiring the location of the electric vehicle charging points to be submitted for approval as part of the reserved matters process is recommended.

c) Layout and visual impact

The application is submitted in outline with all matters reserved except access, but nonetheless scale parameters have been tested and a maximum heights condition is recommended in order to ensure that no unexpected landscape or other visual effects occur. Although sited outside the Urban Area Boundary, in landscape terms this is an edge-of-settlement location where in longer range views development would be viewed in the context of existing residential and commercial development, including the prominent crane yard to the north.

The Council's Tree Officer has raised concerns with the Illustrative Masterplan, with particular regard to the poor levels of screening that the illustrative landscape planting would provide in particular from the A605. A specific list of landscape mitigation requirements is therefore recommended to be conditioned which will inherently inform changes to the Illustrative Masterplan at reserved matters stage to ensure the development is appropriately screened. This can be achieved without compromising the water levels within the site subject to the submission of an acceptable technical solution which will be controlled by conditions C13 and C15.

Subject to the recommended conditions and appropriate design and consideration at reserved matters stage, the proposed development is considered capable of complying with Policies LP27 and LP29 of the Adopted Peterborough Local Plan (2019).

d) Heritage Matters

The application site lies adjacent to the Horsey Hill Fort, a Scheduled Ancient Monument.

The Hill Fort is an English Civil War earthwork which was raised during military operations between 1642 and 1645 to provide temporary protection for infantry or to act as gun emplacements. These earthworks, which may have been reinforced with revetting and palisades, consisted of banks and ditches and varied in complexity from simple breastworks to complex systems of banks and interconnected trenches. There are some 150 surviving examples of fieldworks recorded nationally. All examples which survive well and/or represent particular forms of construction are identified as nationally important.

Although a small part of the earthwork has been damaged by the formation of the modern A605, the greater part of Horsey Hill Fort survives substantially undisturbed. The banks, covered way, entrance and bastions will all contain details of their construction and use, and the interior will contain buried evidence of temporary structures erected during this brief period. Artefacts related to the occupation and function of the monument will be preserved below ground both here, and in the silts of the surrounding ditch.

Horsey Hill Fort is amongst the most elaborate fortification in England to have survived from the Civil War. It shows clear influences of contemporary continental military design (developed in response to the increased mobility of contemporary warfare and the dominance of artillery), and how these ideas were adapted in the English context. The fort's position demonstrates the importance of the Fen Causeway and Nene crossing within the military frontier surrounding the Isle of Ely and, together with a number of other fortifications in the region (both in similar rural locations and in the main towns), illustrates the variety of defensive measures employed by the Eastern Association.

The fort's position demonstrates the importance of the Fen Causeway and Nene crossing within the military frontier surrounding the Isle of Ely. The landscape setting of the fort and its former field of fire are an important component of its significance. Whilst there is vegetation at ground level within, and on the boundary of, the fort, views northward into and across the proposed development site provide an appreciation of its former landscape context.

The higher ground on which the Civil War fort is located is also the site of an earlier Bronze Age ditch-defined enclosure. The development proposals include an Archaeological Preservation Area in the southern part of the site, encompassing the area of the enclosure and the land closest to the scheduled monument.

Archaeological investigation works undertaken to date by the applicant established the presence of highly significant waterlogged buried archaeological remains at the application site. This included defining the ditch of a later Mid-Bronze Age enclosure/hillfort earthworks (previously discovered in 2008) and well-preserved wooden post alignments associated with causeways dating to the Late

Bronze Age and Late Iron Age. These causeways would have crossed the shallow embayment between Horsey Hill and Stanground, which together shape the south-western corner of the Flag Fen Basin. The archaeological trial trenching has identified significant archaeological remains and deposits, some of which are contemporary with activities occurring at the nearby Bronze Age Scheduled Monument of Flag Fen. Combined with the evidence of an Early Bronze Age burial mound cemetery at Stanground Wash known from remote sensing and the excavated Late Bronze Age settlement at Must Farm (Whittlesey), they contribute to further characterise activities within and on the edge of the Flag Fen Basin, and along the River Nene in the later prehistoric period as part of the same landscape. The waterlogged organic remains appeared to be well preserved, and therefore have high potential and significance to address regional, as well as national, archaeological research priorities.

There are therefore five main concerns in archaeological terms:

- (i) The effect of development in this location on the setting of the Scheduled Monument;
- (ii) That development of the site may result in the "drying out" of currently wet soils which have allowed the Late Bronze Age and Late Iron Age water-logged archaeological remains to remain well-preserved. A Water Table Preservation condition is recommended accordingly as, if the applicant is unable to demonstrate that a minimum water table level can be maintained sufficient to preserve the archaeological remains in-situ, then significant further investigation and recording activities will be necessary. The precise AOD water table level to be preserved has been agreed with Historic England;
- (iii) The extent and alignment of the ditch defining the later Middle Bronze Age enclosure/hillfort has only partially been identified. A condition requiring further archaeological investigations to trace the full extent of this ditch is therefore recommended, to be undertaken in advance of and to inform the design of the masterplan and layout for consideration at reserved matters stage;
- (iv) Once the archaeological remains were buried beneath the proposed buildings there would be no opportunity to reverse the process of decay if they were found to be adversely affected by reduced groundwater levels in the future. Consequently, the recommended Water Table Preservation condition requires the submission of a mitigation strategy to manage this potential threat;
- (v) Although the significance of the archaeological remains and deposits uncovered to date is understood, the full archaeological potential of the site is unknown as only a small percentage of it has been sampled. Further remains/deposits may be present which have not been identified. Consequently, a condition is recommended to require further archaeological investigations to be agreed and undertaken across the remainder of the site.

Following careful consideration, the Council's Archaeologist has no objection in principle to the proposed development, subject to robust conditions covering the matters explored above.

Historic England had raised similar concerns to the Council's Archaeologist and has been consulted throughout in terms of archaeological methodologies, excavations undertaken to date, and robust mitigation measures to be secured by conditions. In addition, Historic England has raised a concern in respect of the setting of the Scheduled Monument, and has identified that the proposed development would cause "less than substantial" harm to the currently open immediate setting to the north. In light of this, National Planning Policy Framework paragraph 202 confirms that this harm should be weighed against the public benefits of the proposed development. The required balancing exercise is undertaken at the end of this report.

Finally in terms of archaeology, the heritage consultees consider that the archaeological interest of the application site is of such importance as to be worthy of consideration for listing in its own right as a Scheduled Monument. The site has been referred to Historic England's listings team for further assessment, albeit Historic England has advised that this process does not alter their

comments on the application as submitted and at the current time would not preclude the Local Planning Authority's determination of the application.

The Council's Conservation Officer is satisfied that, whilst there would be only minimal effect on the availability of limited and fleeting cathedral views, nonetheless the illustrative masterplan adequately demonstrates how those existing limited views could be safeguarded. A condition is recommended accordingly, as an element of the Phasing Plan condition, to ensure that an appropriate view corridor to the cathedral is maintained.

Taking into consideration all of the above, and subject to both the recommended conditions (C15 and C16) and the balancing exercise at the end of this report, the proposed development is considered capable of complying with Policy LP19 of the Adopted Peterborough Local Plan (2019).

e) Neighbour Amenity

The application has generated over 200 objections from local residents over the course of 3 rounds of public consultation. Whilst a large number of those objections are in respect of the principle of development or traffic generation, there are a number of properties which either direct face the application site, or would be sensitive receptors in terms of noise disturbance, air pollution or light spillage should such matters arise.

(i) Noise and disturbance

In terms of potential noise disturbance, the Council's Environmental Health Officer has reviewed the noise report submitted by the applicants and note that it was undertaken during lockdown conditions. They advise that, because noise monitoring was undertaken during limited periods, evening and early morning impacts cannot be determined as a result of the daytime monitoring periods undertaken. Additionally, the nighttime impacts can only be established for the least sensitive periods.

In the absence of precise data, the Environmental Health Officer advises that noise limits would need to be set on a precautionary basis.

When considering such noise limits, the cumulative impact of noise from individual units will require consideration. From the data available it is likely that daytime noise levels in the locality may already exceed World Health Organisation recommended levels, and therefore controls are required to avoid "creeping" ambient noise levels.

The noise conditions that are recommended follow the Environment Health Officer's recommendations. In particular, noise limits would apply to plant noise, including that of mobile sources (eg refrigerated vehicles), with each individual unit subject to the noise limit given that a site-wide limit would present difficulties in attributing "contributions allowance" for individual operators, and also for determining how enforcement can be directed any site wide exceedance.

- A "daytime" (07:00 - 23:00) noise limit could appropriately be based on the applicant's Location A monitoring at 22:00-23:00, and the Environmental Health Officer therefore recommends that a rating noise limit of 45dB is applicable considering the factors detailed above.
- A separate "nighttime" (23:00 - 07:00) noise limit could appropriately be based, in the absence of any suitable measurement data, upon the fact that rating levels of 35dB can be considered to be very low.

Additional conditions limiting delivery hours to the site and controlling the type of reversing alarms to be fitted to vehicles regularly used on the site, are proposed as further safeguards.

Subject to these conditions, the proposed development is considered capable of complying with Policy LP17 of the Adopted Peterborough Local Plan (2019) in respect of noise.

(ii) Light pollution

The Institution of Lighting Professionals has produced "Guidance Notes for the Reduction of Obtrusive Light: Guidance Note 01:20 ". The guidance recommends maximum values of light parameters for the control of obtrusive light, with acceptable limits specified dependent upon location.

The Environmental Health Officer has recommended that details of external lighting, including lower brightness during "curfew" hours and compliance with the lighting guidance note, are secured by condition. This is a reasonable and appropriate approach given the outline nature of the application.

Subject to these conditions, the proposed development is considered capable of complying with Policy LP17 of the Adopted Peterborough Local Plan (2019) in respect of light spillage.

(iii) Outlook and overshadowing

The Illustrative Masterplan gives an indication of one possible way the site might be developed as a mixed-use business park, but is not for determination at this stage. Rather, the reserved matters of siting, appearance and landscaping would all require further applications to be made where the proposed layout and appearance of the development could be scrutinised prior to any development taking place.

Appropriate measures must be taken to minimise the effect of the development on nearby dwellings through the provision of appropriate landscape buffers. These would be most notably required along the north-western site edge (alongside the River Nene) and along the southern boundary, adjacent to the A605. Conditions are recommended accordingly, subject to which the application is considered able to comply with Policy LP17 of the Adopted Peterborough Local Plan (2019) in respect of the avoidance of overbearing impact.

Further checks would need to be made at the reserved matters application stage when the detailed design of buildings would be proposed, including ensuring that foundation levels and heights to eaves/ridge would not cause any level of overbearing impact or overshadowing over-and-above that illustrated on the indicative cross-sections provided by the applicant at this stage. For the avoidance of doubt, a condition specifying the maximum permissible heights to eaves and ridges is recommended at this stage.

f) Biodiversity

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application site should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to intentionally kill, injure or take a great crested newt or intentionally or recklessly destroy or disturb a great crested newt breeding or resting place. Great crested newts are likely to be hibernating in tree root systems, underground crevices, mammal burrows, rubble piles or old walls between October and February. Great crested newts will become active both terrestrially and within ponds between March and the middle of June. Any works impacting aquatic and terrestrial breeding and resting places which is used by great crested newts at any time needs to be certain that great crested newts are not present before the works take place.

Having studied the habitat, protected species and biodiversity information submitted by the applicant, Natural England has advised that it is satisfied this development is unlikely to have any significant adverse effects on protected sites or qualifying species.

The Council's Wildlife Officer had requested updated ecological and habitat surveys, particularly in respect of bats, which the applicant has undertaken. The results of this additional ecological assessment works are sufficient for the Wildlife Officer to have no objection to the proposed development, subject to a number of detailed conditions relating to a further badger survey prior to any works starting, measures to protect biodiversity during construction, a detailing lighting scheme, an a prohibition of any work taking place within 30m of any feature evidencing barn owl occupation.

Subject to these conditions, the application is considered to comply with Policy LP28 of the adopted Peterborough Local Plan (2019).

g) Contamination

The Environmental Health Officer is satisfied that, having review the detailed geo-environmental investigation report submitted by the applicant, ground conditions have been adequately investigated and are appropriate for the proposed commercial end uses. A condition is recommended nonetheless to cover the eventuality of any unsuspected contamination which is discovered during construction operations.

h) Drainage

The Environment Agency has reviewed the Flood Risk Assessment with regard to tidal and designated main river flood risk sources only, advising that the main source of flood risk in this location is associated with watercourses under the jurisdiction of the Internal Drainage Board and as such, have raised no objection to the proposed development on flood risk grounds.

In turn the Internal Drainage Board has also been consulted and have advised that the site is at a strategic location where access to Kings Dyke, the Pigwater and the Horsey Toll Sluice is required 24/7 365 days a year. Because of this these watercourses/assets are subject to the Commissioners byelaws, made in accordance with the Land Drainage Act (LDA) 1991, and are protected by 20m wide maintenance access strips. Any works in, over or under a protected watercourse and associated maintenance access strip requires the Commissioners prior written consent, which is subject to a separate control regime outside the planning process.

The Commissioners' subsequent consent should be assumed and the Commissioners have confirmed that they will not consent any structures which might detrimentally affect existing water level management or flood defence systems/assets that inhibits water level and flood control and maintenance work. They have also specifically advised that they will not consent:

- i. Unregulated rates of run-off and/or increased volumes of ground, surface or treated effluent water directly into the system; or
- ii. An additional bridge crossing over either Kings Dyke or the Pigwater.

Whilst neither is proposed in this instance, nonetheless this underlines the importance of ensuring that adequate space remains for the routine maintenance of the watercourses running alongside the site, as failure to do so could have severe consequences potentially leading to extensive flooding both to the site and the surrounding area in the future. Therefore, any associated cables, infrastructure, buildings, roads, soft or hard landscaping and other structures must be positioned outside the 20m wide maintenance access strips.

As set out earlier, matters of building siting and landscaping are not for consideration at this time and therefore the applicant, who has been advised to liaise in detail with the Commissioners, has the opportunity to shape the site masterplan to comply with the Commissioners' requirements prior to submitting any reserved matters application.

Finally, the Council's SUDS Engineer has studied the information submitted by the applicant and requested further detail. Additional information has been provided which has addressed the SUDS Engineer's questions, who consequently has no objection subject to conditions.

In light of all of the above, the proposed development is considered capable of complying with Policy LP32 of the Adopted Peterborough Local Plan (2019).

i) Legal Agreement

A Section 106 agreement is recommended in order to secure:

- a) The provision of an adoptable footway/cycleway crossing east-west across the site;
- b) Offsite improvements to the footway/cycleway network, including an extension to the footway/cycleway on the northern side of the A605 from the application site to the City Council's administrative boundary, a formalised connection onto Milk & Water Drove to the south of the site at the existing Green Wheel bridge over the River Nene, and improved cycle route signage

j) Other matters

Local Plan Policy LP31 allows for developments to be considered "more favourably" where these make a positive and significant contribution towards low carbon energy in terms of reduced demand, resource efficiency, energy production and carbon off-setting. The policy does not apply to those developments which are in themselves poorly designed, harmful to the landscape or the natural/built environment, or to the amenity of residents but irrespective the applicant's Sustainability Strategy does not demonstrate that the development would meet the policy tests in LP31 to be considered "more favourably". Nonetheless, the submitted Sustainability Strategy does contain some positive elements and a condition requiring compliance with it is recommended accordingly.

The IDB has advised that the Kings Dyke is a navigable watercourse which forms part of the Middle Level Link Route which provides the only connection between the Environment Agency's River Nene and the Great River Ouse systems and thus of significant importance as a tourist facility within the region the benefits of which extend beyond the City Council's area. The Commissioners, in their capacity as a navigation authority, promote the navigable rivers within the area provided that they do not detrimentally affect any statutory water level and flood risk management functions and seek to promote the river as a tourist destination. The Commissioners have therefore requested evidence which demonstrates that navigation will not be adversely affected by the proposed development. Given that any development within 20m of the river requires the Commissioners' separate consent, in this instance a condition would not meet the policy tests but rather, a note to the applicant is recommended.

A number of consultees have noted that broadband speeds in this part of the City are currently poor. A broadband condition is recommended accordingly.

A condition is recommended restricting the Use Classes which would be permitted on this site, including limited any changes with Use Class E (Commercial, Business and Service) in order to prevent the site from being used as a retail park or leisure facility without a further grant of planning permission.

k) The Planning Balance

The application proposes a departure from the adopted Local Plan, on the basis that the policies which are most important for determining the application (in particular, those governing the provision of employment land) are out-of-date. Officers are satisfied that the applicant has

demonstrated that this is the case. Consequently, the National Planning Policy Framework advises at paragraph 11(d) that planning permission should be granted, unless:

i. the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In respect of national policy test 11d(i), whilst there would be an effect on designated heritage assets and other heritage assets of archaeological interest, subject to the recommended conditions those effects would not provide a clear reason for the application to be refused.

In respect of national policy test 11d(ii), it is necessary to weight the benefits and adverse impacts in the planning balance, refusing planning permission only if the adverse impacts "significantly and demonstrably" outweigh the benefits.

The main benefits of the proposed development are economic ones, which National Planning Policy Framework paragraph 81 directs the decision-maker to give "significant weight". These include job creation, the provision of additional land for employment development in light of an identified but unexpected shortfall, construction expenditure, a significant forecast quantum of Gross Added Value to the local economy, and additional tax receipts. Improved footway/cycleway connections are a benefit of more limited weight.

Set against these benefits are the less-than-substantial harm to the setting of the Scheduled Monument, risks to archaeology, additional traffic loading on the highway network, changes to onsite habitats, effect on the landscape, and effects on the living conditions of residents.

Subject to the recommended conditions, and careful consideration of matters of detail at reserved matters stage, the adverse impacts are considered to be capable of mitigation (both individually and cumulatively) such that adverse impacts would not "significantly and demonstrably" outweigh the benefits.

Officers therefore consider that the planning balance points to planning permission being granted as a departure from the adopted Local Plan.

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 applicant has demonstrated that the most relevant policies in the Adopted Local Plan relating to the supply of employment land are out-of-date and consequently, National Planning Policy Framework paragraph 11 is engaged
- In respect of national policy test 11d(i), whilst there would be an effect on designated heritage assets and other heritage assets of archaeological interest, subject to the recommended conditions those effects would not provide a clear reason for the application to be refused.
- In respect of national policy test 11d(ii), the main benefits of the proposed development are economic ones, which National Planning Policy Framework paragraph 81 directs the decisionmaker to give "significant weight". These include job creation, the provision of additional land for employment development in light of an identified but unexpected shortfall, construction expenditure, a significant forecast quantum of Gross Added Value to the local economy, and additional tax receipts.

- Set against these benefits are the less-than-substantial harm to the setting of the Scheduled Monument, risks to archaeology, additional traffic loading on the highway network, changes to onsite habitats, effect on the landscape, and effects on the living conditions of residents.
- The adverse impacts are considered to be capable of mitigation (both individually and cumulatively) such that adverse impacts would not "significantly and demonstrably" outweigh the benefits.

7 Recommendation

The case officer recommends that Outline Planning Permission is **GRANTED** subject to the completion of a Section 106 agreement and the following conditions:

C 1 Approval of details of the means of access, layout, appearance, landscaping and scale

(hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before the development of any Phase approved pursuant to the Phasing Plan required by condition 3 of this permission is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

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

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C 3 Prior to the submission of any application for reserved matters, a Phasing Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Phasing Plan.

The Phasing Plan shall include (but not be limited to):

- a. Existing features, including topography and those trees and shrubs to be retained;
- b. The extent of road to be constructed to adoptable standard;
- c. SUDS provision;
- d. Foul and surface water drainage;
- e. Structural landscaping;
- f. The order in which plots will be released;

- g. Zones to be kept clear from development in order to safeguard a view corridor from the A605 towards Peterborough Cathedral; h) Fire hydrant provision;
- a. Details of haul routes, routing and parking for construction traffic;
- b. Means of temporary and permanent access to the existing commercial uses to the north of the site;
- c. Provision of a footway/cycleway connecting through the site to and from the A605.

Reason: To secure the comprehensive and co-ordinated development of each part of the site, and to clearly identify the outline consent pursuant to which each part of the site will be developed in accordance with the policy standards required by the development plan and any other material considerations.

C 4 Details submitted pursuant to condition C1 shall be restricted as follows:

- No building shall exceed a height of 10.5m from slab level to eaves and no building shall exceed a height of 13.2m to its highest point.
- The total cumulative quantum of floorspace shall not exceed 15,263sqm GIA

Reason: In order to ensure that development is restricted to that which has been applied for, and in order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

C 5 No individual premises on the approved development shall exceed 2,000sqm and no individual occupier shall occupy more than 2,000sqm in total on the development.

Reason: In order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

C 6 Prior to the submission of any reserved matters applications the applicant shall submit a Design Code for the written approval of the Local Planning Authority. The Design Code shall include but not be limited to:

- facing materials palette
- fenestration options
- shutters to vehicular openings
- security shutters
- roof form
- signage zones
- refuse storage

Reserved matters subsequently submitted pursuant to condition C1 shall comply in full with the approved Design Code.

Reason: In order to ensure the creation of high-quality buildings and place in accordance with paragraph 126 of the National Planning Policy Framework (2021) and Policy LP16 of the Adopted Peterborough Local Plan (2019).

C 7 The rating level of noise emitted from the site shall not exceed 45 dB LAeq, 1 hour between 07:00 and 23:00 Monday to Friday and 35dB dB LAeq, 15 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises using measurements and assessment made in accordance with BS:4142:2014.

Reason: In order to avoid any significant noise nuisance from the development to nearby sensitive premises.

C 8 Reversing alarms fitted to vehicles that are used regularly at premises shall be of a non tonal (white noise) design.

Reason: In order to safeguard the amenity of nearby residential occupiers.

C 9 There shall be no deliveries, heavy goods vehicle movements, use of fork-lift trucks or use of any other vehicles fitted with reversing alarms operating on the site other than between the hours of 07:00 and 23:00.

Reason: In order to safeguard the amenity of nearby residential occupiers.

C10 No external lighting shall be erected until a Lighting Strategy for all lighting across the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for, protected habitats breeding birds, bats and badgers that are likely to cause disturbance; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species and/or habitats.
- c. demonstrate that the use of lighting the development, and used at individual premises, does not exceed the obtrusive light limits specified for environmental zone E3 in the Institution of Lighting Professionals document "Guidance Notes for the Reduction of Obtrusive Light: Guidance Note 01:20".
- d. demonstrate how lighting of private roads, driveways or parking areas shall be arranged so that no danger or inconvenience is caused to users of the adjoining existing or proposed public highway.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances may any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In order to protect the amenity of local residents, in the interests of highway safety, and to safeguarded ecology in accordance with Policies LP13, LP17, and LP28 of the Adopted Peterborough Local Plan (2019).

C11 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning

Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment, in accordance with Policy LP31 of the Adopted Peterborough Local Plan (2019)

C12 Notwithstanding the indicative site layout indicated on Illustrative Masterplan reference AP0201 Revision U, the landscaping details submitted pursuant to condition 1 shall include but not be limited to:

- a. Tree and shrub planting to form a landscape buffer along the western site boundary adjacent to the River Nene (Old Course)
- b. Tree and shrub planting to form a landscape buffer along the northern site boundary adjacent to the Kings Dyke
- c. Tree and shrub planting to form a continuous landscape buffer alongside the A605 at both Whittlesey Road and Toll Road
- d. Tree and shrub planting to form a landscape buffer on "blue land" alongside the A605 which allows screening of the development from adjacent residential properties at 1 and 2

Toll Cottage and Tollbar Cottage

- e. Tree and shrub planting to form a landscape buffer along the north-western boundary of the "blue land" labelled "Archaeological Preservation Area" which may in part be placed within the car parking areas of a revised site layout
- f. Tree and shrub planting within the development including street tree planting and tree planting within all car parking areas
- g. A Landscape Management Plan including long term design objective and management/maintenance responsibilities
- h. Planting Plans including trees, species, numbers, size, densities, showing suitable soil volumes, tree pit details, including root barriers/deflectors, means of support and details of means of watering to provide suitable/appropriate irrigation rates
- i. An implementation programme for each phase of the development
- j. Hard surface materials
- k. Boundary treatments

The development shall thereafter be carried out in accordance with the approved hard landscaping details prior to first occupation/ use of the element to which it relates. In the case of soft landscaping this shall be implemented in the first available planting season following the first occupation or use of the element to which it relates. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan.

If within a period of five years from the date of planting of any tree or shrub or any tree/shrub planted in replacement of it, is removed, uprooted, destroyed or dies or becomes otherwise defective another tree or shrub of the same species and size as that originally planted shall be planted in the same location and in the next available planting season unless an alternative arrangement is agreed in writing by the Local Planning Authority.

Reason: In order to mitigate the impact of the development on the landscape and the minimise its effect on nearby residential properties in accordance with Policies LP16, LP27 and LP29 of the Adopted Peterborough Local Plan (2019).

- C13 The landscaping reserved matters details to be submitted pursuant to condition 1 shall specifically include details of root protection, root containment and irrigation in respect of new tree and hedgerow planting along the entire southern boundary adjacent to the A605.

Reason: In order to protect and safeguard the amenities of the area whilst balancing the need to safeguard archaeological heritage assets, in accordance with Policies LP16, LP19 and LP29 of the adopted Peterborough Local Plan (2019) and Chapters 15 and 16 of the National Planning Policy Framework (2021).

- C14 Any landscaping abutting the River Nene (Old Course) along the north-western site boundary (as shown indicatively on drawing number AP0201 Revision U) which is removed in association with or as a result of works to the gas main shall be replaced in the first available planting season following the completion of works to the gas main with a species and size of planting equivalent to that which was removed.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the adopted Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework (2021).

- C15 Prior to the submission of any reserved matters applications the applicant shall:
- a. Submit a Water Table Minimum Level Preservation Scheme for the written approval of the Local Planning Authority which demonstrates that the individual and combined effects of foundations, other below-ground works, impermeable areas and landscape planting, along with any water table mitigation measures, shall not result in the water table within the site or the adjacent "blue land" labelled "Archaeological Preservation Area" on the Illustrative Masterplan (drawing number AP0201 Revision U) falling below 1.90m AOD at any time. Reserved matters applications shall therefore accord with the Water Table Minimum Level Preservation Scheme and development shall be implemented in accordance with the approved Scheme. Any mitigation measures identified in the approved Scheme shall be implemented in full and retained for the lifetime of the development.
 - b. Only in the event that the applicant is unable to secure the Local Planning Authority's written approval for a Water Table Minimum Level Preservation Scheme then a Written Scheme of Investigation ("WSI") in respect of the Late Iron Age and Later Bronze Age post alignments shown at Figure 4 of the Archaeological Evaluation Report (Cambridge Archaeology Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfill the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development

shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ or, where this is not possible to achieve, to mitigate the impact of the development on the historic environment and to ensure investigation, recording, reporting and presentation of the Late Iron Age and Later Bronze Age posts affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a pre-commencement condition as measures to safeguard the minimum level of the water table to ensure preservation in-situ of archaeological assets must inform reserved matters designs or, if this is not possible, the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

C16 Prior to the submission of any reserved matters applications a Written Scheme of Investigation ("WSI") in respect of the alignment and extent of the Bronze Age ditch and rampart shown in part at Figures 2 and 4 of the Archaeological Evaluation Report (Cambridge Archaeological Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority.

The WSI shall fulfill the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of the ditch and rampart archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a precommencement condition as the works set out in the WSI must be submitted, approved and undertaken in order to inform the subsequent reserved matters application(s) in respect of internal means of access, siting and landscaping.

C17 In respect of those parts of the site not included within conditions 15 and 16 above, no development shall commence until an archaeological mitigation strategy, including a Written Scheme of Investigation ("WSI"), has been submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfill the requirements specified in a Brief issued by Peterborough City Council Archaeology Services. Thereafter, for the land that is included within the WSI, no development shall take place except in complete accordance with the approved WSI, which shall be implemented in full.

The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phasing of work. It will also detail the programme for

post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials.

This condition may be discharged in stages but shall not be fully discharged until the whole mitigation strategy set out in the WSI has been fulfilled to the satisfaction of the Local Planning Authority. Stages for discharge may be as follows:

1. Submission and approval of the WSI
2. Completion of the agreed fieldwork and post investigation assessment, as applicable(iii) Reporting/publication

(iv) Archiving

Should significant remains be encountered in the course of the fieldwork, the Local Planning Authority shall be immediately informed and the applicant shall ensure that any such exposed remains are undisturbed until their significance can be determined and consideration of their reburial/retention in situ or other mitigation is addressed.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a pre-commencement condition as the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

C18 Development shall be undertaken in accordance with the Sustainability Strategy dated 14 February 2023.

Reason: In accordance with sustainability objectives set out at Policy LP31 of the Adopted Peterborough Local Plan (2019).

C19 No works except demolition shall takes place until 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, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.

- Detailed engineering drawings of each component of the drainage scheme.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- An Implementation Programme sequencing the elements of and order within which the entirety of the approved strategy will be implemented

The scheme shall subsequently be implemented in accordance with the approved details.

Reasons:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development. - To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.
- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C20 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reasons:

- The National Planning Policy Framework paragraphs 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.
- Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. - To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.
- Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.
- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C21 Prior to the occupation of any part of the development a Drainage Maintenance Strategy detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been 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.

Thereafter the surface water drainage provision within the site shall be maintained in perpetuity in accordance with the approved Drainage Maintenance Strategy. An annual Maintenance Log demonstrating compliance with the approved Drainage Maintenance Strategy must be kept and must be made available to the Local Planning Authority upon request.

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 Adopted Peterborough Local Plan (2019). Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

C22 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 occupation of any phase, 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

C23 The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the following documents:

- o Preliminary Ecological Appraisal (James Blake Associates, September 2021)
- o Landscaping and Ecological Management Plan (James Blake Associates, March 2021)
- o Landscape Master Plan (James Blake Associates, March 2021)

These documents detail the methods for maintaining the conservation status of Ecological Constraints and must be complied with at all times.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C24 No development shall take place (including any ground works or site clearance) until a method statement for the resurvey of Badgers has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s), survey requirements and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance, as applicable;
- g. disposal of any wastes arising from works, as applicable.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C25 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 nesting birds, reptiles and Great Crested Newts 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: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C26 No building or construction work or any kind shall take place within 30 metres of any part of the site containing material evidence of Barn Owl occupation unless survey-based evidence has been provided to the Local Planning Authority that no birds are nesting at the identified feature within 3 days of work commencing.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C27 Prior to the first occupation of any part of the development a Full Fibre Broadband Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall demonstrate how each of the premises is to be provided with a Full Fibre Broadband connection of not less than one gigabit (1,000 megabits) per second. The approved Full Fibre Broadband Scheme shall be implemented prior to the first occupation of each premises.

Reason: To ensure adequate telecommunications infrastructure is provided in accordance with Policy LP14 of the Adopted Peterborough Local Plan (2019).

C28 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of existing and proposed site levels including the finished floor levels of all new buildings and any associated parking. The development shall thereafter be carried out in accordance with the approved details.

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

C29 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of the following, as appropriate:

- Details of new footpaths and cycleways including how these tie into the existing foot/cycle ways and bridleways;
- Details of the internal access roads/cycleways/footways and junctions within the site - Car parking, circulation, turning areas and loading and unloading areas. - Electric charging points/infrastructure;

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the highway network is suitable for the traffic volumes predicted and to allow for safe/easy access by pedestrians, in accordance with Policy LP13 of the Local Plan (2019).

C30 Notwithstanding the details shown on drawing Y411-PL-SK-202 C, prior to commencement of development above slab level a revised design for the western pedestrian and cycle access to the site, connection(s) to the Green Wheel, new bus stops and crossing of Whittlesey Road along with the associated refuge island shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the means of access for pedestrians and cyclists has been constructed in accordance with the approved plans.

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

C31 Construction shall not begin until detailed drawings (based upon drawing Y411-PL-SK-203 B) for the design of the junction between the proposed access road and the highway have been approved in writing by the Local Planning Authority; and the building(s) shall not be occupied until that junction has been constructed in accordance with the approved details.

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

C33 Visibility splays clear of any obstruction over a height of 600mm above carriageway level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 120m measured along the channel line of the public highway from the centre line of the proposed access road. The channel line must be measured along the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access.

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

C34 The existing 'Crane Depot' access junction with the A605 shown on Location Plan reference 2472-AP0101 Revision D shall be permanently closed to vehicular traffic before the new access hereby approved has been brought into public use or in accordance with a timetable agreed in writing by the Local Planning Authority. Details of the means of closure

shall be submitted to and approved in writing by the Local Planning Authority. The permanent closure shall be carried out prior to the first occupation of any building on the site.

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

C35 The gradient of the access shall not exceed 1:20 for a distance of 20 metres from the back edge of the existing public highway.

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

C36 Development shall not commence until a fully operational jetted drive-thru bath type wheel cleaning apparatus has been installed within the site on all exits and the area between this and the public highway is hard surfaced in either concrete or tarmac and maintained free of mud, slurry and any other form of contamination whilst in use. All vehicles leaving the site shall pass through the wheel cleaning apparatus which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The wheel cleaning apparatus shall be retained on site in full working order for the duration of the construction of the development.

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

C37 No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction

Traffic 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.

- a. Measures to ensure that vehicles can access the site upon arrival to ensure that there is no queuing on the public highway.
- b. Details of site compounds, storage area and contractor and visitor parking.
- c. A scheme for dealing with complaints.
- d. 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 Policies LP13 of the Adopted Peterborough Local Plan. This is a pre-commencement condition as the Construction Traffic Management Plan needs to be in place before works start on site.

C38 Notwithstanding the details shown on the Illustrative Masterplan (drawing number AP0201 Revision U) this permission confers approval only for the first 20m of the new site access from channel line of the A605 as measured along the edge of the carriageway on the side of the highway in the location of the new access. Reserved matters application(s) submitted pursuant to condition C1 shall include details of the alignment and arrangement of the remainder of the internal access road required to serve the development.

Reason: The site layout shown on the Illustrative Masterplan does not take into account archaeological and other constraints and requires revision, meaning that that it is not appropriate to approve or fix the extent of the internal access road at this time.

C39 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any subsequent Order revoking or re-enacting that Order with or without modification) no occupation of any building or its curtilage shall take place other than within Use Class E (offices), B2 (industrial) or B8 (storage and distribution) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). No occupation with Use Class E shall take place other than as offices falling within Use Classes (E)(c), E(e) or E(g).

Reason: A further assessment would be necessary to ascertain whether any alternative use would be acceptable in this location, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). Reason: The s

C40 The development hereby permitted shall be carried out in accordance with the following approved plans/details:

- Location Plan reference 2472-AP0101 Revision D
- Junction design drawing reference Y411-PL-SK-203 Revision B
- Landscape and Ecological Management and Maintenance Plan Revision A (James Blake Associates, May 2021)
- Flood Risk Assessment Revision V1 (Parsons Consulting Engineers, November 2022)
- Framework Travel Plan (Cannon Consulting Engineers, May 2021)

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

Copies to Councillors - Councillor Ray Bisby
- Councillor Chris Harper
- Councillor Brian Rush

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
27 JUNE 2023	PUBLIC REPORT

Report of:	Adrian Chapman – Executive Director Place and Economy	
Cabinet Member(s) responsible:	Cllr Marco Cereste, Cabinet Member for Growth and Regeneration	
Contact Officer(s):	Gemma Wildman, Planning Policy Manager	Tel. 863824

PETERBOROUGH LOCAL PLAN ISSUES AND OPTIONS CONSULTATION DOCUMENT

RECOMMENDATIONS	
FROM: Adrian Chapman – Executive Director Place and Economy	Deadline date: Cabinet 10 July 2023
<p>The Planning & Environmental Protection Committee is asked to comment on the Local Plan Issues and Options consultation document before it is submitted to Cabinet on 10 July for approval for the purpose of public consultation from July to September 2023.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Planning and Environmental Protection Committee following the approval of the council’s Local Development Scheme (LDS) by Council in January 2023, which identifies that the council will prepare an Issues and Options version of the Local Plan for public consultation in July and August 2023.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to enable the Committee to comment on the Local Plan Issues and Options consultation document (Appendix 1) before it is submitted to Cabinet on 10 July for approval for the purpose of public consultation in July to September 2023.

2.2 This report is for the Planning & Environmental Protection Committee to consider under its Terms of Reference No. 2.6.2.5:

To be consulted by, and comment on, the Executive’s draft proposals for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), and the Statement of Community Involvement (SCI) at each formal stage in preparation.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	10 July 2023
Date for relevant Council meeting	N/A	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	N/A

4. BACKGROUND AND KEY ISSUES

4.1 In January 2023 Council agreed to prepare a new Local Plan. We are reviewing the Local Plan for the following reasons:

- To identify new locations for growth in Peterborough, which in turn will meet our longer-term housing and employment needs.
- To identify additional range and choice of employment sites to accommodate increasing commercial demand. This will generate wealth and improve local peoples' life chances by providing increased employment opportunities. There is evidence to suggest that the supply of employment land is tight, and a significant proportion of allocated employment land either has planning permission, is under construction, or has already been built out.
- To align preparation of a new Local Plan with the review of other corporate strategies.
- To ensure continued, and potentially additional, income via business rates growth and council tax.
- To ensure that planning policies are up to date and take into account changes to national policy and changing circumstances, and opportunities that were not incorporated in the adopted Local Plan, such as climate change and biodiversity net gain.

4.2 An up-to-date Local Plan, covering a longer period, means more certainty for everyone (the public, developers, and public service providers) about where growth will take place. Infrastructure providers (e.g., Education, Highways, NHS facilities) will also have more certainty to plan for future provision contributing to the development of sustainable communities.

4.3 The council is preparing a new Local Plan that will set out how the city and surrounding villages will grow and change over the next 20 years. It will eventually replace the current Local Plan adopted in July 2019. It is proposed to extend the existing plan period from 2036 to 2044.

4.4 The existing Local Plan is less than five years old, therefore, it is not necessary to re-write a new plan from scratch, however, there have been a number of changes to national policy and the planning system which means some changes are required.

4.5 The Local Development Scheme (LDS) identified the Issues and Options consultation document as the first stage in the process of preparing a new Local Plan with consultation on it scheduled for July and August 2023.

4.6 The Issues and Options consultation document is attached at Appendix 1. It is structured around a questionnaire (see Section 3) which provides background information on a range of planning issues and sets out a series of questions about what could be included in the new Peterborough Local Plan.

4.7 At this early stage, no decisions have been made for the new Local Plan. For example, the Issues and Options consultation document does not include any draft policy wording, nor does it include any sites for future development.

4.8 In terms of future site allocations, the council is currently carrying out a call for sites exercise, where the public, developers, landowners, agents, and parish councils suggest sites for future housing, employment, retail, leisure, and infrastructure, that are available and deliverable. This process will run alongside the Issues and Options consultation.

4.9 All proposed sites will be assessed against a detailed assessment criteria and the preferred sites will be included in the next version of the Plan due for public consultation in summer 2024.

4.10 **Structure of Issues and Option Report**

4.10.1 The Issues and Options Report will be structured around the following key questions:

4.10.2 ***What is your Vision for Peterborough?***

This section will ask people to set out their vision for Peterborough, and what they would like the city to look like by 2044. This will help identify the important issues facing the city and what kind of policies are required to help deliver the vision.

4.10.3 ***How Should Peterborough Grow?***

This section looks at how the city could grow, and includes strategic policies such as:

- Housing Growth Target
- Economic Development
- Settlement Hierarchy
- Options for distributing growth

4.10.4 The Issues and Options report explains that the Local Plan housing target must be calculated using the government standard method. This works out as 946 dwellings per year. If the Local Plan covers the period 1 April 2023 to 31 March 2044, then the Local Plan target will be 19,886 dwellings (though that figure is subject to change during the course of preparing the Local Plan due to potential government changes to the method, and more up to date data and national forecasts feeding into the calculations. That said, the expectation is that the figure is likely to be somewhere around 950 dwellings per annum throughout the 2-3 years of preparing and examining the Local Plan.

4.10.5 The report then asks people how best this level of growth should be distributed. It identifies the following six growth options:

1. Pro rata distribution
2. Urban area/urban extension focused (Local Plan carry over)
3. Village extension focused
4. Freestanding New Settlement(s)
5. Small Site Focused

The questions ask the public to provide comments about what they like and dislike about the above options as well as identifying their preferred option for the distribution of growth.

4.10.6 ***What policies should the new Plan include?***

In this section, we are interested to know what other policies the Plan could include. These other policies will be used by the Planning Team to appraise and reach decisions on all planning applications.

This section therefore identifies a number of topics and issues that could be covered, based on a review of national policy. For example:

- Health and Wellbeing
- Climate change
- Design and Amenity
- Housing Needs
- Employment
- Town Centre (retail)

- Transport and Infrastructure
- Historic Environment
- Natural Environment
- Flood and Water Management

Each topic is followed by a series of questions to help establish what policies and requirements should be included in a future draft Local Plan.

4.10.7 ***What are your priorities for the future of Peterborough?***

Once the issues and questions have been established the report moves on to look at what people's priorities are.

The new Local Plan must be aspirational, but deliverable. If the Local Plan is excessive in its requirements, we may fail to meet the area's growth needs.

Therefore, the Issues and Options document asks respondents to identify their top five issues.

5. CORPORATE PRIORITIES

5.1 The production of a new Local Plan will allow planning policies to be brought fully up to date with the corporate objectives, which amongst other things will maximise economic growth and prosperity in an inclusive and environmentally sustainable way, and create healthy and safe environments where people want to live, invest, work visit and play.

5.2 Section 2 of the Issues and Options consultation document sets out the Local Plan Vision and Objectives and explains how these link to the council's corporate priorities.

6. CONSULTATION

6.1 Subject to Cabinet approval, public consultation on the Issues and Options document will take place in July, August, and September 2023, in accordance with the requirements set out in the Council's Statement of Community Involvement (SCI).

6.2 An Interactive Questionnaire will be prepared for the consultation, which will provide a summary of the main issues and options and allow for any comments to be submitted.

6.3 The Issues and Options consultation document and Interactive Questionnaire will be made available on the Council's website at: <https://www.peterborough.gov.uk/local-plan-review>

6.4 All comments received will be reviewed and will help inform the draft version of the Local Plan (due for public consultation in summer 2024). All sites suggested to the Council during the consultation will be assessed against detailed assessment criteria.

6.5 Overall, the Local Plan will go through the following stages, as set out in the LDS:

- Public consultation on the Issues and Options - July 2023
- Public consultation on the Draft Local Plan - Summer 2024
- Public consultation on the final version of the plan - Jan/Feb 2025
- Submission to Government - Spring 2025
- Independent examination - Summer/Autumn 2025
- Adoption - early 2026

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 It is anticipated that Committee will offer comments on the Issues and Options consultation document. These will be presented to Cabinet, which will take them into account in reaching a decision on recommending the document for public consultation.

8. REASON FOR THE RECOMMENDATION

- 8.1 Committee is recommended to make its comments known to assist Cabinet in reaching its decision. Cabinet will be recommended to approve the Preliminary Draft Local Plan for public consultation in July 2023.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 The alternative option of not preparing a new Local Plan was rejected as part of the earlier approval of Local Development Scheme.
- 9.2 The Issues and Options consultation document sets out the various option considered for each policy/topic.

10. IMPLICATIONS

Financial Implications

- 10.1 There are no immediate financial implications flowing from the approval of the Issues and Options version of the Local Plan simply because this is not the 'final' plan. However, Members should be aware of the following future financial implications:
- (a) The council owns land that may be identified for future development and there could be financial implications on the value of that land. To be clear, all council owned land will be assessed and treated like all other proposed areas for development.
- (b) There could be indirect financial implications arising from the development of sites (e.g., provision of infrastructure and services for the new residents, Community Infrastructure Levy monies and s106 arrangements
- c) There could be increased revenue income from business rates and council tax from new businesses and homes built in the area.

Legal Implications

- 10.2 The Council must follow due Regulations in preparing the Local Plan. Eventually, once the final document is adopted in 2026, the council has a legal duty to determine planning applications in accordance with the plan.

Equalities Implications

- 10.3 Not applicable.

11. BACKGROUND DOCUMENTS

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

- 11.1 Peterborough Local Plan (July 2019)
Local Development Scheme (January 2023)

12. APPENDICES

- 12.1 **Appendix 1** - Issues and Options Consultation Document

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Peterborough Local Plan

Issues and Options Consultation Document

July 2023

Appendix 1

Draft for Planning Committee 27 June 2023

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The Future of Peterborough

This is an exciting time for Peterborough as the council starts preparing the new Local Plan that will set out the vision and policies to deliver sustainable growth over the next 20 years.

Peterborough is one of the fastest growing cities, delivering around 1,000 new homes each year, with a diverse and vibrant economy and one of the highest business start up rates in the country. The new University Peterborough Campus opened in 2022.

This Issues and Options consultation document is your first opportunity to help shape the future of Peterborough. It is important that you get involved at this early stage and help shape the future growth of the city and surrounding rural areas. At this stage the plan does not include any draft policies or sites.

This Issues and Options Consultation document is based around a **Questionnaire** that looks at different topics and themes and discusses the various options available. This document sets out a simple explanation of what the emerging Local Plan can and cannot achieve, so that you can make informed views. It also gives you the opportunity to give us new ideas or options to be considered.

We really value your views and input in the creation of a new Local Plan for Peterborough. To get involved please complete the:

Interactive Questionnaire

You do not need to answer all questions, and can pick topics or issues you are interested in.

There will be more opportunities for you to get involved at later stages, please see [Local Plan Review](#) for more information about future consultations.

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Glossary of Terms

Throughout this document we have tried to avoid technical planning terms, but occasionally we must use them to comply with specific legal requirements under which this document has been prepared. Any technical terms are normally explained within the text. Where this is not possible, an explanation is provided in the glossary (please see section 6).

Questions

This document includes a Questionnaire (see Section 3) and provides background information on a range of planning issues and poses a series of questions. This will help to find out people's views about what the new Local Plan could cover.

You can choose to respond to all the questions or just those of particular interest to you.

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1. Introduction

1. Introduction

What is a Local Plan?

A local plan is a document which explains to everyone where opportunities for growth in jobs and homes should be taken, how parts of the district will be protected or enhanced further and what infrastructure (such as roads and schools) are needed. This provides a degree of certainty for communities, businesses and investors.

A local plan contains policies which are used in making decisions on planning applications and sets out planning policies for the growth and regeneration of Peterborough and the surrounding villages.

It also provides a strategic framework for neighbourhood plans, which can be developed by your local parish council if they choose to do so (See Section 4).

The [Peterborough Local Plan](#) was adopted by the council in July 2019, and it has been applied successfully in making decisions on planning applications since its adoption.

Why do we need a new Local Plan?

It is important that the Local Plan is regularly reviewed. National policy requires that local plans should be reviewed to assess whether they need updating at least once every five years.

Reviewing the plan now can help to ensure that it remains up to date and that Peterborough and the surrounding villages will continue to grow sustainably, meeting the needs of its residents and businesses whilst protecting what is special about the area.

To ensure the Local Plan is kept up to date the council agreed to start preparing a new Local Plan in January 2023, for the following reasons:

- To review housing and employment growth targets, taking into account latest information;
- To make sure there is a robust and flexible housing supply, of the right quality and types, and in the right places;
- To ensure the identification of employment land to ensure a range and choice of employment opportunities reflecting increasing commercial demand and investment in the city;
- A review of the Local Plan offers the opportunity to consider whether new policies or allocations are needed to reflect changing circumstances, national policy and opportunities that were not incorporated in the adopted Local Plan, such as climate change and biodiversity net gain (BNG);
- To reflect the Cambridgeshire and Peterborough Combined Authority's (CPCA) ambitious proposals relating to, growth, infrastructure and the environment.
- To align the preparation of a new Local Plan with the council's corporate priorities as set out in the Sustainable Future City Council Strategy, as well as other council wide strategies.

The existing Local Plan is less than five years old, therefore, it is not necessary to re-write a new plan from scratch, however, there have been a number of changes to national policy and the planning system which means some changes are required, and also changes at a more local level. All existing Local Plan policies will be reviewed to take into account any changes since 2019 and we will consider if any new policies are required.

Whilst we are preparing this new Local Plan, the July 2019 Local Plan will continue to be the basis upon which planning decisions will be made.

1. Introduction

When finalised, the new Local Plan will set a clear ambition for the council and community as to where development should go (and where it should not), what sort of development is needed, and benefits the council should ask for through development (e.g. affordable housing). But, we haven't decided any of this. Far from it.

This Issues and Options Consultation document is the first stage in the process of preparing a new Local Plan. We want you to tell us the 'where', 'when' and 'what'. This consultation document gives you that opportunity to do so. By the end of the process of engaging with you and finalising a Local Plan, it will ultimately contain policies which are used in making decisions on planning applications.

The implications of reviewing the Local Plan on neighbourhood plans are set out in Section 4.

National Planning Policy Framework

The [National Planning Policy Framework](#) (NPPF) published in July 2021, sets out the government's planning framework, which local plans must be prepared in accordance with. The current Local Plan Policies will be reviewed, against national policy, to establish what issues need updating and why. Throughout this document you will find references to the NPPF which explains what a local plan must cover and what the policy can and cannot contain.

A local plan does not repeat policies in the NPPF; it builds on them when necessary and ensures locally specific issues are covered. National policy is also supported by the 'live' [National Planning Policy Guidance](#) (NPPG).

Please note, that the government recently carried out public consultation on proposed changes to the NPPF. Any published changes to national policy or guidance will be incorporated in the policies in the emerging Local Plan.

What is in the consultation document?

We are currently at the first stage in the process of preparing a new Local Plan. We are consulting on issues and options to help identify what the new Local Plan should include and the type of policies required. Your views are essential at this early stage in helping to shape the growth of the district.

The **Questionnaire (Section 3)** includes a series of questions about planning issues relevant to the new Local Plan which we would like to hear your views on. You do not need to answer all questions, and can pick topics or issues you are interested in.

The questions are accompanied by background information about different topics to help you make informed opinions. The questions are set out in green boxes, like the example below. However, you can let us know your views on any matter if you think it is relevant to preparing this Local Plan.

Questions

There are green boxes throughout the document. These indicate a question we would welcome your thoughts on.

How do I submit comments?

This is the first opportunity for you to make comments on the emerging Local Plan and we encourage you to let us know your views and help inform the future of the city and surround rural areas.

1. Introduction

We have created an Interactive Questionnaire which provides a summary of the key issues set out in this document, please use the following link to submit your comments to any questions set out Section 3 of this document:

[Interactive Questionnaire](#)

You do not need to answer all questions, and can pick topics or issues you are interested in.

Alternatively, you can submit your responses to the questions by email or post:

- planningpolicy@peterborough.gov.uk
- Local Plan, Peterborough City Council, Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Please clearly show exactly which question or which part of the document you are commenting on.

The closing date for all comments is **11.59pm on Friday 15 September 2023**. Please note that all comments will be available to view on the council's website and will not be confidential. It is anticipated that further issues are likely to be identified through this consultation. All comments received will be taken into consideration and will help inform the Draft Local Plan to be published for public consultation in Spring/Summer 2024.

[How we will protect your data](#)

All personal information that you provide will be used solely by Peterborough City Council for the purpose of the consultation on the Peterborough Local Plan. Please note that each comment and the name of the person who made the comment will be featured on our website – comments will not be confidential.

This information will be held by the Peterborough City Council for four months after the adoption of the Local Plan.

Any personal information you give us will only be used in accordance with principles found in the General Data Protection Regulations (GDPR). Please see <https://www.peterborough.gov.uk/council/council-data/data-protection-act> for further information.

[What is the process for updating the Plan?](#)

This is the first stage in a lengthy process of producing a new Local Plan. This Issues and Options document captures the key issues that we already know about and sets a steer as to how we will tackle the gaps. It does not yet include specific policies or specific allocations for new development.

A draft Local Plan incorporating draft policies and suggested sites for development will be published for consultation in summer 2024.

The Local Plan timetable is summarised below:

1. Introduction

Figure 1: Local Plan Timetable

LDS Peterborough City Council																																															
2023												2024												2025												2026											
Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar									
						1												1							2		3			4									5	6							

No	Stage	Description	Date proposed to take place
1	Public Participation (Regulation 18)	Opportunities for interested parties and statutory consultees to consider the options for the plan before the final document is produced. This stage can involve one or more public consultation rounds. We intend two rounds for the Peterborough Local Plan.	Stage 1: I&O July/August 2023 Stage 2: June/July 2024
2	Pre-submission Publication (Regulation 19)	The Council publishes the Local Plan which is followed with a 6 week period when formal representations can be made on the Local Plan.	Jan/Feb 2025
3	Submission (Regulation 22)	The Council submits the Local Plan to the Secretary of State together with the representations received at Regulation 19 stage.	April 2025
4	Independent Examination	Held by a Planning Inspector into objections raised at Regulation 19 stage on the Local Plan	May to Nov 2025 (Estimated: dates set by Inspector)
5	Inspector's Report Issued	This will report whether if the Plan is 'Sound' or 'Not Sound'. The Inspector may make recommendations to make the plan 'sound'	Feb 2026 (Estimated: dates set by Inspector)
6	Adoption of DPD (Local Plan)	Final stage, the Council will formally need to adopt the Local Plan and it will then be used in making planning decisions.	March 2026 (Estimated: dates set by Inspector)

The emerging Local Plan will be subject to examination by a Planning Inspector appointed by the government. Once adopted, the Local Plan carries significant weight in planning decisions and provides a framework for future development in the area.

Local Plan Evidence Base

National policy requires that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. A number of evidence documents are currently being prepared which will inform and justify policies contained in the draft Local Plan, for example:

- Housing and Employment Needs
- Development Viability Study
- Transport and infrastructure
- Food Risk and Water Management

The [Local Plan Evidence Base](#) will be available. The library of evidence base documents will continue to grow as the Local Plan progresses to adoption.

Additional consultation

As well as consulting on this Issues and Options document, we are also carrying out additional consultation on the following:

- **Call for Sites**

1. Introduction

We are currently carrying out a call for sites, which gives you the opportunity to suggest land for future housing, employment, retail, leisure, Gypsy and Traveller, infrastructure and cemetery provision that could be included in the new Local Plan.

This Issues and Options report does not include any sites for new development. To submit potential sites for consideration please fill in the [Site Suggestion Form](#).

Please see Section 5 for further details about the site selection process and how to submit a site.

Following detailed site assessment, the preferred sites will be included in the draft version of the Local Plan due for public consultation in Summer 2024.

- **Local Green Spaces**

Local communities have the opportunity through the production of a local plan (or through their own neighbourhood plan) to identify Local Green Spaces for designation. We are therefore asking you to nominate sites, by filling in the **Local Green Space Nomination Form**.

Full details about how to nominate a site and the assessment criteria are set out in Site Assessment Process (see section 5 of this document).

Following detailed assessment, the preferred green spaces will be included in the draft version of the Local Plan due for public consultation in Summer 2024.

- **Village Boundaries**

As part of the production of the Local Plan, village boundaries (also known as village envelopes) will be reviewed. The boundaries will be changed if any new sites are proposed for allocation. We may also make other minor 'tweaks' to the boundary to reflect any changes in the village. As part of the consultation, we would like to know if you have any suggested changes to village boundaries. Please fill in the **Suggested Changes to Village Boundary Form**.

Please see Section 5 for further details about the site selection process and how to submit a site.

Following detailed assessment, any proposed changes to village boundaries will be included in the draft version of the Local Plan due for public consultation in Summer 2024.

2. Vision for Peterborough

2. Vision for Peterborough

Local plans should set out a clear vision for what an area will be like at the end of the plan's life (known as a plan period) and a list of objectives intended to achieve that vision. The vision and objectives in a local plan should provide a framework for the policies in the plan to sit within. The policies in a local plan will together deliver the vision and objectives.

The adopted Local Plan vision is:

By 2036 Peterborough will have become a destination of choice, a bigger and better city, growing in the right way to meet the needs of its growing population, and providing a range of high quality attractions and facilities making it a distinctive place to live, work and visit.

Peterborough city centre, with its iconic cathedral and historic core, will have maintained and strengthened its position as the top retail centre in the area, drawing visitors from the wider region to enjoy the shopping, leisure, culture and entertainment it has to offer, including a redeveloped riverfront and enhanced city core, with a range of restaurants and bars supporting a safe and vibrant night time economy.

A walkable, liveable city, with a network of footpaths and cycleways, providing safe, efficient and enjoyable ways to move around. Sustainable transport options will link all parts of the city, including the railway station and the River Nene, to the wider regions beyond.

Peterborough will have a thriving, independent, campus-based university with an undergraduate population of 12,500 students.

A strong and resilient economy powered by a diverse and highly skilled workforce, supporting and retaining existing businesses whilst creating the right environment to attract and help grow new businesses.

A place where attractive, inclusive and well-designed neighbourhoods provide a range of quality housing to meet the present and future needs and aspirations of all communities.

A network of characterful villages set within an attractive rural landscape, each with local services and facilities providing for community needs, together with a vibrant and diverse rural economy.

A city with a robust, well managed network of wildlife-rich and accessible natural spaces which support a wide range of priority habitats and species and which provides plentiful opportunities for local people to actively engage with and better understand their natural surroundings.

Peterborough will be heralded as the UK's Environmental Capital, a smart city where flows of materials, goods, services, people and data work to achieve a truly 'circular city', living within its means and operating in a truly sustainable way, and tackling the issues of climate change.

Our Vision

The adopted Local Plan vision has been reviewed in light of the new local priorities within [Sustainable Future City Council Strategy](#), which is the council's corporate plan adopted in October 2022. We have also had regard to other national and local priorities since the Local Plan was adopted and Peterborough's key sustainability issues highlighted in the SA Scoping Report.

2. Vision for Peterborough

Figure 2: Our City Priorities



The proposed updated vision for the new Local Plan is:

2. Vision for Peterborough

We will use the feedback from this consultation and further evidence gathering to shape the new vision.

By 2044 Peterborough will be a sustainable, net zero carbon city. A bigger, better and greener place growing in the right way to meet the needs of its population and providing a range of high-quality attractions and facilities making it a distinctive place to live, work and visit. Peterborough will be an area that visitors will want to spend time in, taking advantage of unique visitor and leisure opportunities, including Peterborough Cathedral, Flag Fen Archaeology Park and the River Nene Valley.

Peterborough city centre, with its iconic cathedral and historic core, will have maintained and strengthened its position as the top destination in the area, drawing visitors from the wider region to enjoy the shopping, leisure, culture and entertainment it has to offer, including a redeveloped riverfront and railway station, and enhanced city core, with a range of restaurants and bars supporting a safe and vibrant night time economy.

The local economy will be strong and resilient, powered by a diverse and higher skilled, higher paid workforce, supporting and retaining existing businesses whilst creating the right environment to attract and help grow new businesses. Sufficient employment land will be provided and safeguarded for the needs of existing and future businesses.

Growth in homes and jobs will be closely linked. Peterborough will be a place where attractive, inclusive, and well-designed neighbourhoods provide a range of quality housing to meet the present and future needs and aspirations of all communities. New infrastructure, including schools, health facilities and open space provision, will be planned and provided at the same time as the new homes.

Peterborough is meeting the challenges of climate change. Our communities will be safer and more resilient to the impacts of a changing climate. Carbon emissions will have been significantly reduced, bringing vital benefits to our City including improving air quality, reducing fuel poverty, improving physical and mental health, stimulating our economy and providing jobs.

There will be a thriving network of characterful villages set within an attractive rural landscape, each with local services and facilities providing for community needs, together with a vibrant and diverse rural economy.

Peterborough's rich historic environment of designated and non-designated heritage assets and their settings will be conserved and enhanced and there will be greater opportunity for enjoyment and appreciation of its special qualities.

Nature will have space to thrive, with an enhanced and more joined up network of wildlife rich habitats and accessible natural green spaces which provide plentiful opportunities for local people to actively engage with and better understand their natural surroundings. New development will make a significant contribution to nature recovery by delivering measurable net gains for biodiversity.

The green and blue infrastructure network will have been extended and enhanced to provide a better-quality environment and deliver a wide range of multifunctional benefits, including helping nature and people to adapt to the impacts of climate change and providing opportunities for physical activity and mental wellbeing.

Peterborough will have achieved a shift in travel behaviour towards more people walking and cycling, particularly for short journeys. It will be a walkable, liveable city, with a network of footpaths and cycleways, providing safe, efficient, and enjoyable ways to move around. Low carbon alternatives to the private car will link all parts of the city, including the railway station and the River Nene, to the wider area beyond Peterborough.

Peterborough's new university will be fully operational and thriving, helping to improve and retain skills of people in the area, and boosting people's health, wellbeing, and wealth, whilst regenerating the city's Embankment area.

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2. Vision for Peterborough

Question 1: The Vision

1) What do you think are the key issues that should be reflected in the new Local Plan vision? Do you agree with the proposed new vision? If not, what is your vision for Peterborough in the future?

Our Objectives

As well as a vision, we need to establish some 'objectives' for the Local Plan that the policies in the plan will seek to deliver.

At this early stage in preparing a new Local Plan, we must, for legislative reasons, consult on a set of objectives which will be used as part of the Sustainability Appraisal (SA) process. We are doing this as a separate consultation document entitled 'Sustainability Appraisal Scoping Report' which was issued for consultation for a period of 5 weeks in May/June 2023. The intention is to use the same objectives in both the SA process and in the Local Plan.

The proposed updated objectives for the new Local Plan are:

- **Housing.** To provide sustainable, well-designed homes that meet the needs of existing and future residents across all sectors of the community and at all stages of people's lives. To ensure infrastructure is delivered, in a timely manner, to support the needs of new and existing communities.
- **Health and Wellbeing.** To provide safe and healthy environments, reduce health inequalities and help everyone to live more active and healthier lifestyles.
- **Social Equality and Community.** To ensure equitable outcomes for all, particularly those most at risk of experiencing discrimination, poverty and social exclusion. To provide new and improved community infrastructure, including improving the quantity and quality of publicly accessible open space and sports facilities, to meet the needs of Peterborough's communities.
- **Local Economy.** To diversify the local economy and increase economic vitality to aid regeneration and provide economic resilience. To protect and enhance Peterborough's hierarchy of centres to meet the day to day needs of the communities they serve. To support the sustainable growth and diversification of Peterborough's rural economy.
- **Employment, Training and Education.** To create and improve access to high quality learning, training and employment opportunities for everyone within the Peterborough area.
- **Climate Change Adaptation and Flood Risk.** To recognise and adapt to the effects of climate change and ensure Peterborough's existing and new communities are resilient to a changing climate. To reduce and manage the current and future risk of flooding from all sources.
- **Climate Change Mitigation.** To secure a radical reduction in greenhouse gas emissions arising from the Peterborough area and support the transition to a low carbon society.
- **Biodiversity, Geodiversity and Green Infrastructure.** To conserve, enhance, expand and connect habitats, species and/or sites of biodiversity or geological interest across Peterborough by delivering measurable net

2. Vision for Peterborough

gains in biodiversity through development and maintaining and enhancing the integrity and connectivity of the Local Nature Recovery Network. To maximise opportunities to extend and enhance the Green Infrastructure network to improve connectivity between existing green and blue infrastructure assets and to deliver multi-functional benefits for people and nature.

- **Landscape and Townscape.** To conserve and enhance the character of Peterborough's landscape and townscape, maintaining and strengthening heritage value, local distinctiveness and sense of place, and to ensure new development is of a high quality standard of design.
- **Historic Environment.** To conserve and enhance Peterborough's heritage assets of archaeological, architectural or historic interest and their settings, both designated and non-designated, in a manner appropriate to their significance.
- **Sustainable Transport and Accessibility.** To reduce the need to travel by car and seek to extend and enhance the provision of sustainable travel options (particularly walking, cycling and public transport). To provide easy and affordable access for all to basic services and facilities.
- **Pollution.** To avoid or minimise air, noise and light pollution and maintain or improve air quality.
- **Water Resources.** To minimise water consumption, encourage water re-use and protect and enhance water quality.
- **Land and Soils.** To ensure the efficient use and reuse of land, minimise the loss of the best and most versatile agricultural land and to protect peat soils.
- **Sustainable Materials.** To support the principles of a circular economy and promote more effective resource use to ensure that resources are kept in use for as long as possible and to minimise waste.

Question 2. The Objectives

2) Do you agree with the proposed objectives for the new Local Plan? If not, which ones would you change and why? Have we missed anything?

3. Questionnaire

3. Questionnaire

This part of the document includes a series of questions about the new Peterborough Local Plan. We would like to know your views on:

- **Part A – How Should Peterborough Grow?**
We would like your views about options for distributing growth across the district.
- **Part B – What Policies Should the Plan Include**
We are inviting your views on a range of important planning issues, such as design quality and standards for new housing, which could be included in the new Local Plan.
- **Part C – What are Your Priorities for the future of Peterborough?**
We want the new Local Plan to reflect your main priorities and concerns.

Please read the following section which sets out all the background and context for the different topics, before answering the questions.

Please fill in the **Interactive questionnaire**, or alternatively send your responses to:

- planningpolicy@peterborough.gov.uk
- Local Plan, Peterborough City Council, Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

By **15 September 2023**.

You do not need to answer all questions. You can select topics or issues you are interested in.

Part A – How should Peterborough Grow

Part A – How Should Peterborough Grow

Part 3a of the questionnaire sets out the different options for growth in Peterborough focusing on the following topic areas:

- **Housing and Jobs Growth Target** – How many homes should we aim to build?
- **Settlement Hierarchy** – How should we rank settlements based on size and range of services and facilities?
- **Overall Distribution of Growth** – how should growth be distributed?

What is the Housing Growth Target for Peterborough?

The adopted Local Plan policy of relevance for the Housing Growth Target is:

- Policy LP3: Spatial Strategy for the Location of Residential Development

As a starting point, we must use the government's standard method to calculate the number of new homes needed in Peterborough. This figure is known as our 'Local Housing Need'.

The adopted Local Plan (2019) policy LP2 sets a target of 942 dwellings per year with an additional requirement for 40 dwellings per year for student accommodation. Since 1 April 2016 (the base date of the adopted Local Plan) 6,381 dwellings have been completed at an average of 1,063 per year. This is above the average Local Plan requirement.

As of March 2023, the Local Housing Need figure for Peterborough is calculated at **946 dwellings per year**. This is a broadly similar target to the adopted Local Plan.

National policy requires a Local Plan to cover a minimum 15-year period, from adoption. We think the end of this Local Plan should be 31 March 2044, which will be about 18 years from adoption. This slightly exceeds the national minimum requirement.

If 2044 is the end date, the total Local Housing Need for Peterborough will be 19,886 dwellings between 2023 and 2044.

Only on an exceptional basis can a council apply a different target in its local plan to the 'Local Housing Need' figure set by government. In simple terms, a council would have to demonstrate that the 'Local Housing Need' figure is inappropriate and/ or incapable of being met in the local area. Such exceptions could be that there simply is insufficient suitable land available, because of, for example, flood risk, Green Belt or the district has already grown to its administrative boundaries. It is unlikely that Peterborough could not meet its Local Housing Need national requirement.

National policy and guidance make it clear that the Local Housing Need figure should normally be treated as a minimum. Therefore, if the council had good reason to do so, we could plan for more than this amount. Or, we may be required to take some growth from an area which cannot meet all its needs, though at the current time, there are no known unmet requirements from neighbouring authorities.

We will carry out a housing needs assessment to establish if any additional housing requirement is required to take into account additional need, such as the need for student accommodation to support the new university.

It is important to note that the Local Housing Need figure itself is adjusted by government each year, which can make it tricky during the preparation of a local plan, because the number can change throughout the process. At each stage of the production, we will use the most up to date and available Local Housing Need figure.

Question 3: Housing need

Part A – How should Peterborough Grow

3a) This new Plan must have an end date of at least 2041. We think that 2044 is about right. What do you think?

3b) Government policy says our minimum housing target should be around 19,860 new homes to 2044. To attempt to go lower would highly likely breach national policy, but we could go higher. Should we go higher? If, so why?

What is the Employment Growth target?

The adopted Local Plan policy of relevance for Employment Growth Target and Strategy is:

- Policy LP4: Spatial Strategy for Employment, Skills and University Development

Policy LP4 of the adopted Local Plan sets the overall spatial strategy for employment growth which focuses most growth in the urban area and within the defined general employment areas and business parks. The Plan identified the need for 17,600 Jobs to 2036, this is equivalent to 76ha of employment land. The Plan includes allocated land for around 160ha of employment need, which more than met the minimum requirement.

However, since the adoption of the Local Plan in 2019, there is evidence to suggest that the supply of employment land is now tight, as a significant proportion of allocated employment land either has planning permission, is under construction, or has already been built out.

To identify what employment land is required for the new Local Plan, we will carry out an employment needs assessment which will look at economic models and forecasts to work out what our jobs target should be and what sort of employment land is needed. This will also help identify the most sustainable location/s for employment growth.

Question 4: Employment need

4) As part of the Local Plan evidence base, we will undertake an employment needs assessment to determine what an appropriate jobs growth and employment land target should be and consult with you at the next stage on these findings. In the meantime, do you have any views on what sort of jobs we should try to facilitate, and what locations would be suitable for new employment land?

Further information about policy requirements and issues and options relating to wider employment policy, skills and the university can be found in part 3b at question 29.

Settlement Hierarchy

The adopted Local Plan policy of relevance for the Settlement Hierarchy is:

- Policy LP2: The Settlement Hierarchy and the Countryside

A settlement hierarchy ranks settlements according to their size, range of services and facilities. The purpose of the hierarchy is to guide decision-making about the scale and location of new development and provision of new services and facilities, helping to achieve more sustainable communities.

Larger settlements have a greater population and usually have more services and facilities. They generally provide sustainable locations for growth. However, this may not always be the case. A larger settlement may, for example, have physical constraints that cannot be overcome and therefore restrict the scope for further development. Such

[Return to List of Questions](#)

Part A – How should Peterborough Grow

constraints would not alter its position in the hierarchy, but would be a critical factor in determining its suitability for any growth.

The adopted Local Plan (Policy LP2) identifies the following Settlement Hierarchy:

The City of Peterborough	Includes the existing urban area, the city centre, district centres and urban extensions.
Large Villages	Eye (including Eye Green) and Thorney
Medium Villages	Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Northborough and Wittering
Small villages	Ashton, Bainton, Deeping Gate, Etton, Marholm, Maxey (including Castle End), Peakirk, Pilsgate, Southorpe, Sutton, Thornhaugh, Ufford, Upton, Wansford and Wothorp

As part of the evidence base for the emerging Local Plan, a Settlement Hierarchy Study will be undertaken. Services and facilities will be reviewed to establish the most suitable category for each settlement.

At this early stage in the process, and to help the council prepare that study, we would like your views on the settlement hierarchy and the position of villages.

Question 5: Settlement Hierarchy

5a) Do you agree or disagree that we should have a settlement hierarchy policy?

5b) What are your views on the existing settlement hierarchy? Should there be different categories?

5c) Should any villages be moved up or down the hierarchy? If so, which ones and why?

Settlement Boundaries

The adopted Local Plan policies of relevance for settlement boundaries are:

- Policy LP2: The Settlement Hierarchy and the Countryside
- Policy LP11: Development in the Countryside

For many years the council has defined on the [Policies Map](#), for each settlement, a village boundary (also referred to as a village envelope) used to define the edge of the city or village. The primary purposes of settlement boundaries are: to prevent the spread of development into the countryside, to maintain the character of each settlement, and to control the growth within and outside each settlement in accordance with the settlement hierarchy. Settlement boundaries provide a clear approach to where future growth can take place and provide certainty, in line with the 'plan-led' system which government advocates.

Land outside of a defined village boundary or the urban area boundary is classified as 'countryside', and different policies apply. Policies in the countryside tend to be much more restrictive in terms of what sort of development is acceptable. Therefore, settlement boundaries provide more certainty as to what development can go where.

Question 6: Settlement Boundaries

6a) Should the new Local Plan continue to include settlement boundaries?

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Part A – How should Peterborough Grow

6b) If the new Plan includes settlement boundaries, how should we go about reviewing the boundaries? You may even want to suggest changes.

To suggest any amendments to village boundaries or the urban area boundary, please submit these via the **Settlement Boundary review form**.

Any review of settlement boundaries will also link to the site assessment process and the selection of site allocations. Once complete, this work will be made available to support the draft version of the Local Plan, due for public consultation in Summer 2024.

How should the future growth of Peterborough be distributed?

The adopted Local Plan policies of relevance for the Growth Strategy are:

- Policy LP2: The Settlement Hierarchy and the Countryside
- Policy LP3: Spatial Strategy for the Location of Residential Development
- Policy LP4: Spatial Strategy for Employment, Skills and University Development

Once the Local Plan growth targets for homes and jobs have been identified, it is then important to establish how this proposed growth should be distributed across the district. This section looks at the various options for how growth can be distributed. We would like to know your views on this important element of the Plan.

In the adopted Local Plan, the overall development strategy is to continue to focus the majority of new development in and adjoining the urban area of the City of Peterborough (maximising growth within the urban area). Away from the urban area of Peterborough, the strategy is for a collection of urban extensions at Hampton, Stanground South (Cardea), Paston Reserve, Norwood, Great Haddon and at the East of England Showground, with some development in villages to help support rural communities. Table 1 sets out the current growth distribution.

Table 1: Local Plan (2019) Growth Distribution

Location	Housing	Employment
Urban Area of Peterborough	5,249 (27%)	21.73 (14%)
Urban extensions	11,470 (59%)	136.53 86%
Villages	972 (5%)	0
Windfall allowance ¹	1,750 (9%)	0
Total	19,440	158.26

¹ Windfall allowance defined as sites which have not been specifically identified in the Local Plan typically dwellings coming forward from small scales developments (1 – 9 dwellings).

Part A – How should Peterborough Grow

The following pages set out five growth options to deliver Peterborough's future growth. At this stage we would like to know your views on these options, or if you have any alternative approaches to the distribution of growth across the Peterborough area.

The sustainability of these options will also be assessed to ensure the chosen option is sustainable and deliverable.

Growth Distribution Options

[NOTE: this page will include images showing examples of growth options]

- **Option 1: Pro rata distribution**

Each settlement could receive growth proportionate to the size of its population. For example, a village with 5% of the district's total population would receive approximately 5% of total new development.

- **Option 2: Urban area/urban extension focused (Local Plan carry over)**

The Local Plan has the following growth distribution:

"The overall development strategy is to continue to focus the majority of new development in and adjoining the urban area of the City of Peterborough (maximising growth within the urban area), creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most effective use of previously developed land, and enabling a larger number of people to access services and facilities locally."

This option has clear sustainability benefits and therefore focusing growth on brownfield sites in the urban area and existing urban extension remains an option to be considered for the new Local Plan. This could include the identification of new urban extensions.

- **Options 3: Village Extension Focused**

Villages could take a greater share of growth than option 1 or 2. In principle, the NPPF encourages this option to be at least explored, when it states that: "The supply of new homes can sometimes be best achieved through planning for larger scale development, such as ...extensions to existing villages". However, this option could increase the need to travel by car and increase infrastructure provision in villages. The scale of growth would likely impact considerably on the character and function of villages.

- **Option 4: Freestanding New Settlement(s)**

Growth could be delivered at one or more entirely new settlements, for example, the creation of a new town or village, distinct and separate from existing settlements. This option does not assume that all growth would be accommodated in this way, but would still allow for small development of the city and villages.

- **Options 5: Small Site Focused**

New development could take place across many small sites, which are typically built out more quickly than larger sites. This option prioritises delivery of growth, rather than necessarily sustainable growth. For example, small sites could be located anywhere in the district, probably increasing the amount of development in villages and rural areas.

Part A – How should Peterborough Grow

The above options set different ways that the future growth of Peterborough could be delivered.

Please let us know which options you like or dislike and why. Please let us know your preferred option. This may include elements of each option or a completely new approach.

Question 7: Growth Options

7a) Which option/s do you prefer and why?

7b) Which options/s do you dislike and why?

7c) Are there alternative options not shown above which should be considered?

We would like to invite the submission of sites for possible inclusion in the new Local Plan. If you would like to submit a site for consideration, please use the [Site Suggestion Form](#), and to understand more about how sites will be chosen, please see Section 5 of this document.

Urban Extensions Policy

The adopted Local Plan policy of relevance for Urban Extensions is:

- Policy LP5: Urban Extensions
- Policy LP35: Urban Extensions Allocations

A significant proportion of the future growth of Peterborough is due to take place within the following sustainable urban extensions:

- Hampton
- Paston Reserve
- Stanground South (Cardea)
- Great Haddon

In addition, the following site allocations are identified in the adopted Local Plan, but currently do not have planning permission.

- Norwood
- East of England Showground

A planning application was submitted for part of the Norwood urban extension for 870 dwellings in 2019. At 31 March 2023 the decision was pending, subject to the signing of a s106 legal agreement. The site is allocated in the adopted plan for 2,000 dwellings. An application was recently submitted for 1,130 new homes for the rest of the site. The East of England Showground has yet to gain planning permission for housing. The urban extension is allocated in the adopted Local Plan for 650 dwellings.

The current Local Plan policy LP5 sets out the overarching policies for new urban extensions (of 500 or more dwellings) based on the principles of sustainable development and requires these sites to come forward in a planned co-ordinated way linked to the timely delivery of key infrastructure to meet the needs of the new communities.

To meet the proposed growth target for the emerging Local Plan, there is a possibility that a new site/s of over 500 dwellings could be required, therefore there could be need for a policy to guide development of large-scale allocations to ensure the delivery of sustainable development.

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Part A – How should Peterborough Grow

Question 8: Urban Extensions Policy

8a) Do you agree or disagree with the need for an Urban Extension policy?

8b) If yes, what changes and or updates could be made to the policy to ensure sustainable development?

Climate Change

The adopted Local Plan policy of relevance for Climate Change and Sustainable Development is:

- Policy LP1: Sustainable Development and the Creation of the UK’s Environment Capital.

The issue of climate change is at the forefront of international, national and local thinking. We think the Local Plan has a key role to play in mitigating and adapting to climate change and facilitating the changes we need to adopt a net-zero carbon future.

The NPPF devotes an entire chapter to meeting the challenges of climate change and requires local plans to:

“take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.”

“Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.”

At the time of preparing the 2019 Local Plan, the council had in place an Environmental Action Plan that was incorporated in the policies. However, the council has now gone further by declaring a climate emergency and committed to supporting the city to become net zero carbon. This is reflected in the council’s priorities as set out in the [Sustainable Future City Council Strategy](#). The council is preparing a Climate Change Action Plan. The CPCA have also published a report addressing climate change in Cambridgeshire and Peterborough² which includes recommendations relevant to planning.

Therefore, it is proposed that the new Local Plan should be more ambitious to reflect the council’s commitment and also changes to national policy and legislation.

The new Local Plan could include a strategic policy setting out key climate change principles, however it is likely that a suite of policies will also be required providing more detail about how to meet these ambitions.

Question 9: Climate Change

9) Should the Local Plan include a policy setting out overarching climate change principles that development should seek to achieve? If so, what should this policy cover?

Please see Questions 12 to 18 for more detailed policies.

² Cambridgeshire and Peterborough Independent Commission on Climate (October 2021) - <https://cambridgeshirepeterborough-ca.gov.uk-6985942.hs-sites.com/cpicc-initial-report>

City Centre Regeneration and Overarching Strategy

The adopted Local Plan policies of relevance for the City Centre are:

- Policy LP6: City Centre
- Policy LP12: Retail and other Town Centre Uses
- Policies LP47 to LP53: Individual Policy Areas

The city centre is essential to the image, economic prosperity and future success of Peterborough. It is the part of the city most likely to be used by residents and visitors. A lively, successful city centre contributes greatly to the quality of life of the people of Peterborough and the surrounding area.

Policy LP6 of the adopted Local Plan sets the overall vision for the future growth and regeneration of the city centre with additional policies setting out specific requirements for different parts of the city centre and identifying Opportunity Areas and sites for regeneration.

Much has changed in the city centre in the last five years, such as the redevelopment at Fletton Quays, the former Hospital site, public realm improvements and the opening of the new university campus. There are still a number of key strategic sites available and opportunity for major investment and regeneration, such as:

- **North Westgate**

The area of land between Queensgate and Bright Street is currently an underused part of the city, and has been in majority ownership for 27 years, with no realistic sign of its comprehensive redevelopment coming forward. This area has consistently been identified in previous Local Plans, and in the past there have been numerous proposals for redevelopment. Despite at least two outline planning permissions having previously been granted, during several development cycles, no development has been brought forward on the site. Please see Policy LP47 for current site specific requirements.

- **Station Quarter**

Following a successful Levelling Up Fund Bid, Peterborough has been awarded £48 million with additional match funding bringing the total to around £65 million for the regeneration of Peterborough Railway station and surrounding area known as the 'Station Quarter'.

The proposals include creating a new western entrance and station car park, to help ease pressure on traffic entering the city centre, and improving connections from the railway station to the city centre shopping and core area.

Parts of the Station Quarter area are allocated within the adopted Local Plan. See Policy LP48 for current site specific requirements and known constraints.

Other key sites include Fengate South (Middleholme) (Policy LP37) and other projects such as a new cycle/pedestrian bridge over the river Nene linking the Embankment and new University Campus with Fletton Quays.

Therefore, there is a need for an updated strategy and vision for the city centre, supported by site specific policies. There is also overlap with wider town centre and retail policies. With further information set out in section 3 question 30 about the vitality of the city centre.

Unlike many other comparable cities, Peterborough has not experienced significant pressure for tall buildings over 10 storeys high. This demand may increase in the future especially within the city centre and at urban regeneration

Part A – How should Peterborough Grow

sites. The new Local Plan could help to manage such demand through a new policy on building heights for tall buildings ensuring that they are accommodated in a way that enhances the city skyline.

Question 10: City Centre Regeneration

10a) Should the Local Plan include a policy setting out the overarching city centre policy and vision to guide the regeneration and redevelopment?

10b) Should the plan include site specific/area policies for key city centre and regeneration sites?

10c) Should the Local Plan include a policy about city centre building heights?

Part B – What policies should the Plan include?

Part B – What policies should the Plan include?

We are seeking your views on a range of important planning issues, such as design quality and minimum standards for new development, which could be included in the new Local Plan. These will then be put into policies, which will be used to make decisions on all planning applications.

It is important to note that policies included in the Local Plan must comply with national policy (the NPPF) and other national guidance (the NPPG). Policies must also be based on evidence to justify what we are asking for.

For some planning issues national policy is very specific about what we can and can't do. For other issues there is greater scope to respond to specific local circumstances.

We will also need to consider development viability and make sure that requirements which are included in the Local Plan will not make future development unviable.

Following a review of national policy and guidance, we have identified the following topics and issues which the new Local Plan could address through its policies:

- **Health and Wellbeing**
- **Climate Change**
- **Design and Amenity**
- **Meeting Housing Need**
- **Employment**
- **Retail and Other Town Centre Uses**
- **Community and Transport Infrastructure**
- **Historic Environment**
- **Natural Environment**
- **Open Space and Recreation**
- **Flood and Water Management**

The next few pages of this document discuss the above topics, explain the requirements of national policy and the options available for the new Local Plan, and includes a series of questions.

Part B – What policies should the Plan include?

Health and Wellbeing

The adopted Local Plan policy of relevance for health and wellbeing is:

- Policy: LP7 Health and Wellbeing

Our physical and mental health and wellbeing are influenced by a wide range of environmental, social and economic issues known as the wider determinants of health.

Although the general health of Peterborough's residents is described as very good or good³, life expectancy for both males and females, the under 75 mortality rate (all causes), physical activity, childhood obesity and excess winter death rates are worse than the England average.

Planning can influence the built environment to reduce excess weight by supporting opportunities for communities to access a wide range of healthier food.

Obesity and the associated health problems are issues facing many local councils and are a major public health concern. Nationally concerns have been raised about the over concentration of hot food takeaways in certain areas, particularly the proximity to schools. Local plan policies can have an influence on the location and concentration of such uses and could include policies to promote healthier eating.

Policy LP7 of the 2019 Local Plan encourages the creation or enhancement of allotments, orchards, gardens and food markets where opportunities arise. The new Local Plan could go further and require the provision of food growing spaces in new developments.

Health Impact Assessment (HIA) is a process that identifies the health and wellbeing impacts of a plan or development project. HIA can help address impacts that major development may have on our health and wellbeing.

The 2019 Local Plan requires residential developments of 500 dwellings or more to submit a HIA as part of their application. For proposals less than 500 dwellings, submission of a HIA is optional.

Active Design is a set of 10 principles developed by Sport England⁴ which seeks to ensure that the built environment is designed to encourage physical activity and maximise opportunities for people to be active. The new Local Plan could incorporate Active Design principles into the overarching health and wellbeing policy, or this could be covered under the design policy.

The Building for Healthy Life (BHL) toolkit could be incorporated into design principles (see question 19).

Question 11: Health and Wellbeing

11a. Should the Local Plan continue to require HIA for large scale residential developments? If so, do you agree with the current trigger for HIA of 500 dwellings or more? If no, what should the trigger be and why? For proposals less than 500 dwellings, should HIA continue to be optional?

11b. Should the new health and wellbeing policy go further and require the provision of food growing spaces, rather than encourage, within all major developments?

11c. Should the new health and wellbeing policy require new developments to incorporate Sport England's Active Design Principles?

³ 2021 Census

⁴ <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>

Part B – What policies should the Plan include?

11d. Do you think the Local Plan should include a policy to restrict the amount, or location of, hot food takeaways?

11e. Do you have any additional suggestions or comments as to how the Local Plan can help to ensure that new development encourages active and healthy lifestyles?

Climate Change and Low Carbon development

The adopted Local Plan policies of specific relevance for climate change are:

- LP13 Transport
- LP22 Green Infrastructure Network
- LP31 Renewable and Low Carbon Energy
- LP28 Biodiversity and Geological Conservation
- LP29 Trees and Woodland
- LP32 Flood and Water Management

The Climate Change Act 2008 introduced a legally binding target for the UK to reduce its greenhouse gas emissions by at least 80% by 2050 compared to 1990 levels. To drive progress and set the UK on a pathway towards this target, the Act contains a legal requirement for carbon budgets. The Sixth Carbon Budget announced in April 2021 includes a target to reduce emissions by 78% by 2035 compared with 1990 levels.

The council declared a climate emergency in July 2019, committing to supporting Peterborough to become a net zero carbon city. To be net zero, carbon emissions must be minimised and as much carbon dioxide (CO₂) removed from the atmosphere as is produced.

The Cambridgeshire and Peterborough area is at risk from a changing climate, and is particularly at risk in relation to flooding, overheating in the summer months, water shortages and damage to natural carbon stores.⁵

CO₂ emissions data indicates that transport and homes are significant contributors to greenhouse gases in Peterborough. In 2020, transport formed the largest greenhouse gas emitter comprising 32.9% of total emissions, followed by homes 22.3% and land use 14.25%.⁶ CO₂ emissions are gradually decreasing in Peterborough, reflecting the national picture, however there is a need to achieve radical reductions to be consistent with the Sixth Carbon Budget.

Since the adoption of the Local Plan in 2019, there have been many changes relating to climate change and energy efficiency, which require a more detailed review of the existing Local Plan policies.

In preparing this new Local Plan, we intend to provide a wide-ranging set of policies which will demonstrate Peterborough's leadership in tackling and adapting to climate change.

We welcome your views on how best to achieve this. The following section lists topic areas where we believe planning policies could be created for Peterborough helping to mitigate and to adapt to climate change, which will

⁵ [Cambridgeshire & Peterborough Independent Commission on Climate. Fairness, nature and communities: addressing climate change in Cambridgeshire and Peterborough. October 2021.](#)

⁶ Local Authority territorial greenhouse gas emissions estimates 2005-2020, available at: <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-greenhouse-gas-emissions-national-statistics-2005-to-2020>

Part B – What policies should the Plan include?

be further supported by other policies throughout the Local Plan. Your views as to which of these we should proceed with would be appreciated:

- **Delivering Renewable and Low Carbon Energy**

Making a transition towards a zero-carbon future requires moving from non-renewable energy sources like gas and coal towards low carbon and renewable technologies such as, for example, wind and solar.

The NPPF states that to help increase the use and supply of renewable and low carbon energy and heat, local plans should:

“provide a positive strategy for energy from these sources...consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure” and “...identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”

Question 12: Renewable and Low Carbon Energy

12a) Should the Local Plan identify, on a map, suitable locations for delivering renewable/ low carbon energy technologies and associated infrastructure?

12b) Are there any opportunities to co-locate new development with existing or new renewable or low carbon energy supply systems?

12c) How can the Local Plan encourage and support community-led renewable and low-carbon energy developments?

- **Reducing Energy Use and Improving Energy Efficiency**

Heating and powering buildings currently accounts for 40% of the UK's total energy usage.⁷ In order to achieve low carbon development, the Local Plan needs to address how the design, construction and operation of new buildings can minimise carbon emissions and make more efficient use of energy. Making buildings more energy efficient will result in social and economic as well as environmental benefits, such as reducing energy bills.

The government is committed to improving the energy efficiency of new homes through the Building Regulations system, under the [Future Homes Standard](#). They expect that an average semi-detached home built to meet the standard would produce 75% less CO₂ emissions than one built to current standards. To achieve this a home would have low carbon heating and higher levels of energy efficiency. Remaining emissions reductions to reach net zero are anticipated to come from the future decarbonisation of national electricity production. The Future Homes Standard is proposed to take effect from 2025.

The NPPG⁸ clarifies that local plan policies can set energy efficiency standards for new homes that are higher than the Building Regulations, up to a set level.⁹

⁷ Department for Business, Energy & Industrial Strategy (2019) The Grand Challenge Missions

⁸ Paragraph: 012 Reference ID: 6-012-20190315

⁹ The equivalent to Level 4 of the Code for Sustainable Homes. The Code is a method for assessing and certifying the sustainable design and construction of new homes.

Part B – What policies should the Plan include?

For non-housing buildings, the government is proposing, via Building Regulations, the [Future Buildings Standard](#). Like the Future Homes Standard, the Future Buildings Standard is expected to be implemented from 2025. Local planning authorities may set energy performance standards above the building regulations for non-housing developments.

Existing buildings account for a large proportion of carbon emissions. New buildings can be built to the latest standards of construction, but conversions and the existing building stock can be more challenging to make energy efficient. However, improving energy efficiency and reducing carbon emissions could have significant benefits, including helping to lower energy bills for occupants. We would like to explore how we can influence existing buildings to use less energy through the new Local Plan.

Question 13: Energy Efficiency

13a) Do you think that the new Local Plan should require higher energy performance standards than required by the building regulations for residential development, up to Level 4 of the Code for Sustainable Homes?

13b) Do you think that the new Local Plan should require higher energy performance standards in non-housing development and if so, what standards should be required?

13c) Should the Local Plan require developers to submit energy statements to demonstrate how energy requirements have been considered?

13d) How can the Local Plan seek to address the energy efficiency of existing buildings?

- **Embodied Carbon**

Embodied carbon is the amount of CO₂ emitted during the construction of a building. It is estimated from the energy used to extract and transport raw materials as well as emissions from manufacturing processes, the fixtures and fittings inside, and deconstructing and disposing of it at the end of its lifetime. Our choice of materials and the way we design and construct buildings will need to change to reduce their embodied carbon.

Currently there is no government policy requiring the assessment or control of embodied carbon emissions from buildings. Government is expected to outline their approach to the measurement and reduction of embodied carbon this year.

Question 14: Embodied Carbon

14) How can the Local Plan encourage applicants to use materials that have less embodied carbon?

- **Adapting to a Changing Climate – Design of Buildings and Spaces**

We are expected to experience hotter and drier summers resulting from a changing climate. Poorly designed, constructed or maintained buildings can increase the exposure of occupants to extreme weather events, such as heat waves. This can be intensified by personal, environmental and social factors (such as, for example, age, poor health and low income) which make their occupants particularly vulnerable.

The Building Regulations were updated in June 2022 to ensure buildings make reasonable provisions to limit unwanted solar gains in summer and provide a means to remove heat from the indoor environment. The Local Plan

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Part B – What policies should the Plan include?

will not duplicate these requirements but can consider requiring developments to incorporate design measures to reduce the risk of overheating, both in terms of the design of buildings and the external environment created around buildings.

The built environment should be designed in a way that buildings and spaces are able to respond to future needs, anticipating changes in travel, work and lifestyles over the course of their lifetime. Adaptable building design minimises waste, reduces the use of materials, and reduces overall emissions from the demolition and redevelopment of buildings that are no longer fit for purpose or incapable of being easily changed.

We are also expected to experience more intense rainfall as part of our changing climate. This will impact on the frequency and severity of surface water flooding, particularly in urban areas. Flood resilience and water efficiency are also important design considerations and are covered later in this document under 'Flood and Water Management'.

Question 15: Adapting to a Changing Climate – Design of Buildings and Spaces

15a) Should the Local Plan set out design criteria to reduce the risk of overheating? Should applicants be required to demonstrate how the design of their development proposal minimises the impacts of overheating in the built environment?

15b) How can the Local Plan ensure the design of spaces and buildings are adaptable to future needs?

- **Electric Vehicle Charging**

As of January 2023, the number of publicly available Electric Vehicle Charging devices at all speeds in Peterborough was 73. This equates to 33.7 per 100,000 population: well below the national average of 55.7 per 100,000 population.¹⁰

In December 2021 the Building Regulations were updated to address infrastructure for charging electric vehicles and came into effect on 15 June 2022. The Local Plan therefore does not need to seek the basic provision of Electric Vehicle Charging points. However, it can consider how to support the rapid deployment of electric and plug-in hybrid vehicles and set requirements for Electric Vehicle Charging points in terms of their location and accessibility to future users.

Question 16: Electric Vehicle Charging

16) Do you think the Local Plan should set out criteria for the design and location of Electric Vehicle Charging points?

- **Carbon Sinks**

The natural environment can play a vital role in tackling climate change. Carbon sequestration is the capturing, removal and storage of CO₂ from the earth's atmosphere. CO₂ is naturally captured from the atmosphere through biological, chemical, and physical processes. Biological carbon sequestration happens when carbon is stored in the

¹⁰ <https://www.gov.uk/government/statistics/electric-vehicle-charging-device-statistics-january-2023>

Part B – What policies should the Plan include?

natural environment. This includes what are known as ‘carbon sinks’, such as forests, grasslands, soil, oceans and other bodies of water. Carbon sinks extract CO₂ from the atmosphere and absorb more carbon than they release.

A healthy peatland acts as a carbon sink, as well as supporting unique biodiversity and good water quality. When these are damaged, they can become a major source of greenhouse gas emissions.

Ensuring peatlands are protected, enhanced and sustainably managed is a global priority and key aim of the government, as set out in the UK Peatland Strategy¹¹. By 2040, the government has set a target of 2 million hectares of peatland to be in good condition, under restoration or being managed sustainably. Ensuring land uses that are compatible with healthy peatlands will be crucial to reaching this target. Peterborough has areas of peatland to the north of Eye and to the north of the River Nene to the east of the city.

Currently the adopted Local Plan does not set policy relating to carbon sinks or carbon sequestration. The new Local Plan could include such a policy, to support the creation of land and habitats that play a role as carbon sinks and protect existing carbon sinks from development.

Question 17: Carbon Sinks

17) Do you agree the new Local Plan should include a policy which sets out how development proposals should protect and enhance carbon sinks across Peterborough?

- **Other Issues**

Are there any issues not covered above, or within this Issues and Options document, that have been missed and need to be addressed to ensure that climate mitigation measures can be achieved?

Question 18: Other Climate Change Issues and Options

18) Do you have any other suggestions or comments on how the Local Plan can support communities to mitigate and adapt to our changing climate?

Design and Amenity

The adopted Local Plan policies of relevance for design and amenity are:

- LP16 Design and Public Realm
- LP17 Amenity Provision
- LP18 Shop Frontages, Security Shutters and Canopies
- LP33 Development on Land Affected by Contamination

The adopted Local Plan is supported by the following Supplementary Planning Documents (SPDs)

- [Shop Front Design Guidance SPD](#)
- [Design and Development in Selected Villages SPD](#)

¹¹ IUCN Peatland Programme. [UK Peatland Strategy 2018-2040](#).

Part B – What policies should the Plan include?

Good design can help create attractive places and spaces for people to live, work and visit and can contribute to the creation of healthy and sustainable places. Design is not only about appearance. It is also about how places function. To design successful places, all development should meet the aspiration for quality and sustainability in their design and layout. In short, good design is inseparable from good planning and should be at the heart of every development.

The benefits of good design cut across a number of local plan policy areas, with benefits of well-designed walking and cycling routes and open spaces on nature and well-being, as well as encouraging healthier, more active lifestyles.

The NPPF explains that local plans should set clear design visions and expectations, so that it is clear what is acceptable. It also requires all local authorities to prepare design codes.

Policy LP16 of the adopted Local Plan sets out an overall design vision and principles and, together with policy LP17, pulls together design and amenity requirements for developments, but other policies throughout the Plan also set out requirements which are intrinsically linked to good design. The current Local Plan is also supported by the Design and Development in Selected Villages SPD.

The use of design codes was introduced in the NPPF (published in 2018), after the submission and examination of the current Local Plan. Good design is promoted through the publication of the [National Design Guide](#) and [National Model Design Code](#) published in January 2021 which are aimed at ensuring that the requirement for good design is embedded in planning policy and ultimately is delivered through the development being built and the places being created. The 10 principles to guide good design are shown below:

Figure 3: The ten characteristics of well-designed places¹²



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Part B – What policies should the Plan include?

[Building for a Healthy Life](#) (BHL) is the latest edition of, and replaces, Building for Life 12 (BfL). The underlying structure and principles of BfL 12 are incorporated into BHL through active design, alongside an increased emphasis on access to green spaces and active travel.

Design codes ensure that design expectations are set out clearly. Whilst being consistent with the National Design Guide and National Model Design Code, design codes should also reflect local character and design preference providing a local framework for a high quality standard of design.

Locally, specific policies could address issues such as:

- **Layout** – the way in which buildings and spaces relate to each other
- **Form** – the shape of buildings
- **Scale** – the size of buildings
- **Detailing** – the important smaller elements of buildings and spaces
- **Materials** – what a building is made from

Policies can also address issues such as the need for adequate daylight, sunlight, and privacy.

Question 19: Design and Amenity

19a) At what level should design codes be introduced: area-wide, village/neighbourhood-wide or site specific? Are there any specific issues within an area that design codes should address?

19b) Should the Design and Development in Selected Villages SPD be used as the starting point for preparing design codes for the Peterborough rural area?

19c) Should the Local Plan incorporate locally specific policies for issues such as layout, form, scale etc? If so, which specific issues should the plan address?

19d) Should the Local Plan require developers to use national toolkits such as Building for a Healthy Life?

Housing Needs

Earlier in this consultation document we discussed the overall level of housing that might be needed in Peterborough. However, the housing policies in the new Local Plan will need to address many different housing issues, which are explained below.

The adopted Local Plan policies of relevance for housing need are:

- LP8: Meeting Housing Needs
- LP9: Custom Build, Self-build and Prestige Homes
- LP10: Gypsies and Travellers and Travelling Showpeople
- LP34: Residential Annexes

In addition to providing enough housing to meet the identified need, the new Local Plan will also ensure that the housing provided is of the right type and size to meet the needs of residents now and in the future.

Part B – What policies should the Plan include?

The existing evidence, such as the Housing Needs Assessment and Gypsy and Traveller Accommodation Needs Assessment, will need to be updated to ensure that the new Local Plan sets out appropriate policies to address the needs identified.

- **Meeting Housing Needs**

National policy says that local plans should ‘set out the size, type and tenure of housing to meet the needs of different groups in the community’. This could include families with children, older people, students, people with disabilities, services families, people who rent their homes, and people wishing to commission or build their own homes.

Policy LP8 of the adopted Local Plan sets out the requirements and thresholds for meeting housing needs, including: affordable housing, homes for older people, accommodation for vulnerable people, higher access standards, rural exception sites, and homes for permanent caravan dwellers/ park homes.

The current requirement for affordable housing is for 30% affordable housing on sites of 15 dwellings or more. The evidence available at the time identified a need for 70% affordable rented tenure and 30% intermediate in the form of shared ownership to ensure that affordable housing remains viable and deliverable.

In May 2021, the government introduced a new tenure of affordable housing called First Homes. First Homes are a specific type of discounted market housing which are discounted by a minimum of 30% against market value, sold to people meeting set eligibility criteria. First Homes are the government’s preferred discounted market tenure and should make up at least 25% of all affordable housing units being delivered through planning obligations.

As the requirements for First Homes were introduced after the adoption of the Local Plan, the council sets out its current position and approach to the implementation of First Homes through an [explanatory note](#). This explains that until such time as an update of Peterborough’s affordable housing policy is undertaken through a review of the Local Plan, the council will continue to implement our adopted Affordable Housing policy.

As part of the evidence base for the Local Plan, we will carry out a housing needs study to assess the housing needs for different groups in the community to inform the development of policies. We will also carry out a viability assessment to look at the different options and ensure that development will remain viable. We will consult on these outcomes as part of the Draft Local Plan due for public consultation in summer 2024.

However, at this early stage, we would like your views on the types and size of homes you think are needed in the area. For example, is there a need for:

- Family homes?
- Small starter homes?
- Specific types of affordable housing, such as to rent or shared ownership
- Accessible and adaptable homes, built to a higher standard than Building Regulations to allow homes to be easily adapted in the future, for disabled, elderly or people with limited mobility?
- Bungalows?
- A specific type of home in a certain location or village?
- Affordable housing on ‘exception’ sites where normal market housing would not otherwise be permitted?
- ‘Community led’ housing, whereby schemes prepared and promoted by a locally established, open to all, not-for-profit organisation are in principle supported?

Question 20: Meeting Housing Needs

Part B – What policies should the Plan include?

20a) What size, types and tenure of homes do you think are needed, either across Peterborough or in your local area?

20b) Are there any other specific groups or specific housing types that you think are missing from the above list and should be included?

20c) If new evidence identifies a continued need for more rented tenure affordable housing, should this be prioritised over the provision of first homes?

- **Entry Level Exception Sites/First Home Exception Sites and Rural Exception Sites**

National policy explains that local plans should support the development of entry level exception sites, which are suitable for first time buyers. These sites should be on land which is not already allocated for housing and should be on land adjacent to existing settlements, should not be larger than one hectare in size or exceed 5% of the size of the existing settlement. This can also include First Home exception sites.

Rural exception sites are small sites usually outside the settlement boundary that would not normally be used for housing that are granted planning consent for the provision of affordable housing in perpetuity. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Policy LP8 of the current Local Plan allows for the provision of rural exception sites provided that it meets identified local need for affordable housing which cannot be met within the existing village boundary. The requirements for entry level exception sites were introduced following the adoption of the Local Plan, therefore the new Local Plan will need to incorporate these changes to the NPPF.

Question 21: Entry Level Housing

21a) How do you think the new Local Plan should address the need for entry level housing? Please provide reasons for your answer

21b) Do you think the Local Plan should have a rural exception site policy to help provide affordable homes in areas with a need?

- **Housing Standards for Local Plans**

In 2015 the government set out a policy preventing local plans from setting their own standards for the design of new homes with the intention of reducing inconsistencies between different districts. National standards were instead introduced via the Building Regulations system.

However, there are exceptions to this general rule, as set out in the 'Housing: Optional Technical Standards'¹³ which allows the minimum standards set by Building Regulations to be exceeded in respect of:

¹³ NPPG - <https://www.gov.uk/guidance/housing-optional-technical-standards>

Part B – What policies should the Plan include?

- Internal minimum space standards, known as the Nationally Described Space Standards (NDSS)¹⁴;
- Accessibility and Adaptability Standards - such higher standards are generally beneficial to people who are disabled, elderly or have limited mobility, and also allow homes to more easily be adapted in the future; and
- Water efficiency¹⁵

A local plan can only require one or more of these optional standards if the standard will address a clearly evidenced local need, and the viability implications of introducing the standard will need to have been adequately considered.

Building Regulations include the following levels of higher access standards:

- Accessible and adaptable homes (M4(2))
- Wheelchair adaptable homes (M4(3)(a))
- Wheelchair accessible homes (M4(3) (b))

Policy LP8 of the adopted Local Plan currently requires that all dwellings should meet Building Regulations in respect of accessible and adaptable homes (M4(2)), unless there are exceptional design reasons for not being able to do so (e.g. listed building constraints or site specific factors such as vulnerability to flooding or site topography).

However, in 2020 the government consulted on changes to raise the accessibility standards for all new homes. It is the government's intention to implement a requirement for all new homes to be built to M4(2) 'accessible and adaptable' standards unless clear evidence is given, on a plot by plot basis, that it is impractical and unachievable. This will be delivered through an update to the Building Regulations. Therefore, it is unlikely that the new Local Plan will need to include a policy about this issue.

In terms of wheelchair adaptable and accessible homes, the current policy seeks 5% of dwellings on sites of 50 dwellings or more to meet the wheelchair adaptable standards (M4(3)a). If requirements for wheelchair accessible homes were to be introduced, the NPPG states that this can only be applied to affordable rented homes.

The current policy only requires the NDSS for all new rented tenure affordable housing.

A Viability Assessment of the Local Plan will be prepared to assess if new development can viably support these standards, and other requirements of the Plan. Your views would also be welcome on any potential viability issues that might arise if these standards are included within the Local Plan.

For more information about the water efficiency standards please see the Flood and Water Management section and specifically question 44.

Question 22: Housing Standards

22a) Should evidence identify a need, do you think the Local Plan should include requirements for wheelchair accessible and/or adaptable homes? If so why?

22b) Should evidence identify a need, do you think the Local Plan should include Internal Space standards for all new homes or should this continue to only be applied to new rented tenure affordable housing? Or should it be extended to cover all affordable housing tenures? If so why?

¹⁴ [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards-nationally-described-space-standard)

¹⁵ This section of the Issues and Option document looks at spaces and access standards only. Water efficiency is covered in section x and question x

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22c) Do you have any evidence to suggest that the introduction of the above standards would significantly affect viability of housing schemes?

- **Plots for Custom Build, Self-build and Prestige Homes**

The Self-build and Custom Housing Act 2015 places a requirement on local planning authorities to maintain a register of individuals, and associations of individuals, who have expressed an interest in acquiring land for the purposes of self-build or custom build.

The Housing and Planning Act 2016 goes further to require local planning authorities to grant planning permission on sufficient serviced plots of land to meet the identified need for self-build and custom build.

While the number of individuals on the council's Self-build and Custom Housing register is low, monitoring of the number of applications for exemption from Community Infrastructure Levy (CIL) payments on the grounds of 'self-build' demonstrate a steady demand for such plots, with an average of 15 exemptions a year for the last five years, as set out in the latest [Authorities Monitoring Reports](#) (AMR).

In respect of prestige homes, there is unlikely to be a significant change to the current approach, as monitoring of Council Tax data shows that only a relatively small number of new properties in the highest bands are being completed each year. On average 14 Band G dwellings and 0.8 Band H dwellings have been completed annually over the last five years, as shown in the AMR. The overall annual average completion rate for the same period was 1,097 dwellings.

Policy LP9 of the adopted Local Plan sets out support for proposals, including custom and self-build opportunities, and re-iterates the requirement for sites over 500 dwellings to provide serviced plots for custom and self-build homes.

Question 23: Plots for Custom Build, Self-Build and Prestige Homes

23a) Should we require large housing sites to provide serviced plots for self-build and custom build?

23b) Should we allocate sites which are specifically set aside only for self-build and custom build to meet the needs of the register?

- **Gypsies and Travellers and Travelling Showpeople**

As with the self-build and custom housing, local plans must plan to meet the needs of Gypsies and Travellers and Travelling Showmen. The government's overarching aim is to *"ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community"*.¹⁶

The national Planning Policy for Traveller Sites (PPTS) published in 2015 sets out requirements for how local authorities should assess the need for Gypsy and Traveller accommodation.

The evidence available at the time of preparing the current Local Plan identified no additional need for Gypsy and Traveller or Travelling Showpeople sites in Peterborough. Therefore, the adopted Local Plan did not allocate any

¹⁶ Planning Policy for Traveller Sites (PPTS), August 2015.

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specific sites for Gypsy and Traveller or Travelling Showpeople purposes. Policy LP10 of the current Local Plan includes requirements for Gypsy and Traveller sites based on a set of assessment criteria.

There is a need for a new Gypsy and Traveller Accommodation Needs Assessment (GTANA) to be undertaken. Firstly, as the existing GTANA was undertaken in 2016, and secondly, and possibly more importantly, the existing GTANA does not take account of the recent changes and legal decisions.

The exact approach taken in the new Local Plan will depend on the outcomes of a new GTANA when complete. We will consult on this policy as part of the draft Local Plan consultation due in summer 2024.

Question 24: Gypsies and Travellers

24) If a need for additional Gypsy and Traveller pitches is identified, should large scale housing sites be required to include an element of Gypsy and Traveller provision as part of the masterplanning of the site?

24b) What other suitable locations for Gypsy and Traveller pitches are there?

If you think you have a suitable site for Gypsy and Traveller accommodation, please let us know via [the Site Suggestion Form](#) (see Section 5 of this document for further information).

- **Park Homes and House Boats**

The government introduced legal requirements¹⁷ in 2016 for local plans to review the need for moorings for houseboats and sites to accommodate permanent caravans such as park homes. Therefore, as part of the evidence base for the Local Plan, the council will carry out a review over the coming months to help establish if there is any need for such forms of accommodation and this will help inform any policies in the new Local Plan. In the meantime, your preliminary views would be welcome.

Policy LP8 of the adopted Local Plan made no reference to houseboats, as at that time there were no registered permanent houseboats.

Question 25: Park Homes and House Boats

25) Is there a need for moorings for houseboats or sites for caravans in Peterborough? Any evidence to support your comments would be welcome, or suggestions as to how such need could be identified.

- **Residential Annexes**

Residential Annexes can offer an important solution for many situations including, for example, allowing multiple generations of a family to reside alongside one another, offering informal care and freeing up under-occupied housing. However, it should also be borne in mind that the addition of annexes to residential properties can have a considerable impact upon the character and amenity of an area through the intensification of development. Policy LP34 of the adopted Local Plan seeks to ensure that any residential annexe development is solely provided as ancillary to the original dwelling and not a new dwelling. It is proposed that this approach will be carried forward into the new Local Plan.

¹⁷ The Housing Act 2016

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Question 26: Residential Annexes

26) Is there a need for the current approach to Residential Annexes to be carried forward into the new Local Plan?

- **Sub division and multi occupation of dwellings**

Shared or multi-occupancy accommodation has increased in numbers within Peterborough in recent years. Whilst this kind of accommodation meets an important housing need, tensions sometimes develop in areas where a high concentration of HMOs exists, or is believed to exist. The growth of the University will increase the demand for housing, and it is important that people with some of the fewest housing choices are not priced out of the market. To that end, we could encourage the development of purpose built student accommodation, as well as other build to rent housing, so that the rental market has resilience and variety.

Question 27: Sub division and multi occupation of dwellings

27a) Is there a need for a policy relating to the subdivision and multiple occupation of dwellings?

27b) Do you agree that a mix of purpose built rented housing, including student accommodation and market rented properties, should be focussed in and around the city centre

Development in the Countryside

The adopted Local Plan policies relevant to development in the countryside are:

- Policy LP2: Settlement Hierarchy and the Countryside
- Policy LP11: Development in the Countryside

As explained in section 2, areas outside the defined urban area boundary or village boundary are defined as the countryside. National policy tends to be more restrictive in terms of what sort of development is acceptable in the countryside, with development limited to that which is demonstrably essential to the effective operation of local agriculture horticulture, forestry, outdoor recreation and access to natural greenspace, transport or utility services.

Policy LP11 of the current Local Plan includes requirements to support the rural economy and enable the expansion of rural businesses and, in exceptional circumstances in accordance with national policy, supports housing development in the countryside that meets an identified local need. The current policy covers the following issues:

- Conversion of non-residential buildings for residential use in the countryside
- Replacement of existing dwellings in the countryside
- Mobile homes in the countryside
- New dwellings in the countryside (relating to agricultural workers, forestry and other enterprises where a countryside location is essential)
- The rural economy
- Protecting the best and most versatile agricultural land
- Agricultural diversification

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Question 28: Development in the Countryside

25) Should the Local Plan include a policy about development in the countryside and requirements to support the rural economy?

Employment

The adopted Local Plan policies relevant to employment are:

- Policy LP4: Spatial Strategy for Employment, Skills and University Development
- Policy LP11: Development in the Countryside, Part E: The Rural Economy
- Site allocations policies LP44 to LP46

Section 2 discusses the future employment need and possible growth strategy for Peterborough. This section focuses on the detailed policy requirements and delivery of new businesses and jobs.

One of the council's priorities is to maximise economic growth and prosperity in an inclusive and environmentally sustainable way.

Policy LP4 of the adopted Local Plan sets out the strategy for employment growth within Peterborough, as well as seeking to protect the existing General Employment Areas and Business Parks, as shown on the Policies Map. It is proposed that the General Employment Areas and Business Parks are carried forward into the new Local Plan unless evidence suggests that their designation is no longer suitable.

Since the Local Plan was adopted, there have been changes made to the Use Classes Order. The changes made have resulted in former B1 uses (offices, research and development and light industrial process that do not cause disturbance) being incorporated into a new E class alongside former A class retail uses and some D class health and recreation uses. Former B1 uses now sit within use class Eg, while B2 and B8 uses remain unchanged.

Currently, as worded, the employment policies seek to restrict uses within existing or allocated employment areas to those uses that were classed specifically as employment uses (B class uses). Within the city, district and local centres, mixed use developments are encouraged. It is possible that the new Local Plan could take a different approach and allow some additional flexibility to be applied within the General Employment Areas to allow other uses where this would not undermine the function of the area.

The rural economy is currently addressed within Policy LP11. The policy sets out what is and what isn't an acceptable use and sets out the criteria that developments would have to meet.

Question 29: Employment

29a) Do you agree that the General Employment Areas and Business Parks should be brought forward into the new Local Plan unless evidence suggests that they are no longer suitable or deliverable? If not, please provide details.

29b) Do you agree that greater flexibility for other uses should be provided for General Employment Areas where this would not undermine their role and function? If not, please explain why.

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29c) Do you agree that the new Local Plan should continue to include a definition of what development is or is not acceptable on employment sites in the open countryside? If not, please explain why.

Town Centres and Retail

The adopted Local Plan policies of relevance to retail and other town centre uses are:

- LP6: The City Centre – Overarching Strategy
- LP12: Retail and Other Town Centre Uses

Peterborough city centre and its district and local centres are at the heart of communities, providing accessible shops and services, employment, and leisure facilities. Vital and viable centres provide economic and social benefits, such as reducing social isolation and health inequalities, and improving community resilience.

In recent years, our retail centres have faced substantial challenges from the shrinking ‘front facing’ retail sector which has been exacerbated by the Covid-19 pandemic, loss of department stores in city centres and internet shopping. Therefore, many centres will need to reinvent themselves to compete and thrive.

National policy states:

“that local planning authorities should pro-actively promote town centres long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.”

The NPPF also advises that policies should define the extent of the town centres and primary shopping areas and set policies that make clear the range of uses which will be permitted in such locations, as part of a positive strategy for the future of town centres. National policy says applications for retail or leisure uses should be located in town centres first. Only if no suitable sites are available in town centres should edge of centre or out of centre sites be considered.

The adopted Local Plan policy LP12 sets the framework for how planning applications for retail and other main town centres uses will be assessed to make sure that they are appropriate in scale and location. This includes the identification of a retail hierarchy and primary shopping areas that prioritises development to the city centre first. However, this policy is retail focused and since the preparation and adoption of the Local Plan there have been significant changes in national policy and approach to retail and town centre development.

In September 2020, the government introduced the new use class (Class E) which replaces and combines the former uses for shops (A1), professional services (A2), restaurants (A3), offices and light industrial (B1), clinics, crèches and gyms. This gives more flexibility for premises in Class E to change use without the need for planning permission. The council has therefore lost some of the previous controls to retain retail shops.

Work on the new Local Plan offers an opportunity to address the changes affecting town centres to ensure that the Local Plan contributes to the ongoing success of the high street.

As part of the evidence base for the Local Plan, the council will carry out a review of the existing centres and also review the boundaries and the main shopping areas (known as Primary Shopping Areas) to make sure these are up to date and still represent the main shopping areas. The current boundaries are shown on the Policies Map.

The council will also undertake a Retail and Town Centre Study that will not only identify the need and capacity for new retail, leisure and other town centre uses, but will also focus on the future role of town centres, including a

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health check and an understanding of the current market and need for Peterborough. Updating the evidence will also allow an opportunity for recent changes to national policy and guidance and retail trends to be considered.

As discussed in section 3a (question 6), it is proposed that the new Local Plan will include an overarching city centre regeneration policy, that is supported by a more detailed retail and town centre policy.

Question 30: Town Centres

30a) Should existing shops be protected or do you think other types of development such as leisure and recreation should be encouraged in the town centres?

30b) Is there a need to develop a wider strategy to support a range of activity in town centres and take account of the changes in their use?

30c) Should the retail hierarchy be amended? What changes should be made and why?

30c) Do you think the boundaries of the City Centre, District Centres, Local Centres and Primary Shopping Areas need to be extended or reduced? If so, which and why?

30d) Do you have any additional suggestions or comments about how the Local Plan can help to support a vibrant city centre, district centres and a network of local centres?

Transport and Infrastructure

The adopted Local Plan policies of relevance to transport and infrastructure are:

- LP13: Transport
- LP14: Infrastructure to Support Growth
- LP15: Safeguarded Land for Future Key Infrastructure
- LP30: Culture, Leisure, Tourism and Community Facilities

The adopted Local Plan is supported by the following SPD:

- [Developer Contributions SPD](#)

It is important that new homes and jobs growth are supported by appropriate infrastructure for transport, education, health, open spaces and community facilities among others. Working with infrastructure providers, any land to be safeguarded for infrastructure provision will be identified. Policy LP15 safeguards infrastructure specifically identified as being required. This policy is not proposed for significant change but will be updated to reflect the requirements of the new Local Plan. Policy LP14 is also expected to remain as it is set out in the 2019 Local Plan.

- **Transport**

National policy says that local policies must take into account any increased traffic and congestion and impact on highway safety and address potential impacts on the transport network. Therefore, as part of the evidence base for the Local Plan, we will work with the council's highways authority to assess the impact of the Local Plan growth requirements on local roads to minimise any congestion.

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National policy also says that policies should promote opportunities for walking, cycling and public transport and should aim to prioritise pedestrian and cycle uses, helping to reduce the reliance on the car.

The adopted Local Plan includes one policy (LP13) that covers transport related matters and reflects the Local Transport Plan. While it is not proposed to make significant changes to the policy, we would welcome your views on specific aspects of the approach to transport matters.

The new Local Plan will also need to reflect the [Cambridgeshire and Peterborough Local Transport Plan](#) (2020). Work on a new Local Transport and Connectivity Plan¹⁸ commenced in 2022 by the CPCA.

The adopted Local Plan sets out a broad approach to transport as follows:

- **City Centre Core:** Reduction of cars and car parking in the core area with a strong emphasis on pedestrians and cycles, but also promoting and accommodating public transport.
- **City Centre:** Reduction of car use in the city centre would be supported by parking policy generally and public transport.
- **City Peripheral:** The city periphery would encourage walking and cycling with improved facilities and develop strong public transport corridors to enhance these modes.
- **Outer City:** The public transport links will be strengthened where possible, with improvements to services, priority and infrastructure. In these more distant locations, there will be efforts to ensure that all trips are directed onto the most appropriate routes into the city centre to ensure that the network is being used as efficiently as possible.
- **Rural:** The public transport links will be strengthened where possible, with improvements to services, priority and infrastructure. In these more distant locations, there will be efforts to ensure that all trips are directed onto the most appropriate routes into the city centre to ensure that the network is being used as efficiently as possible.

The adopted Local Plan also sets out car parking standards for different types of development. A review of car parking standards will be undertaken as part of the evidence base for the emerging Local Plan.

Question 31: Broad approach to Transport

31a) Do you think that the broad approach set out above is appropriate? Please provide comments to support your answer.

31b) Should the new Local Plan include a policy for Walking and Cycling?

31c) Do you agree that minimum parking standards should be included within the new Local Plan? If you agree that there should be minimum parking standards, do you have any suggestions about what these should be?

31d) Should Parking provision and standards be the subject of a separate policy or should they remain within the Transport policy?

- **Infrastructure to Support Growth and Safeguarded Land for Future Key Infrastructure**

¹⁸ <https://cambridgeshirepeterborough-ca.gov.uk/what-we-deliver/transport/local-transport-plan/>

Part B – What policies should the Plan include?

As Peterborough grows, it will be essential that supporting infrastructure such as roads, schools, health and community facilities to ensure the relevant supporting infrastructure is in place to help in the creation of sustainable communities. The adopted Local Plan Policy LP14 Infrastructure to Support Growth seeks to ensure that new development is, or can be, supported by the appropriate infrastructure. The policies for Infrastructure to Support Growth and the Safeguarding of Land for Key Infrastructure are inherently linked to each other and to the Infrastructure Delivery Schedule (IDS). The Peterborough IDS identifies infrastructure projects that will support the sustainable growth of the city.

This includes:

- Community Infrastructure – community buildings and libraries,
- Transport – highways, cycle and pedestrian facilities, rail, bus, travel management and car parking,
- Environmental Sustainability - Open space and Green Infrastructure projects such as Nene Park, South Peterborough Country Park and the forest of Peterborough,
- Skills and Education – primary schools, secondary schools, further and higher education,
- Emergency Services – fire, ambulance and police,
- Utilities and Services – water, waste water, flood risk management, electricity and gas.

As part of the evidence base for the Local Plan an update to the Infrastructure Delivery Plan will be prepared to support the proposed growth, and to ensure that appropriate and necessary infrastructure, such as schools and utilities, is provided alongside development to ensure that communities have access to essential facilities. The Infrastructure Development Plan identifies a range of infrastructure types and projects required to support growth and it identifies likely funding sources, delivery agents, timescales and priorities.

Question 32: Infrastructure

32). What are the key infrastructure priorities that need to be delivered in Peterborough and how can they best be delivered?

Culture, Leisure, Tourism and Community Facilities

The new Local Plan will ensure that new development is supported by appropriate infrastructure for transport, schools, health, open spaces, community facilities and water supply and treatment. The new Local Plan should plan positively for the provision of community facilities (such as local shops, meeting places, sports venues, open space, public houses and places of worship) and other local services to enhance the sustainability of community and residential environments.

The adopted policy is currently set out over three distinct sections; the first to support new and improved facilities in the city centre; the second to recognise the value and importance of community facilities and support new community facilities; and the third and final section seeks to protect existing facilities and only allow their loss in specific circumstances.

It is not proposed to make any significant changes to this policy within the new Local Plan.

Question 33: Culture, Leisure, Tourism and Community Facilities

33) Should community facilities remain in a policy with Culture, Leisure and Tourism facilities, or be a separate policy to recognise their importance?

Part B – What policies should the Plan include?

Historic Environment

The adopted Local Plan policies of relevance for the historic environment are:

- LP19 The Historic Environment
- LP20 Special Character Areas

The adopted Local Plan is also supported by the following SPD:

- [Design and Development in Selected Villages SPD](#)

Together, these policies conserve and where appropriate enhance the historic environment and encourage heritage assets to be put to viable and appropriate use.

Special protection is given to buildings and areas designated as special architectural or historic interest by law through the Listed Building Act¹⁹, because they are irreplaceable and should be conserved. Therefore, any local plan policies must comply with this legislation.

Policy LP19 of the adopted Local Plan sets out the importance of the historic environment for the quality of life experienced by local communities and to protect, conserve and seek opportunities to enhance Peterborough's heritage assets and their settings for current and future generations. Policy LP19 sets out the key points of emphasis upon the character and distinctiveness of the area. Policy LP20 defines three Special Character Areas. Whilst not of conservation area quality, these locally specific areas have been designated to acknowledge and protect their landscape and architectural character and development patterns.

At the time of writing the Peterborough area consists of:

- 5 Registered Historic Parks and Gardens of special historic interest;
- 29 Conservation Areas;
- 928 listed buildings which are recognised to be of special architectural or historic interest; and
- 71 Scheduled Monuments.

With the anticipated growth, it is vital that the value and character of the historic environment is not put at risk.

National planning policy states that *“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.*

The new Local Plan can achieve this by identifying any further buildings of local importance or designated areas which need protection to preserve the historic environment. It will also be important to address how new development can make a positive contribution to local character and distinctiveness. It would also be useful to determine if there are any further areas which could be designated as an area of Special Character for the next Local Plan.

In October 2022, a consultation was undertaken to submit any proposed nominations of heritage assets for inclusion with the Peterborough Local List. The purpose of a local list is to highlight the many local heritage assets within the historic environment and ensure these assets are taken into account in planning decisions. Although they do not meet national criteria for being statutorily 'listed', they do make a significant contribution to the historic, architectural, archaeological and social character of the district. For more information and a map of all assets please

¹⁹ [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(legislation.gov.uk\)](#)

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see the council's website at: <https://www.peterborough.gov.uk/council/planning-and-development/conservation-trees-and-hedges/local-list>

These heritage assets are considered non-designated heritage assets. They remain so once / if we include them on the local list.

The council is currently preparing a new report for the analysis and appraisal of views of Peterborough Cathedral.

Question 34: Historic Environment

34a) Are there any additional protections required?

34b) Is there any significant change that this policy requires?

34c) Should the two policies be combined and then have a separate policy to cover design including Special Character Areas instead?

34d) Are there any more Special Character Areas to be identified?

34e) How can new development avoid or minimise harm to the significance of a non-designated heritage asset?

Natural Environment

The adopted Local Plan policies of relevance for the natural environment are:

- LP21 New Open Space, Sport and Recreation Facilities
- LP22 Green Infrastructure Network
- LP23 Local Green Space, Protected Green Space and Existing Open Spaces
- LP24 Nene Valley
- LP25 Country Park
- LP26 Green Wedges
- LP27 Landscape Character
- LP28 Biodiversity and Geological Conservation
- LP29 Trees and Woodland

The adopted Local Plan is also supported by the following SPD:

- [Green Infrastructure and Biodiversity SPD](#)
- **New Open Space, Sport and Leisure Facilities**

Accessible, good quality open spaces make a significant contribution to the quality of life of people living in Peterborough. National planning policy recognises the importance of the provision of open space, and opportunities for sport and recreation:

“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”

Part B – What policies should the Plan include?

National policy is also clear that existing open space, sport and recreational buildings and land should not be built on unless there is a clear surplus, or the loss would be replaced by an equivalent or better provision in a suitable location.

As the population of Peterborough continues to grow, new residential development will create additional demand and pressure on existing open spaces, sports and leisure facilities. Furthermore, access to open space is not evenly distributed across Peterborough. The new Local Plan will need to consider how new housing development provides new open space to meet the needs of the development. It could also require new development to increase access to existing open space or improve the quality of existing open space.

The 2019 Local Plan requires new development to provide open space and sets standards for the provision of the following types of open space:

- Neighbourhood Parks
- Country Parks
- Children’s Play Areas
- Natural Greenspace
- Allotments

During the preparation of the new Local Plan, the open space standards will be reviewed and supporting evidence updated.

Question 35: New Open Space, Sport and Leisure Facilities

35a) Thinking about where you live in Peterborough, do you think there is enough open space? If not, what types of open space do you think are most needed?

35b) How satisfied are you with the quality* of open space where you live? Do you think new development should improve the quality of existing open spaces as well as provide new open spaces?

35c) How long (in minutes) would you be prepared to walk to access open space? Do you think new development should improve access to existing open spaces as well as provide new open spaces?

* Is the open space ‘fit for purpose’? Is it easy to get to, safe, welcoming, well maintained and does it meet your needs?

- **Green Infrastructure**

Green Infrastructure is “a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.”²⁰

Well planned, designed and managed Green Infrastructure has the potential to deliver a wide range of benefits for people and the environment. Good connectivity between individual Green Infrastructure features can help maximise these benefits by creating a network for people and nature. How the Green Infrastructure network develops in the future will be closely related to the Local Nature Recovery Strategy and the delivery of BNG.

In January 2023, Natural England launched the [Green Infrastructure Framework – Principles and Standards for England](#). The Green Infrastructure Framework sets out 15 Principles and 5 headline national Standards for Green Infrastructure.

²⁰ National Planning Policy Framework

Part B – What policies should the Plan include?

The Urban Greening Factor²¹ is one of the 5 headline Green Infrastructure Standards. It is a planning tool to improve the provision of Green Infrastructure and increase the level of greening in the built environment. It is applied to major developments and sets a minimum target score for the proportion of Green Infrastructure to be provided within a development site.

Question 36: Green and Blue Infrastructure Network

36) Do you think the new Local Plan should include an ‘Urban Greening Factor’ target score for development schemes to meet or exceed? Should this be applied across the whole of Peterborough, or vary by location or type of development?

- **Local Green Space**

Local Green Space is a national designation defined in national planning policy which aims to protect green spaces which are demonstrably special to a local community.

For a space to be designated as a Local Green Space, it must meet the following criteria:

- Be in reasonably close proximity to the community it serves;
- Demonstrably special to a local community and hold a particular local significance, for example, because of its beauty, historic significance, recreational value, tranquillity or richness of wildlife;
- Local in character and not an extensive tract of land.

In the 2019 Local Plan there are a number of spaces that are designated as Local Green Space. It is proposed that these areas are carried forward into the new Local Plan, unless, exceptionally, circumstances have changed to warrant their de-designation. Neighbourhood Plans that have been adopted or are currently in preparation often identify and allocate Local Green Space. These will be shown on the Policies Map which will accompany the Local Plan. The current Local Green Space in Peterborough can be viewed [here](#).

Local Green Space should only be designated when a local plan or neighbourhood plan is prepared or updated. Therefore, as part of this Issues and Options Consultation, we are inviting communities to identify areas for consideration as Local Green Spaces. To nominate a green space, please read the Local Green Space Guidance Note and complete and submit a **Local Green Space Nomination Form**.

- **Protected Green Space in Villages**

In addition to Local Green Space designations, the 2019 Local Plan protects green spaces in villages via a local designation: Protected Green Space in Villages. These green spaces make a positive contribution to the individual character of a village and may also provide a visual or amenity function. As part of the preparation of the 2019 Local Plan, the council assessed each Protected Green Space in Villages site against the Local Green Space criteria. Some green spaces remained as a Protected Green Space in Villages site, whilst others were redesignated as Local Green Space. The council intends to carry forward the Protected Green Space in Villages sites into the new Local Plan.

²¹ Further details on the Urban Greening Factor Standard and how scores are calculated can be found here: <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/GIStandards.aspx>

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Question 37: Protected Green Spaces in Villages

37a) Do you agree that the Local Green Space in the adopted Local Plan should be carried forward in the new Local Plan? If no, please provide reasons for your answer.

- **Nene Valley**

The Nene Valley runs west-east across the authority area. It has long been identified as an area of high amenity, landscape, ecological and heritage value. It includes Ferry Meadows County Park.

Policy LP24 of the 2019 Local Plan covers the Nene Valley and identifies the Nene Valley area on the Policies Map. The policy supports development proposals where they would safeguard and enhance recreation and/or bring landscape, nature conservation, heritage, cultural or amenity benefits.

Some minor changes are required to bring the policy up to date. For example, the Nature Improvement Area project has come to an end. The Nene Park Trust have also published an environmental policy (July 2022) which aims to double the area managed for biodiversity by 2030 in line with Natural Cambridgeshire's vision. However, it is intended that policy LP24 is largely carried forward to the new Local Plan.

Question 38: Nene Valley

38) Do you agree with the council's proposed approach that adopted policy LP24 Nene Valley, subject to some minor changes, can largely be carried forward into the new Local Plan? If not, what aspect or aspects of the policy need to be changed and why?

- **Country Parks**

Policy LP25 in the 2019 Local Plan identifies Hampton Country Park on the Policies Map and protects it for that purpose, with the supporting paragraphs setting out appropriate uses to be found in a country park. The council intends to carry forward policy LP25 into the new Local Plan.

Evidence in the Open Space Strategy Update 2016 suggests there is a shortfall of country park provision in the north and east of Peterborough.

Question 39: Country Parks

39) Do you think there is a need for a new country park in Peterborough? If so, where?

- **Green Wedges**

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Green Wedges are areas of land around and between settlements which provide a distinction between the countryside and the built-up area, and to protect the separate identity and character of individual settlements. They also provide additional benefits, including opportunities for sport and recreation, access to the countryside and space for nature.

Current policy on Green Wedges is contained within policy LP22 of the 2019 Local Plan. There are four Green Wedges in Peterborough as shown on the adopted Policies Map:

- Between Peterborough and Glington
- Between Peterborough and Eye
- Between Stanground and Farcet, and
- Between Peterborough and Stanground

As part of the preparation of the adopted Local Plan, the council undertook a review of the Green Wedges (January 2018). The council considers that there have been no significant changes to warrant the preparation of a new Green Wedge Review. The council will undertake a factual update to the Green Wedge boundaries to ensure that they reflect any changes that have taken place on the ground since the Local Plan was adopted.

Question 40: Green Wedges

40) Do you have any views on the current Green Wedge policy?

- **Landscape Character**

One of the unique characteristics of Peterborough is its situation in the landscape, on the edge of the Fens. To the east of the city, the Fenland landscape is flat and open. To the west and north, the shallow river valleys of the Nene and Welland give way to an undulating limestone plateau.

Conserving and enhancing the distinct landscape setting of the area is integral to protecting the identity of Peterborough.

There are no National Parks or Areas of Outstanding Natural Beauty within the area, but that does not mean that the character and beauty of the countryside is not valued in its own right.

Local Plan policy LP27 of the adopted Local Plan sets out requirements to protect and enhance valued landscapes. As part of Local Plan Evidence base, a review of the Landscape Character Assessment will be undertaken that will help inform the Landscape Character policy.

Question 41: Landscape Character

41) How can the Local Plan ensure that the landscape character of Peterborough is protected and enhanced?

- **Biodiversity**

Part B – What policies should the Plan include?

Biodiversity is the variety of all life on earth. It includes all species of animals and plants and the natural systems that support them. Habitats are the places in which species live. Together species and habitats provide substantial benefits and are vital for a well-functioning planet.

Despite such importance, the world is losing its biodiversity at an alarming rate. Since the 1970s, there has been a worldwide decline in wildlife populations of 69%.²²

Peterborough supports several distinctive landscapes and rich mosaic habitats including woodland, parkland, limestone grassland, river valleys and wetlands. Approximately 82% of local wildlife sites across Peterborough are in positive management, which places the city among the top performing local authorities in England.²³ Natural Cambridgeshire, the Local Nature Partnership for our area, has recently agreed a vision to double the area of rich wildlife habitats and natural green space across Cambridgeshire and Peterborough²⁴.

The government recognises the depletion of biodiversity nationally and has set an objective to halt and reverse the decline by 2030. The [Environment Act 2021](#) is now in place, and one part of the Act is about BNG.

BNG²⁵ is an approach to the recovery of nature through the planning and development process. The aim is to leave habitat for wildlife in a measurably better state than it was before development by delivering a minimum 10% gain for nature, calculated using the Biodiversity Metric²⁶. It only applies to habitats, with protected and priority species and designated wildlife sites being covered by different legislation and policy requirements. BNG can be achieved on-site, off-site or through a combination of on-site and off-site measures.

A further key component of the Environment Act 2021 is the requirement for a Local Nature Recovery Strategy (LNRS); a new type of plan for nature. Each Strategy will include a statement of biodiversity priorities for the area and a habitat map to identify actions to help restore nature. A [LNRS for Cambridgeshire and Peterborough](#) is currently being prepared by Cambridgeshire County Council, in collaboration with Nature Cambridgeshire.

Given the changes to national policy since the adoption of the 2019 Local Plan, and a local desire to increase habitats and natural green space, current policy LP28 Biodiversity and Geological Conservation will require updating.

Question 42: Biodiversity Net Gain

42a) Do you think the new Local Plan should set a higher % of BNG than the national requirement of a minimum 10%? If so, what % should this be? Please give reasons for your answer

42b) Are you the owner of any land within Peterborough that you think could be suitable for off-site habitat creation/enhancement? (Important note - this land would be protected for biodiversity for at least 30 years). If so, are you willing to add this land to the council's list of potential off-site BNG sites?

Trees, Woodland and Hedgerows

Trees are important in the built environment. Among their many benefits include making places attractive, providing shade and cooling, improving air quality, absorbing excess water and providing habitat for wildlife. Peterborough city has approximately 50,000 street trees and trees in residential areas.

²² WWT (2022) Living Planet Report.

²³ Natural Cambridgeshire (2022) The State of Nature in Cambridgeshire.

²⁴ Natural Cambridgeshire. Doubling Nature. A Vision for the Natural Future of Cambridgeshire & Peterborough in 2050

²⁵ Natural England's [Biodiversity Net Gain Brochure](#) (April 2022) provides a simple guide to Biodiversity Net Gain principles.

²⁶ The latest version at the time of writing is [DEFRA Biodiversity Metric 4.0](#)

Part B – What policies should the Plan include?

National planning policy recognises the importance of trees:

“Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.”

Cambridgeshire is one of the least wooded areas in the UK. The total area of woodland of 0.1ha and over is 12,325ha. This represents 3.6% of the county land area²⁷.

Ancient woodlands and ancient and veteran trees are vitally important for biodiversity and are part of the historic landscape of Peterborough. Ancient woodlands are thought to have been in existence since at least 1600AD. The main pockets of ancient woodland within Peterborough lie to the west of the city and once formed part of Rockingham Forest.

Hedgerows and hedgerow trees are also important features in the landscape providing a range of benefits, from food and shelter for wildlife to reducing soil erosion and flooding. Around 50% of hedgerows have been lost since World War II, largely due to the intensification of agriculture and development. The government’s Environmental Improvement Plan seeks to create or restore 30,000 miles of hedgerows by 2037 and 45,000 miles of hedgerows by 2050.

The 2019 Local Plan provides protection to existing trees and woodland and encourages opportunities for tree planting as part of new development, via policy LP29 Trees and Woodland. The current policy compensates (via tree planting) for the loss of moderate to higher value trees.

Tree canopy cover is the area of ground covered by trees when seen from above. The Peterborough Tree and Woodland Strategy (amended November 2021)²⁸ aims to maintain and enhance the tree population in Peterborough and to increase tree canopy cover across the city. The council has set a target of 25% tree canopy coverage by 2035 on its own land. The council could explore the option of setting a tree canopy cover target across the whole of Peterborough.

Question 43: Trees, Woodland and Hedgerows

43a) Should the new Local Plan ensure that new streets are tree-lined unless there were justifiable reasons why this would be inappropriate?

43b) Should a tree and woodland policy also cover hedgerows?

43c) Should the new Local Plan set an area wide target for tree canopy cover for all development to achieve? If so, should this target be the same as the council’s (25%), higher or lower?

Flood and Water Management

The adopted Local Plan policy of relevance for Flood and Water Management is:

- Policy LP32: Flood and Water Management

²⁷ Forestry Commission (2002) National Inventory of Woodland and Trees. County Report for Cambridgeshire.

²⁸ Peterborough City Council. [Tree and Woodland Strategy 2018-2028](#). Updated 2021.

Part B – What policies should the Plan include?

The adopted Local Plan is also supported by the following SPD:

- [Flood and Water Management SPD](#)

In the 2019 Local Plan, policy LP32 addresses water management and efficiency, to ensure development can take place whilst protecting the water environment.

As Peterborough grows, it is important to remember that the city of Peterborough is just a few metres above sea-level and much of the district lies below sea-level. This makes the city particularly vulnerable to the effects of climate change. Policy LP32 ensures that development will be required to demonstrate consideration towards existing and future flood patterns, for the most effective protection and flood risk management at the earliest stage in the development process.

The management of water is an important issue, not only from a flood risk point of view, but because of the need to protect and improve Peterborough's water bodies with regards to water quality, quantity, water habitats and biodiversity, under the requirements of the Water Framework Directive (WFD).

Through the delivery of new homes, water efficiency could be implemented through this policy, to encourage water recycling. This could be included within residential development or other development comprising new buildings, with methods such as:

- Hard permeable surfacing
- Incorporation of green roof and/or walls
- Within new residential development, those which include garden areas, this must include a rain harvesting water butt(s) of a minimum 100L capacity.
- To minimise impact on the water environment all new dwellings should achieve the Optional Technical Housing Standard of 110 litres per person/day as described by Building Regulations.

National policy states that inappropriate development in areas of risk of flooding should be avoided and that policies should support appropriate measures to ensure there is future resilience for communities and infrastructure. In accordance with the NPPF and supporting technical guidance, the new Local Plan should seek to encourage growth that does not place itself or others at increased risk of flooding, as well as to ensure that the appropriate mitigations are in place where necessary. With consideration into the reduction of water use, this could significantly affect our carbon impact and energy consumption. It is therefore important to address the small measures to improve water efficiency, such as the use of water butts.

Question 44: Flood and Water Management

44a) How could new development reduce flood risk?

44b) Should there be any further flood mitigations measures within this policy?

44c) Should there be more emphasis on water efficiency in new homes? Subject to evidence should the new Local Plan include the optional technical standard for water efficiency of new homes for 110 litres per person/day as described by Building Regulations.

Part C – What are your priorities for the future of Peterborough?

Part C – What are your priorities for the future of Peterborough?

Now that you have read Part 3B which sets out the different planning issues for Peterborough, we would like to know which issues you think are the most important for Peterborough.

It is important that the new Local Plan is both aspirational, but also deliverable. It will be necessary to strike a balance between seeking development that is the best that it can be, meeting the requirements of the Local Plan and needs of residents, while also ensuring that development remains viable so that developers do not look elsewhere.

We would like to understand what your broad priorities are for the future growth of Peterborough and would welcome you completing the following question. This will help us to understand, overall, which issues are the most important to you.

Question 45: Your Priorities

45a) What, overall, are your priorities for development in Peterborough? Please select up to five from the following list:

- **New buildings with high energy efficiency and/or renewable energy sources included such as solar panels;**
- **More, and a variety of, genuinely Affordable Housing;**
- **New homes which are easily adaptable and accessible for the disabled or elderly;**
- **New homes which have room sizes of at least a minimum set size;**
- **Attracting inward investment to Peterborough and creating more jobs;**
- **Revitalising and rejuvenating the city centre;**
- **New community facilities as part of new housing developments, such as community hall, corner shop, small health centre;**
- **Investment in walking and cycling infrastructure;**
- **Good quality, accessible open space (parks, play areas, etc);**
- **Genuine efforts to protecting existing, and creating new areas for nature;**
- **Protecting the character of Peterborough, the surrounding villages and the countryside.**

45b) Please identify any other top priorities you may have?

[Return to List of Questions](#)

4. Neighbourhood Planning

Neighbourhood planning gives parish councils direct power to develop a shared vision for their area and shape development and growth. Once a neighbourhood plan has been 'made' (adopted) it forms part of the development plan for the district, so it has the same legal status as a local plan.

If an area has a neighbourhood plan, any planning applications in that area will be determined using the local plan (the 2019 version at the moment, in Peterborough), the neighbourhood plan, national policy and any other material consideration.

Please see the council's website for more details about [neighbourhood planning](#)²⁹. The following neighbourhood plans have been 'made' and can be viewed on the website:

- **Ailsworth** (December 2017)
- **Barnack** (July 2021)
- **Castor** (December 2017)
- **Glington** (July 2021)
- **Helpston** (December 2022)
- **Peakirk** (July 2017)

Neighbourhood plans must work alongside a local plan, and not conflict with what are known as 'strategic policies' in the local plan, such as minimum housing targets. However, a neighbourhood plan has considerable scope to include detailed policies and, if it wants to, the allocation of sites for development.

It is also worth noting that if there is conflict between a local plan and a neighbourhood plan, the most recently adopted local plan takes precedence when determining planning applications.

This new Local Plan must also set housing targets for those areas which are formally designated as Neighbourhood Areas.

In the past few years, Werrington have been working on assembling a neighbourhood plan. They have designated a Werrington Area Forum and are at the pre-submission stage (Regulation 14) for their neighbourhood plan, ready for consultation and Peterborough City Council assistance.

²⁹ <https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/neighbourhood-plans>

5. Site Assessment Process

The council is currently carrying out a call for sites exercise, and is inviting local agents, developers, landowners parish councils and local residents to suggest sites they want to consider as potential allocations for future growth.

The council will assess all site submissions it receives against a detailed set of criteria, as set out in the [Site Assessment Methodology Report](#). The assessment criteria is based on the principles of sustainable development and mirrors the SA framework.

For consistency, the assessment criteria will be scored using a colour matrix (traffic light system), as set out below. This provides a clear and easy to understand scoring system.

Score	Potential outcome
A	Potential to deliver major economic, environmental or social benefits
B	Potential to deliver minor economic, environmental or social benefits
C	Either neutral impact or middle value
D	Low risk of economic, environmental or social harm
E	High risk of economic, environmental or social harm

Preferred sites will be selected, taking into account the site's availability, suitability and economic viability reflecting the overarching growth strategy and wider sustainability issues.

The council's preferred sites will be Included in the draft version of the Local Plan, due for public consultation is summer 2024.

Local Green Spaces

The Local Green Space designation is a means of protecting parcels of land which do not fall under existing statutory designations or protective ownership. Therefore, land covered by the following statutory designations would not be included, as there already exists a legislative and policy framework to protect them:

- Sites of Special Scientific Interest (SSSIs)
- National Nature Reserves (NNR)
- Local Nature Reserves (LNR)
- Local Wildlife Sites (LWS)
- Historic Parks and Gardens
- Town and Village Greens and registered commons
- Land under protective ownership (e.g. National Trust, Woodland Trust etc).

The **LGS Guidance Note** sets out detailed information that will be used to determine if a proposed site is suitable for designation a Local Green Space.

6. Glossary

Throughout this document you will find a number of technical planning terms. We have tried to explain these clearly within the text. However, here is a quick summary of the terms used to help you understand the planning process. Please see the National Planning Policy Framework (NPPF) for a comprehensive glossary of planning related words and phrases.

Adoption: the formal decision by the council to approve the final version of a document, at the end of all the preparation stages and examination in public, bringing it into effect.

Affordable Housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).

Amenity: a general term used to describe benefits or features associated with a property or location, that contribute to its character, comfort, convenience or attractiveness.

Ancient tree: a tree in its third stage of life.

Ancient Woodland: is any wooded area that has been wooded continuously since at least 1600 AD.

It includes:

- 'ancient semi-natural woodland' - mainly made up of trees and shrubs native to the site, usually arising from natural regeneration
- 'plantations on ancient woodland sites' - areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site

Article 4 Direction: removes the 'permitted development rights' from a property, meaning that planning permission is required to make changes to that property.

Biodiversity: all species of life on earth including plants and animals and the ecosystem of which we are all part.

Biodiversity metric: a tool used to measure and quantify habitats and assessed losses and gains in biodiversity associated with new development.

Biodiversity Net Gain: an approach to development which leaves biodiversity in a measurably better state than it was before development commenced.

Canopy cover: the area of ground directly covered by the leaves and branches of a tree expressed as a percentage.

Carbon sink: anything that stores more CO₂ from the atmosphere than it releases.

Climate change adaptation: altering our behaviour and way of life in response to the actual or anticipated impacts of climate change.

Climate change mitigation: efforts to avoid or reduce the emission of greenhouse gases into the atmosphere.

Designated heritage asset: a World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

District Centre: an area, defined on the Policies Map, which usually comprises groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public and community facilities such as a library.

Embodied carbon: the CO₂ emissions emitted during the construction of a building.

6. Glossary

Green Infrastructure: a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Gypsies and Travellers: persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Health Impact Assessment (HIA): a method of considering the positive and negative impacts of development upon human health.

Heritage Asset: a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment: all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Infrastructure: a collective term which relates to all forms of essential services like electricity, water, and road and rail provision.

Local Centre: an area, defined on the Policies Map, which usually includes a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and laundrette. In rural areas, large villages may perform the role of a local centre.

Major development: for housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

National Planning Policy Framework (NPPF): the government's national planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG): provides guidance for local planning authorities and decision takers, both drawing up plans and making decisions about planning applications. The guidance is categorised into subject categories.

Non-designated heritage asset: includes buildings and landmarks which although not listed, are deemed to be of local historical significance and/or heritage value.

Open Space: areas of undeveloped or largely undeveloped land for leisure purposes – including village greens, allotments, children's playgrounds, sports pitches and municipal parks.

Park Home: a residential mobile home, similar to a bungalow or caravan in style, installed as a dedicated site or 'home park' that is either privately owned or owned by a local authority. They are designed to be lived in permanently and provide opportunity for residents to own a home, but pay rent to the owner of the site.

Policies Map: a map on an Ordnance Survey base which shows where policies in local plans apply.

Primary Shopping Area: an area where retailing and the number of shops in a town centre is most concentrated. The extent of this area is defined on the Policies Map.

6. Glossary

Sequential Approach: an approach to planning decisions which may require certain sites or locations to be fully considered for development before the consideration moves on to other sites or locations. The approach could apply to issues such as retail development, the use of previously developed land or the use of land at risk from flooding.

Settlement Hierarchy: settlements are categorised into a hierarchy based on the range of facilities, services and employment opportunities available, plus the ability to access other higher ranking settlements by public transport.

Supplementary Planning Document (SPD): SPDs expand on policies or provide further details to policies contained in a local plan.

Sustainable Development: usually referred to as “development which meets the needs of the present without compromising the ability of future generations to meet their own needs” (Brundtland, 1987).

Sustainability Appraisal (SA): an assessment of the economic, environmental, and social impacts of the policies and proposals contained within a local plan.

Use Classes: contained within the Use Class Order: a piece of national secondary legislation which groups types of use of premises into classes, so that no development is involved if a building is changed from one use to another within the same class. Changing the use of a building from one class to another constitutes development, and needs planning permission, but in certain circumstances this may be automatically permitted without the need to submit a planning application.

Viability: an individual development can be said to be viable if, after taking into account all of the costs involved in developing the scheme, it provides a competitive return to the developer and provides a land value sufficient to persuade the land owner to sell their land for the development proposed. Whether or not a local plan is deliverable can be greatly affected by viability. A local plan can be said to be deliverable if it identifies sufficient viable sites to deliver the plan’s housing requirements over the plan period.

Wider determinants of health: a diverse range of social, economic, and environmental factors which impact on people’s mental and physical health and wellbeing.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 7
27 June 2023	PUBLIC REPORT

Cabinet Members responsible:	Councillor Cereste - Cabinet Member for Climate Change, Planning, Housing and Transport	
Contact Officer:	Sylvia Bland (Head of Planning)	Tel: 07920 160772

PLANNING APPEALS QUARTERLY REPORT ON PERFORMANCE JANUARY TO MARCH 2023

RECOMMENDATIONS	
FROM: Executive Director: Place and Economy	Deadline date: June 2023
It is recommended that the Committee:	
1. Notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Government monitors the performance of local planning authorities in deciding applications for planning permission. This is based on their performance in respect of the speed and quality of their decisions on applications for major and non-major development.
- 1.2 Where an authority is designated as underperforming, the Town and Country Planning Act 1990 (as amended) affords applicants the option of submitting their planning applications (and connected applications) directly to the Planning Inspectorate (who act on behalf of the Secretary of State) for determination.
- 1.3 This report focuses on just the performance of Peterborough City Council in regard to the quality of its decisions on planning applications. It is useful for Committee to look at the Planning Service's appeals performance and identify if there are any lessons to be learnt from the decisions made. This will help inform future decisions and potentially reduce costs.
- 1.4 This report is presented under the terms of the Council's constitution Part 3 Section 2 – Regulatory Committee Functions, paragraph 2.6.2.6.
- 1.5 This report covers the period from January to March 2023, and a list of all appeal decisions received can be found at Appendix 1.
- 1.6 For the purposes of 'lesson learning', these update reports will normally cover a selected number of cases in detail whereby the Local Planning Authority (LPA) has lost its case. Attention will be paid to the difference in assessment of the selected schemes between the LPA and Planning Inspector.

2. TIMESCALE.

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

- 3.1 In the period of January to March 2023, a total of 12 appeal decisions were issued. This number is similar to the corresponding periods in 2020 and 2021 when 6 and 8 appeal decisions were issued respectively.
- 3.2 The planning application decisions appealed during this quarter related to the refusal of a mix of planning permissions, advertisement consents and a prior approval for a telecoms mast. There were 10 decisions that resulted from Officer delegated decisions with 2 decisions that arose from a Committee decision. This is not unusual given the relatively low number of applications which are referred for determination by Members.
- 3.3 Of the appeal decisions issued, 8 cases were dismissed by the Planning Inspector appointed by the Secretary of State for Communities and Local Government. Therefore, the percentage of appeals dismissed is 66%. There were 4 appeals allowed (33%). None of the decisions were subject to an award of costs either for, or against, the Council.
- 3.4 This represents a similar level of performance when compared to previous quarters during the preceding 2 year period, as shown in the following table.

	Appeals decided	Appeals Allowed	% Allowed
Apr - Jun 2021	3	1	33 %
Jul - Sep 2021	3	1	33 %
Oct - Dec 2021	8	3	37.5 %
Jan - Mar 2022	8	2	25 %
Apr – Jun 2022	8	1	13%
Jul – Sept 2022	9	3	33%
Oct – Dec 2022	9	5	55%
Jan – Mar 2023	12	4	33%
TOTAL	53	13	33 %

- 3.5 With regards to the measure against which the Government assesses appeal performance, this is calculated based upon the number of appeals lost (allowed against the Authority's decision) as a percentage of the total number of decisions made by the authority. The Government has set the target at no more than 10% across a rolling 2-year period.
- 3.6 The table provided at Appendix 2 sets out the performance of the Council against the Government target between April 2021 and March 2023 (inclusive). As can be seen, the Council is performing well within the threshold set by Government and as such, this does not pose any concerns in terms of the quality of planning decisions being issued.
- 3.7 Turning to any lessons learnt from the appeal decisions, overall, the Planning Inspectorate has been supportive of appeals which it has been clearly demonstrated that there would be harm to the character and appearance of the surrounding area or there is a clear lack of sufficient car parking space.
- 3.8 The Inspector agreed with the Planning Committee's decision to refuse very large extensions proposed at 1 Thorpe Avenue (Appendix 3). In doing so, the Inspector concluded that it would have an adverse effect on the character and appearance of the surrounding area, including the Special Character Area and it would not add to local distinctiveness. There would be a loss of privacy to the neighbouring property from the first-floor balcony despite the existence of a hedge. The need for 'high end housing' is not sufficient to justify the identified harm.

3.9 The Inspector, however, did not agree with the Committee's decision to refuse an outbuilding at 322 Oundle Road (Appendix 4). The Inspector gave significant weight to the previous planning permission for a similar outbuilding and to the existence of several other nearby outbuildings, some of which were larger than the appeal proposal.

4. IMPLICATIONS

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the planning/appeal processes themselves must have due regard to legal considerations and requirements.

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

4.3 **Human Rights Act** – This report itself has no human rights implications but the planning/appeals processes have due regard to human rights issues.

4.4 **Equality & Diversity** – This report itself has no Equality and Diversity Implications, although the planning/appeals processes have due regard to such considerations.

5. APPENDICES

1. Table of appeal decisions made October to December 2022 (inclusive)
2. Percentage of appeals allowed compared to total decisions issued April 2021 to March 2023 (inclusive)
3. Appeal decision pursuant to 1 Thorpe Avenue (22/00212/HHFUL)
4. Appeal decision pursuant to 322 Oundle Road (22/01007/HHFUL)

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Appendix 1 – Appeals Performance from 01.01.23 – 31.03.23

Application reference	Address	Proposal	Officer Recommendation	Committee Decision / Date	Reasons for Refusal	Appeal Procedure	Appeal Decision / Date	Costs Decision	Inspector's Reasons
17/00550/OUT	Field To The East Of Old Pump House Old Leicester Road Wansford	Construction of up to 14 prestige self-build dwellings and associated infrastructure with access secured and all other matters (appearance, landscaping, layout and scale) reserved	None – this was a non-determination appeal	n/a	The Council put forward 6 putative refusal reasons, including concerns around non-compliance with the spatial strategy of the Local Plan and harm to character and appearance. Extensive 5-year land supply evidence was also submitted, to counter the appellants' claims of a deficiency.	Hearing	Dismissed 24.03.23	n/a	In dismissing the appeal, the Inspector agreed with the Council that there would be "severe harm" to character and appearance, and that the scheme would conflict with the Development Plan when taken as a whole. The appellant has now sought to challenge the Inspector's decision at Judicial Review. In such instances both the Secretary of State and the Council are able to take an active part in the Judicial Review proceedings, albeit the expectation is that the Secretary of State will defend the decision of their Inspector. Having sought legal advice, Officers have concluded that the Secretary of State is able to fully defend the Inspector's decision, and that there is no material benefit in the Council providing its own evidence to the Court or instructing Counsel to act on its behalf. The Court has yet to give the appellant its necessary permission to proceed to a full Judicial Review.
21/00563/FUL	37A Lincoln Road Glington	Proposed extension and alterations to existing 9no. bed care home; Construction of 1no. detached building and ancillary works	Refuse	25.11.23	The decision was refused on the basis of design, scale and layout impacting on the character and appearance of the area. The safety of the public highway due to substandard access road. Finally, the impacts on the amenity of surrounding occupiers, due to noise and disturbance. However, the LPA no longer contest the residential amenity impacts in the appeal but the Inspector still considered it, but no conflict found.	Written Representation	Dismissed 02.03.23	N/A	The Inspector agreed, the proposal would occupy a substantial footprint in excess of the original and would create an expansive structure across the width of the site. The U-shape of the proposed development and its concentration to the site perimeter where it would exacerbate the perceived scale and site coverage, therefore creating the greatest visual impact. The enlargement to the red line boundary, taking land from outside the blue line land, was of concern given the lack of indication that any other landowner has been notified. The narrow width of the entrance and presence of fencing also means it is difficult to see whether a vehicle is leaving the site before entering the lane. As a result, vehicles may

									meet within the lane, forcing awkward reversing manoeuvres, potentially back onto the public footpath or into the carriageway on Lincoln Road. Given the physical layout, the Inspector was not persuaded that signage would prevent this situation arising.
21/01490/HHFUL	Two Hoots, Main Street, Southorpe PE9 3BX	Revision to approved plans 19/01845/LBC to insert four projecting rooflights on the garden room and alterations to the cart shed design. Retrospective permission for the insertion of a projecting rooflight on the courtyard room	Refused	n/a	The retrospective protruding rooflight was refused by virtue of its design, size and scale, which was considered to be visually dominant and introduced an incongruous design arrangement which is detrimental to the significance of the Listed Building. The harm arising to these designated heritage assets is not outweighed by any public benefit and this should be afforded great weight. The proposal was considered contrary to Policy LP19 of the Peterborough Local Plan (2019) and the National Planning Policy Framework (Heritage considerations).	Written representation	Appeal allowed 27.03.2023	n/a	The inspector noted that the rooflight was visible from some angles and even though it was installed raised above the flat roof, in the Inspector's opinion this did not harm the special interest and significance of the listed building and the historic and functional associations of Two Hoots with Briars Farmhouse could still be perceived and understood. The Inspector stated that there was no harm to the character or appearance of the Conservation Area as a result of the positioning, set back, flat roofed location and the intervening structures.
21/01441/LBC	Two Hoots, Main Street, Southorpe PE9 3BX	Revision to approved plans 19/01845/LBC to insert four projecting rooflights on the garden room and alterations to the cart shed design. Retrospective permission for the insertion of a projecting rooflight on the courtyard room	Refused	n/a	The retrospective protruding rooflight was refused by virtue of its design, size and scale, which was considered to be visually dominant and introduced an incongruous design arrangement which is detrimental to the significance of the Listed Building. The harm arising to these designated heritage assets is not outweighed by any public benefit and this should be afforded great weight. The proposal was considered contrary to Policy LP19 of the Peterborough Local Plan (2019) and the National Planning Policy Framework (Heritage considerations).	Written representation	Appeal allowed 27.03.2023	n/a	The inspector noted that the rooflight was visible from some angles and even though it was installed raised above the flat roof, in the Inspector's opinion this did not harm the special interest and significance of the listed building and the historic and functional associations of Two Hoots with Briars Farmhouse could still be perceived and understood. The Inspector stated that there was no harm to the character or appearance of the Conservation Area as a result of the positioning, set back, flat roofed location and the intervening structures.
21/01718/HHFUL	45 Granville Avenue	One bedroom log cabin for use as an annexe - retrospective	Refusal	28.04.2022	The proposal, by virtue of its siting, design, size and scale, would be capable of providing self-contained, independent residential	Written representation	Dismissed 21.02.2023	n/a	The Inspector did not agree that there would be harm to the character of the area and nearby properties, however, the main harm identified was that there was no flood risk

					accommodation which would serve all day-to-day needs of occupants potentially creating a new dwelling. No flood risk assessment was submitted. Harm to the character of the area. Unacceptable overbearing impact on nearby properties.				information submitted, therefore was contrary to the development plan. The application site falls within flood zone 2 and 3 and a Flood Risk Assessment would be required. The harm would not be outweighed therefore the appeal is dismissed.
22/00103/FUL	Land Rear Of Ambleside Peterborough Road Castor Peterborough	Erection of detached dwelling including formation of access, integral garaging with annexe over, and landscaping	Refused		The proposal was refused to lack of information and due to principle, with the application site lying outside the identified settlement boundary and would be classed as a new dwelling in a countryside, which is not warranted. In addition to the scale and design of the development causing adverse impact on the setting and significance of the nearby listed buildings and creating an overbearing and overlooking impact on surrounding neighbours.	Written representation	Dismissed 24.02.2023	n/a	<p>The inspectors agreed that the proposed dwelling would not be well related to the pattern of settlement in this area and that it would conflict the development strategy embedded in the Local Plan. In addition, the inspector likewise agreed with the concerns raised regarding the amenity or neighbours, suggesting that living conditions will be diminished if the development were to be permitted, including intrusive overlooking impact by the large scale "bulk" of development.</p> <p>However, the inspector did not agree with the heritage issues raised, concluding that the proposal would not cause an impact on the listed buildings in close proximity to the site, with the character and appearance of the Conservation Area would be preserved.</p> <p>Overall, the harm would not be outweighed therefore the appeal is dismissed.</p>
22/00105/FUL	43A Churchfield Road	Erection of 2 new dwellings including private parking and turning area	Refused	26.05.22	<p>Backland development would be out of keeping with the pattern of development.</p> <p>Loss of privacy to principal windows and amenity spaces.</p> <p>The amenity of future occupiers would be harmed.</p>	Written Representation	Dismissed	n/a	<p>The Inspector noted the regularity of the development pattern and the areas characteristic of green space to the rear of properties. The back land location of the proposed development would be at odds with the established development pattern and would disrupt the regularity of the built form. The development would read as incongruous and obtrusive form of development.</p> <p>The Inspector found the proposed dwellings to directly overlook the rear gardens of No.39, 41 and 43. Any measures to mitigate overlooking on the proposed windows impacts the amenity of the future occupiers in terms of daylight and</p>

									outlook. The loss of communal garden would also impinge the amenity of No.39 and No.41.
22/00231/FUL	2A Fulbridge Road New England	Proposed single storey extension to form new training room	Refused	25.04.22	Overdevelopment of the site and insufficient car parking.	Written Representation	Dismissed 19.01.23	Costs not awarded	The Inspector considered that insufficient on-site parking would be provided for the proposed use given they would be used by a nearby shop and social car premises. The appeal was dismissed for this reason, however, the refusal on overdevelopment grounds was not upheld.
22/00212/HHFUL	1 Thorpe Avenue Peterborough PE3 6LA	Single storey side extension, 2 storey front and side extension with balconies to the south and alterations to the roof	Refuse	15.08.2022	<p>The proposal by virtue of its design, scale, height and mass, as well as the prominent corner plot location, would appear contrived, unduly dominant and obtrusive and would be harmful to the character and appearance of the Thorpe Road Special Character Area, and the setting of the adjacent Longthorpe Conservation Area, contrary to Policies LP16, LP19 and LP20 of the Peterborough Local Plan (2019) and sections 12 and 16 of the NPPF.</p> <p>The proposal, by virtue of its design, scale, height and mass, as well as its close proximity to No. 188 Thorpe Road, would result in an unacceptable degree of overlooking and loss of privacy to the bathroom of No.188 Thorpe Road, as well as an unacceptably dominant and overbearing impact to No.188 and its garden. The proposal would therefore result in an unacceptable detrimental impact on the residential amenities of the occupiers of that property, contrary to Policy LP17 of the Peterborough Local Plan and Section 12 of the NPPF.</p>	Householders appeal service	Dismissed 21.03.2023	n/a	The inspector considered the proposal would have an adverse effect upon the character and appearance of the area, though not that of the setting of the CA or RP. It would conflict with LP policies LP16, LP19 and LP20. For the same reasons it would conflict with chapter 12 of the National Planning Policy Framework 2021 (the Framework). The inspector also considered that the proposed extension would also not accord with policy LP17 or with paragraph 130 of the Framework which requires a high standard of amenity for existing and future users.
22/00314/ADV	London Road Peterborough	Installation of freestanding internally illuminated 6 meter D-Poster	Approved	25.04.2022	Appeal against condition to restrict the advert to 5 years.	Written Representation	Allowed 27.02.23	n/a	The Inspector confirmed that the condition is not necessary as a Discontinuance Notice process is available on an advert after a period of 5 years.

		display to replace existing signage							
22/01007/HHFUL	322 Oundle Road, Woodston, Peterborough	Erection of detached dayroom and non porous block paving to back yard - retrospective	Refused	18.10.2022	<p>1.The outbuilding, by way of its siting, size, scale and appearance is at odds with the established character of the application site and wider area appearing unduly dominant and incongruous and fails to respect the character of the surrounding area.</p> <p>2.The outbuilding, by way of its siting, size and scale, results in an unacceptably overbearing impact to the occupiers of the neighbouring dwellings. The development appears as an unduly obtrusive and dominant feature for the occupiers of No. 318B Oundle Road, 320 Oundle Road, and 324 Oundle Road, harming the enjoyment of the garden area/outlook and to the detriment of occupier amenity.</p>	Written representation	Allowed 20.03.2023	n/a	The inspector notes that the footprint remains the same as previous approval but the current outbuilding is higher both at eaves level and ridge height and includes a 1.6m wide roof overhang, because of outbuildings seen in adjacent premises, and considering its size, shape, height, location and use of external materials, the appeal building did not adversely affect the character and appearance of the host property or that of the local area.
22/01197/HHFUL	6 Lawn Avenue	Two storey side, single storey rear and first floor rear extension	Refusal	06.10.2022	The proposal, by virtue of its siting and design, would unacceptably impact upon the amenity of the occupants at No. 8 Lawn Avenue. This would cause an adverse overbearing impact towards the first-floor rear dormer window of No. 8 Lawn Avenue and as a result, cause a considerable loss of natural daylight. As such, the proposal is unacceptable and contrary to Policy LP17 of the Peterborough Local Plan (2019).	Householder appeals service	Dismissed 20.03.2023	N/A	<p>The inspector found that there would be an overbearing impact which would impact on the outlook of the neighbour.</p> <p>Due to the close proximity of the proposed development, light levels are likely to be impacted into the dormer of No.8 even with the proposed development first floor component set back.</p>

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Appendix 2 – Appeals Quarterly Monitoring from January 2022 to March 2023 (inclusive)

		Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan – Mar 2022	Apr – Jun 2022	Jul - Sep 2022	Oct- Dec 2022	Jan-Mar 2023	Period TOTAL
M A J O R	Total decisions	13	9	15	17	5	13	12	15	97
	Allowed appeals	0	0	0	0	0	0	0	0	0
	Percentage	0 %	0 %	0 %	0 %	0 %	0 %	0 %	0%	0.00 %

N O N - M A J O R	Total decisions	229	231	256	215	208	246	223	176	1,839
	Allowed appeals	1	1	3	2	1	3	5	4	15
	Percentage	0.44 %	0.43 %	1.17 %	0.93 %	0.48 %	1.22 %	2.69 %	2.27%	1.20 %

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Appeal Decision

Site visit made on 3 March 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21st March 2023

Appeal Ref: APP/J0540/D/22/3310217
1 Thorpe Avenue, Peterborough PE3 6LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr. U. Azam against the decision of Peterborough City Council.
 - The application Ref: 22/00212/HHFUL, dated 17 February 2022, was refused by notice dated 15 August 2022.
 - The development proposed is the erection of a single and two storey extensions to the dwelling and a detached garage block.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The local planning authority (LPA) requested that the appeal proposal should be assessed from No. 188 Thorpe Road and requests were made to the occupiers for access. It was not possible to obtain such permission from the occupants, though I was able to fully assess the relationship of the dwelling to the appeal proposal from the appeal site itself.

The Main Issues

3. The main issues are the effect of the development upon (i) the character and appearance of the area including whether it preserves or enhances the character or appearance of the Longthorpe Conservation Area (CA) and the Grade II Registered Parkland to Thorpe Hall (RP) in terms of their settings and (ii) the living conditions of the occupiers of No. 188 Thorpe Road in respect of privacy.

Reasons

Character and appearance including designated heritage assets

4. The immediate area is characterised by large, detached dwellings in substantial grounds in a sylvan setting. While the dwellings are of different designs, they are mainly two storey, built with brick or render in muted tones of brown or red/brown, with pitched roofs of various shapes, all of which adds positively to the character and appearance of the area. While there are buildings in the

- immediate area with white or light-coloured rendered walls, they are not the predominant type or which define the character and appearance of the area.
5. The appeal property is a substantial, detached, two-storey, brick built, dwelling with large, landscaped grounds, dating from the early to the mid-twentieth century and situated at the junction of Thorpe Avenue and Thorpe Road. It adjoins the CA, though is not within it. The part of the CA nearest to it includes the large open area comprising the RP of Thorpe Hall, which itself is a Grade II listed building.
 6. The appeal property also falls within the Thorpe Road Special Character Area (SCA) as defined in the Peterborough Local Plan 2019 (LP) and designated to acknowledge and protect its strong landscape character, architectural quality and development pattern characterised by '*large, detached family dwellings set back behind established building lines in large and typically spacious landscaped gardens*'. The policy states, amongst other things, that '*incremental changes in the size and appearance of existing buildings will not be permitted if it harms their character or that of the Area. Alterations should be sympathetic to the original style, and of an appropriate scale to maintain their character*'. It adds that '*any new development must where possible enhance the character and appearance of the Area. It must respect the scale, massing, depth, materials and spacing of established properties*'. I consider that new development includes extensions.
 7. The proposed development is for extensive extensions and alterations which would double the size of the dwelling and would increase its height. The alterations would give it a completely different appearance, including changing the current exterior surface of buff coloured brick with white render.
 8. The proposed increase in its scale, height, mass and external materials would appear as an incongruous addition which would stand out from, as opposed to assimilating with, the adjacent dwellings. Consequently, it would have a significantly adverse impact upon the character and appearance of the area, as defined in the SCA. While the appeal building is in its own landscaped setting, it is still visible from the public domain and especially during winter months.
 9. On my site visit, I was able to note that a significant characteristic of the adjoining CA and the RP is their open, rural appearance, contrasting with the suburban character and appearance of the appeal site in its arcadian setting, with the two character areas demarcated by Thorpe Road. Areas to either side appear as two separate and distinct character areas. While the proposed development would bring the appeal dwelling closer to the CA and RP, it would not be closer to them than adjoining properties and which are visible from them. Views into the CA and RP from the appeal site, and from them to the appeal proposal, would, by the distances involved and by the existing pattern of development, have no significantly adverse effect upon the setting of the CA or the RP.
 10. The appellant has referred to an ultra-modern replacement building approved at 260 Thorpe Road incorporating light coloured, curved external walls and varied mono-pitch roof structures and which it is considered affects the setting

of the CA appropriately. However, I am not aware of the circumstances relating to its approval. In any event, I have determined the appeal upon its individual merits. In addition, the property does not appear to be within the SCA.

11. Thorpe Hall itself, which is a listed building, is sufficiently far away from the appeal property such that the proposed development would not adversely affect its setting. In other words, the setting of Thorpe Hall would be preserved.
12. Overall, I conclude that the proposed development would have an adverse effect upon the character and appearance of the area, though not that of the setting of the CA or the RP. It would conflict with LP policies LP16, LP19 and LP20 which require development to add positively to local distinctiveness, respecting the Special Character Area. For the same reasons it would conflict with chapter 12 of the National Planning Policy Framework 2021 (the Framework) which requires good design in sympathy with the local environment.

Privacy

13. The proposed extensions would create a first floor balcony in line with the bathroom window of No. 188 Thorpe Road and within a distance from it described variously as 2 to 4 metres. While the proposed balcony does not directly face the bathroom window but is at a ninety degree angle to it, it would not give full privacy if persons on the balcony were to lean forward slightly, despite the high boundary hedge but which does allow views through it.
14. Therefore, I conclude that the proposed extension would not accord with policy LP17 of the LP which aims to ensure that development does not result in a loss of privacy for the occupiers of any nearby property, or with paragraph 130 of the Framework which requires a high standard of amenity for existing and future users.

Other Matters

15. The appellant has referred to the need, as expressed in the LP paragraph 6.4.4 for '*large, top of the range houses which will enable business leaders to live locally*'. However, paragraph 6.4.6 adds that '*large existing houses in generous plots, including older properties and those in Conservation Areas, will also help to meet this particular need. The policy therefore seeks to prevent their loss*'.
16. While the need for '*high end housing*' is recognised, this is not of sufficient weight in itself to outweigh the harm I have identified in respect of my conclusion on the main issues.

Conclusion

17. For the reasons outlined above, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR

Appeal Decision

Site visit made on 3 March 2023

by S.Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 20th March 2023

Appeal Ref: APP/J0540/D/22/3310041

322 Oundle Road, Woodston, Peterborough PE2 9QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M. Akhtar against the decision of Peterborough City Council.
 - The application Ref: 22/01007/HHFUL, dated 11 July 2022, was refused by notice dated 21 October 2022.
 - The development proposed is a detached dayroom and non-porous paving to the backyard.
-

Decision

1. The appeal is allowed and planning permission is granted for a detached dayroom and non-porous paving to the backyard at 322 Oundle Road, Woodston, Peterborough, PE2 9QP in accordance with the terms of the application ref. 22/01007/HHFUL, dated 11 July 2022, subject to the following condition:-

The outbuilding hereby permitted shall not be occupied or used at any time other than for purposes incidental to the residential use of the dwelling known as No. 322 Oundle Road, Woodston, Peterborough, PE2 9QP and shall not be used as a separate dwelling.

Procedural Matter

2. The proposed development has already taken place. I have therefore determined the appeal on a retrospective basis.
3. During my site visit, in accordance with a request from the local planning authority and with the consent of the occupier, I viewed the development from the neighbouring property, No. 320 Oundle Road.

Main Issues

4. The main issues are the effect of the proposed development upon (i) the character and appearance of the application site and wider area and (ii) the living conditions of the occupiers of Nos. 318B, 320 and 324 Oundle Road in respect of outlook.

Reasons

Character and appearance

5. The appeal site is a detached, two-storey, residential property with an enclosed rear amenity space and located within a mainly residential area. Within its rear space is the constructed, single storey appeal building. Other adjoining properties have outbuildings located within their respective rear spaces.
6. The LPA has previously granted approval for a detached storage shed on the same site as that for the appeal proposal¹. The appellant considered that the approval granted permission for the building now constructed on the site. While both sides agree that the approved footprint and location of the building are consistent with what has been constructed, other aspects of the design including its shape, height and the external materials do not accord with the approved plans.
7. In addition, whereas the approval is for a detached storage shed, the current application is described as for a detached dayroom and non-porous paving to the back yard area.
8. The appeal proposal is a separate planning application to be considered upon its individual planning merits. However, while the approved plans have not been followed, thus giving rise to the current appeal proposal, the earlier planning approval remains extant. I afford the earlier approval significant weight in the appeal decision making process.
9. While the extant approval and the appeal building occupy the same site and have the same sized footprint, the appeal building is higher, both at eaves level (about 2.8 metres as opposed to 2.4 metres) and at ridge height (about 4.5 metres as opposed to 3.7 metres). It also includes an approximately 1.6 metre wide roof overhang, whereas the extant permission does not. Door and fenestration details differ, as does the use of Upvc for the window frames whereas the extant permission is for the use of wood.
10. On my site visit, I was able to see that adjacent properties have outbuildings in their rear amenity spaces. Several have a height and bulk greater than the appeal building. I consider that by its size, shape, height, location and the use of external materials, the appeal building does not adversely affect the character and appearance of the host property or that of the local area.
11. The LPA raises no objections to the paving, and I have no reason to disagree.
12. For the above reasons, I conclude that the development accords with policy LP16 of the Peterborough Local Plan 2019 (LP) which requires development to respond appropriately to local patterns of development and with paragraph 13 of the National Planning Policy framework 2021 which requires development to be responsive to the surrounding built form.

¹ 20/01486/HHFUL

Outlook

13. The appeal building lies to the rear of the host property. While it is visible to the occupants of Nos. 318B, 320 and 324 Oundle Road, it is set obliquely from them. On my site visit, I was able to see the appeal building from No 320 Oundle Road. It has a metal container sited in its rear amenity space which impedes in part the view of the appeal building. This significantly reduces any adverse effect of overlooking caused by the appeal building. Even if the metal container was to be removed, the appeal building, by its limited height against the common boundary and by its location facing the adjoining amenity space, would not have a significantly adverse impact upon outlook for the occupiers of the adjoining property. The other properties included in the LPA's decision notice are sufficiently far removed from the appeal site to have no significant impact in terms of outlook for their occupiers.
14. Approval has already been granted for a building with the same location and footprint. The appeal building, while it is higher than the previously approved outbuilding and has an overhang, it is not so much higher to appear to be overbearing or unduly dominant when seen at a distance and at oblique angles, in relation to the outlook from the above properties or from their garden areas.
15. Therefore, I conclude that the development accords with policy LP17 of the LP which requires that development does not result in any unacceptable impact upon the living conditions of the existing occupiers of nearby properties.

Conditions

16. In the interests of certainty, I have imposed a condition that the approved development is to be used for purposes relating to the residential use of the host property.

Conclusion

17. For the reasons outlined above, I conclude that the appeal should be allowed.

S. Hartley

INSPECTOR

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