

Application Ref: 12/01528/FUL

Proposal: Construction of 2.4m high green palisade fencing

Site: Limesquare Estates, Enterprise Way, Bretton, Peterborough

Applicant: Mr T Webb
Limesquare Vehicle Hire

Agent: Janice Kendrick Design Service

Site visit: 12.10.2012

Case officer: Mr M A Thomson

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Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The application site forms part of Bretton General Employment Area 2 (GEA 2) as set out within Policy SA11 of the Site Allocations DPD (2012). The site comprises of three industrial buildings (Ashwood, Elmhurst and Oaklea), all of which are currently undergoing refurbishment. The site is screened by a mature landscaping buffer, which runs parallel to Bretton Way. There is a pedestrian footway/cycle path to west behind this landscape buffer, and the East-Coast railway line runs north/south to the east of the site. The site has two vehicular accesses; Enterprise Way (south) and Marholm Road (north).

Proposal

The Applicant seeks retrospective planning permission for the erection of a 2.4m high palisade fence (green).

The reason for the application is to improve security measures and mitigate crime.

History

Referring to the Application forms the palisade fence commenced along the west and north boundary on 15th August 2012, however the Parish state the works commenced in July. However, notwithstanding this the fence has been implemented, and would tie in with a security gate and turning head at Enterprise Way (south), which were approved earlier this year under Planning Applications 12/00859/R4FUL and 12/00653/R4FUL.

2 Planning History

12/00653/R4FUL – Construction of new turning head **Approved 10th July 2012**

12/00859/R4FUL – Security fence **Approved 1st August 2012**

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; respond to local character; create safe and accessible environments which are visually attractive as a result of appropriate landscaping. Planning permission should be refused for development of poor design.

Peterborough Core Strategy DPD (2011)

CS16 - Urban Design and the Public Realm

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

CS21 - Biodiversity and Geological Conservation

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

Peterborough Site Allocations DPD (2012)

SA11 - General Employment Areas and Business Parks

Within the allocated General Employment Areas and Business Parks planning permission will be granted for employment uses (classes B1, B2 and B8 within the GEAs, classes B1(a) and B1(b) within the Business Parks).

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making.

PP01 - Presumption in Favour of Sustainable Development

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

4 Consultations/Representations

Network Rail - Eastern

No objections – requested conditions and notes to applicant be attached to ensure the development does not become or pose a risk to safety, operational needs or integrity of the

railway.

PCC Transport and Engineering Services (20.11.12)

No objection

Police Architectural Liaison Officer (18.10.12)

Supports - Police recording systems indicate that in the last 4 years there have been 40 crimes and 139 other incidents requiring police attendance in the Enterprise Way properties during this period.

PCC Landscape Officer (31.10.12)

No objection - Fence has already been implemented and the trees which have been removed were not covered by way of a Tree Preservation Order. A condition should be attached with respect in ensuring a comprehensive landscape scheme is provided.

Local Residents/Interested Parties

Initial consultations: 23

Total number of responses: 1

Total number of objections: 1

Total number in support: 0

Bretton Parish Council have raised the following issues;

- Works undertaken without planning permission;
- Have removed all trees, bushes and shrubbery (200 trees), which has thinned the shelterbelt;
- Impact on wildlife/biodiversity;
- Fence/Industrial buildings visible from Bretton Way and footway;
- Edge of footway now a hard edge;
- The industrial premise is now visible therefore out of character with the area;
- CS20, OB3 (Urban and Rural Character and Distinctiveness) and OB20 (Sites of Environmental Importance) set out to preserve and enhance the setting of local areas, including valued local landscapes and areas of biodiversity value; and
- CS21 seeks to protect wildlife corridors.

5 Assessment of the planning issues

Design and Layout

The palisade fencing stands at 2.4m in height, it is finished in green and abuts the pedestrian footway that runs North/South immediately adjacent to the application site.

The fencing is considered to be appropriate in its form and scale given that the fence surrounds an established employment site. To confirm the established landscape buffer to west screens any predominant views of the fence from passing vehicles using Bretton Way, albeit the fence is visible from the adjacent footway/cycle path. Notwithstanding the fact the fence is visible, the design of the fence is not considered to result in an unacceptably adverse impact on the character or appearance of the area, and is considered to accord with CS16 of the Peterborough Core Strategy DPD (2011), National Planning Policy Framework (NPPF) (2012) and PP2 of the Peterborough Policies DPD (emerging).

Landscape and Biodiversity

The Parish considers the proposal to Policy CS20 of the Peterborough Core Strategy DPD (2011). However, as the site is neither located in the countryside or adjacent to it, this is not the case.

A substantial number of trees and scrub has been removed to facilitate the erection of the fencing. All vegetation, which includes mature trees and shrubs, has been removed and the site is effectively bare.

The Landscape Officer has confirmed that this tree belt was not protected by a Tree-Preservation Order, therefore the Applicants legitimately removed the trees and shrubs. As the application site forms part of a wider green corridor it is considered reasonable to attach a landscaping condition. This condition would ensure a comprehensive scheme be implemented, which shall include native species and shall be maintained for a minimum of 5 years to ensure the scheme takes hold and matures.

The Wildlife Officer has advised that to improve biodiversity connections the fence along the western edge should be raised intermittently by 150mm, which would allow wildlife access through the site to the adjacent landscape buffer.

The Parish emphasise that OB20 states' sites of environmental importance should be protected from inappropriate or harmful development. Whilst the site (before the development) had some biodiversity value, it would not likely to have been significant. The proposed condition would provide for a comprehensive and robust landscaping scheme, which would mitigate the loss of trees on site, and it would rebuild biodiversity opportunities and strengthen the existing green corridor which abuts Bretton Way. Subject to these conditions the proposal would accord with Policies CS20 and CS21 of the Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (emerging).

Crime

Police recording systems indicate that in the last 4 years there have been 40 crimes and 139 other incidents requiring police attendance in the Enterprise Way properties during this period. The Police Architectural Liaison Officer (PALO) has confirmed this figure is well above the average and accordingly supports this proposal.

As a result of the fence being installed this has created a hard edge to the footway. The existing footway is 4.5m in width with good lines of sight and illumination at night time. The Police Architectural Liaison Officer has not objected to the proposal on this basis. Prior to the fence being implemented the landscaping strips which bounded the footway/cycle way were of such maturity and density that any opportunity to flee through it would be severely limited. It should also be highlighted that the fencing has been erected to deal with a high number of break-ins and other associated crime on the application site. The fence would therefore reduce the number of crime incidents occurring within the locality.

It is considered the proposal would mitigate the impact of crime within the application site and adjacent sites; it would assist in bringing the application site back into use and for the reasons outlined above would not prejudice the pedestrian users of the footway. The proposal is therefore considered to accord Policy CS16 of the Peterborough Core Strategy DPD (2011).

Access and Parking

The proposal fencing has resulted in a gated access onto Marholm Road to the north of the application site. Marholm Road is effectively a dead end, serving the application site and a separate employment area to the north. The gate is located at least 6 metres from the edge of footway, which is considered sufficient for a vehicle to pull clear and prevent any waiting within the Highway.

It should be noted that once the renovation works to the application site have been completed, this access would be used for employees in cars and not LGV or HGV vehicles; these latter vehicles would access the site from the south via Enterprise way. A turning head and gate to Enterprise Way (south) has been approved separately as part of applications 12/00859/R4FUL & 12/00653/R4FUL.

The proposal would not result in a Highway safety hazard and would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011) and PP13 of the Peterborough Policies DPD (emerging).

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 design of the fence does not result in an unacceptable adverse impact on the appearance, character or visual amenity of the street scene;
- the design of the does not result in an unacceptable adverse impact on neighbouring amenity;
- the proposal does not result in a highway safety hazard and can accommodate sufficient off street parking;
- subject to conditions the proposal would provide a suitable landscaping scheme and measures to improve biodiversity connections within and adjacent to the application site; and
- the proposal would help prevent crime in the area.

Hence the proposal accords with Policy CS16 of the Peterborough Core Strategy (2011), Policy SA11 of the Peterborough Allocations DPD (2012), the NPPF (2012) and Policies PP1, PP2, PP3 and PP13 of the Peterborough Policies DPD (emerging)

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 Within 2 months of the date of this decision notice a landscape management plan and scheme for the soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the following details

- Planting plans including species, numbers, size and density of planting
- Maintenance schedules

The soft landscaping scheme shall be carried out as approved no later than May 2013. The management plan shall be implemented in accordance with the details contained therein.

Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping that die, are removed, become diseased or unfit for purpose [in the opinion of the Local Planning Authority] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy CS21 of the adopted Peterborough Core Strategy DPD and Policy PP16 of the Peterborough Policies DPD (emerging).

- C 2 Within 2 months of the date of this decision notice a wildlife mitigation plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include methods on how to improve the permeability of the site for wildlife. Thereafter the approved mitigating works shall be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority, and retained in perpetuity.

Reason: To improve biodiversity connections in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and PP16 of the Peterborough Policies DPD (emerging).

- C 3 If any excavations, piling or buildings are to be located within 10 metres of the railway boundary, a method statement shall be submitted to and approved in writing by the Local Planning Authority setting out how the proposed development would not affect the Western embankment adjacent to the railway. The method statement shall be submitted prior to the commencement of any works within 10 metres of the railway boundary, and shall thereafter be carried out in accordance with the approved details, including any mitigation deemed necessary by the Local Planning Authority.

Reason: To protect the integrity of the railway in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Copies to Councillors Fitzgerald, Martin, Sylvester