

Application Ref: 12/01106/OUT

Proposal: Residential development comprising up to 230 units, car parking, landscaping and associated works including means of access.

Site: Perkins Sports Association Club, Site North Of Ideal World, Newark Road, Peterborough

Applicant: Perkins Engines Ltd

Agent: Turnberry Planning Ltd

Referred by: Head of Planning, Transport and Engineering Services

Reason: The application is of wider public interest

Case officer: Mr A P Cundy

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Recommendation: **Grant** subject to conditions and the completion of a S106 Agreement

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

The site forms a rectangular shape and covers an area of approximately 4.43 hectares. The site lies within the north western section of the Perkins factory estate and comprises land formally used for recreation by factory workers. The recreation areas have not been in formal use since 2005 and are currently under-utilised and in poor condition.

The site is bounded to the north by rear gardens to existing residences at Marriot Court and to the south by The Broadlands, a private access road for the Ideal World office building. The site is contained by Newark Road to the east and to the west by an internal access road serving the industrial estate. Adjoining land uses comprise employment to the west of the site specifically the main Perkins facility and office buildings. Further employment uses are located immediately south of the site at Ideal World House. Residential uses are located immediately north of the site (Marriot Court) and to the east beyond Newark Road.

Existing pedestrian and vehicle access to the site is from an internal access road via Vicarage Farm Road, also known as Gate 6 and from Oxney Road. An informal access point is available from Newark Road.

The north and south sites were allocated in the Peterborough City Council Local Plan (First Replacement) 2005 for employment uses. Given the proximity of housing to the north and west of the site, housing was considered a more suitable use for the north site. The site was subsequently reallocated for housing in the Site Allocation Development Plan Document.

Proposal in detail

Outline planning permission is sought for residential development. Up to 230 units are proposed including the provision for 30% affordable housing and open space provision including equipped play areas. The average density of the proposed development is approximately 50 dwellings per hectare. The indicative masterplan indicates that the majority of the buildings are 2-3 storey with a small number of 4 storey flats on the south boundary. Access will be via two new accesses on Newark Road.

In addition a bus gate is proposed along Newark Road. The bus gate will be sited between The Broadlands and Palmers Road junctions. The bus gate will have a CCTV / Camera and only buses, cycles and emergency vehicles will be allowed through it. This will mean that there will be no through traffic between The Broadlands and Palmers Road.

2 Planning History

Reference	Proposal	Decision	Date
12/00003/SCREEN	Screening opinion	Comments	18/05/2012

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 - Economic Growth

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

Section 4 - Assessment of Transport Implications

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

Section 6 - Presumption in Favour of Sustainable Development

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

Section 7 - Good Design

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

Section 8 - Safe and Accessible Environments

Development should aim to promote mixed use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

Section 10 - Development and Flood Risk

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

Section 11 - Re-use of Previously Developed Land

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

Section 11 - Biodiversity

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

Development within or outside a Site of Special Scientific Interest or other specified sites should

not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

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

Section 11- Noise

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

Section 11 - Contamination

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

Peterborough Core Strategy DPD (2011)

CS02 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

CS10 - Environment Capital

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

CS11 - Renewable Energy

Opportunities to deliver on site or decentralised renewable or low carbon energy systems will be supported on appropriate sites where there are no unacceptable impacts.

CS12 - 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.

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS19 - Open Space and Green Infrastructure

New residential development should make provision for/improve public green space, sports and

play facilities. Loss of open space will only be permitted if no deficiency would result.

CS22 - Flood Risk

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

Peterborough Site Allocations DPD (2012)

SA03 - Urban Area

Identifies sites within the Urban Area that are allocated primarily for residential use

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.

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP14 - Open Space Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP19 - Habitats and Species of Principal Importance

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

PP20 - Development on Land affected by Contamination

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

Community Infrastructure Levy (CIL) Regulations 2010

/ Planning Obligations

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

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

In addition obligations should be:

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

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

4 Consultations/Representations

Sport England

Object – Sport England consider that to grant planning consent for residential development on this site without adequate replacement provision contravenes the guidance within the NPPF. To comply with Sport England's policy, the proposal would need to satisfy exception E4 of their policy, which states

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing fields or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

Sport England would only be willing to re-consider this recommendation if a suitable financial contribution can be secured which compensates for the loss of the sports facilities on this site and is used to secure quantitative or qualitative improvement to playing field/sports facilities provision in the locality.

Drainage Team

No Objection - In principle the Drainage Team agree with the use of sustainable drainage systems (SuDS) in the drainage strategy for this site. As a part of the drainage and flood risk management the Drainage Team would expect the following to be taken into account:

- Overland flood flow routes in the event of exceedance as laid out in the FRA
- Details of ownership/ maintenance for the lifetime of the development including any information relating to asset adoption
- Details of all elements of the proposed drainage system
- Confirmation from Anglian Water of acceptable discharge rates

Landscape Officer

No Objection - The trees (Lombardy Poplars) on site do form part of the landscape in that location, but due to the species and planting arrangement, their contribution to the landscape is both stark and unnatural, the trees do not provide any positive linkages or softening properties within the landscape there. The survey was carried out as per BS5837 and the Landscape officer agrees with the tree categories provided.

Highways Agency - Zones 6, 8 & 13

No Objection – This application is unlikely to have a material impact on the A47 trunk road.

Planning Policy & Research

No Objection - The site (site ref SA3.42) is allocated for 190 dwellings. The site is in Flood Zone 1 and suitable for residential development.

Environment Agency

No Objection subject to conditions:

- requiring a detailed surface water drainage scheme for the site
- requiring a scheme to deal with the risks associated with contamination of the site
- requiring a remediation strategy should contamination not previously identified be found during development
- restricting infiltration of surface water drainage into the ground

Wildlife Officer

No Objection subject to conditions:

- restricting works to trees within the bird breeding season
- requiring a detailed visual inspection of the trees to be felled for roosting bats
- requiring landscape details
- requiring details of bird nesting and bat roosting features

Anglian Water Services Ltd

No Objection

Pollution Team

Noise – No objection

The report submitted with this application indicates that noise from the Perkins factory is likely to have a significant impact upon the outdoor amenity of the proposed residential development and is an important planning constraint. This would need to be taken into consideration during the design phase of the development and measures to reduce this effect implemented. Recommend a condition requiring submission of a scheme for protecting noise sensitive residential development from noise from the Perkins factory and other significant noise sources

Contaminated Land – No objection

A potential developer will need to satisfy the local authority that any unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development. Recommend a conditions requiring

- 1 - an assessment to be undertaken
- 2 – submission of a remediation scheme,
- 3 – submission of a remediation validation report
- 4 – notification of any unexpected contamination

Transport and Engineering Services

a) Impact on Local Highway Network

A Stage 1 Safety Audit of the proposals is required before the LHA could support the installation of such a feature on the public highway. Even with the installation of the bus gate, the impact of the development on the Oxney Road / Edgerley Drain Road and the Empson Road / Edgerley Drain Road junctions needs to be mitigated. The required mitigation at these locations would be significant (i.e. a roundabout is required at the Oxney road / Edgerley Drain Road junction). As

there are other allocated sites in the vicinity, the LHA would accept a contribution from the applicant towards the cost of this scheme.

b) Accesses Design

No objection but request revision to junction design.

c) Reducing the need to travel by private car

LTP3 seeks to improve frequencies of bus services wherever possible; it is reasonable to expect that a development of this size provides a contribution towards the running of more frequent buses along Newark Road. A drawing detailing which bus stops are to be improved (and what improvements are to be carried out) is required as part of the planning application, but can be submitted as part of the reserved matters application. Transport and Engineering Services would require the link to be 3m wide and to connect to the existing cycleway at the Sainsburys roundabout. Full details of this link can be agreed through the reserved matters application.

Police Architectural Liaison Officer

a) Principle

No objection to principle

b) Bus gate

The temptation of offending or lack of attention by drivers, will require a significant level of enforcement action. Local users will eventually become accustomed or 'educated' to such a prohibition. However, visitors to the area, particularly those from outside Peterborough, visiting the Eastern Industry businesses off Newark Road, are likely to be directed by their maps or Satellite Navigation Units on a route which uses this bus gate. It is not clear in the submission, what if any, advanced signage is being proposed. It is also not clear, if any consideration has been given to potential actions, of particularly large vehicles once they are faced with the bus gate, directly in front of them. Those travelling North, will have to make a 'U' Turn. Those travelling South likewise or I would expect that Palmers Road is a very likely diversion route. I would ask you to consider the suitability of this alternative route.

Senior Recreation Officer

No objection - The on-site pocket parks are a welcome part of this proposed development but represent around 50% of open space required for a development on this scale. Taking measurements from online documents the pocket parks create around 1.1 HA of on-site POS, ideally we would be looking for around 2 HA . As such I would be looking for a contribution towards off-site public open space. The amount of the contribution would be something that would require negotiation and potential projects identified before a figure could be set.

Travel Choice

No objection - Happy with the information contained within the framework travel plan and what is set out within the document.

Archaeological Officer

No objection – The site is located in an area of known archaeological importance along the Flag Fen basin, with human activity dating back to the Neolithic period. If present, archaeological remains are expected to have survived in good condition of preservation. Recommend conditions requiring a desk based assessment and a programme of archaeological work.

Building Control Surveyor

No objection – Building regulation approval will be required

Waste Management

No comments received

Strategic Housing

No objection - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed, subject to viability. The Core Strategy sets out an appropriate mix of affordable tenures which is 70% social rented tenure and 30% intermediate tenure. However, given the changes to the definition of

affordable housing set out in NPPF which includes affordable rented tenure, the council is committed to offering a degree of flexibility regarding the tenure of any affordable units. The mix of affordable house types should meet housing needs as evidenced by the Peterborough Strategic Housing Market Assessment (update 2010). In accordance with Policy CS8 of the Peterborough Core Strategy, there is a requirement to provide 20% of dwellings to lifetime homes standard on sites of 15 or more dwellings. Policy CS8 of the Peterborough Core Strategy states that on development sites on which 50 or more dwellings are proposed there will be an additional requirement to provide 2% of the dwellings as wheelchair homes. All affordable housing should meet the Homes & Communities Agency's quality and design standards to enable Housing Associations to include the affordable homes within a Framework Delivery Agreement with HCA. All affordable homes should meet Level 3 (minimum) of the Code for Sustainable Homes.

Local Residents/Interested Parties

Initial consultations: 123

Total number of responses: 11

Total number of objections: 8

Total number neither objecting or supporting: 2

Total number no objection: 1

Eleven neighbour letters received raising the following issues

- Lombardy poplars are a great visual asset and should be retained
- If the willow and associated shrubs are to be removed from the boundaries, notably TG3, appropriate replacements should be planted to create, promote and maintain wildlife corridors for birds; small mammals and insects
- Is there capacity in the local schools or space to expand on site to accept more pupils?
- Are there plans to enhance evening and Sunday bus services from this area?
- Are there plans to upgrade and improve cycle route from this area?
- Newark Road has become much busier, to the extent that at certain times we have great difficulty reversing into our driveway, particularly during the morning and evening rush hour – concern that there will inevitably be extra traffic using this road if the access to the estate is as on the plan
- Believe that these new properties will be built with no regard whatsoever to the traffic congestion that will be caused to the residents already here
- A access should be via the entrance next to Sainsburys, Oxney Road as Newark Road is already heavy and dangerous and should not have more traffic/or access on it
- There are ambulances tearing along here most times of the day and obviously they need clear access – However with the prospect of many more vehicle movements on this stretch, it could delay their arrival at their destination.
- Most people do not bother with the 30mph speed limit, there are many doing over 50mph
- Concerned about loss of my privacy – the possibility of tall dwellings opposite which will overlook the dwellings along Newark Road, many of which are bungalows. If we have to have dwellings there, I would urge that bungalows were placed alongside Newark Road, but if not bungalows, then dwellings with no windows on that aspect
- Development would block our panoramic view of many beautiful sunsets
- There are currently no blocks of flats in the area – the area is mostly made up of single homes with a very small number of houses with more than one floor - the building of multi storey blocks will be out of character with the area and will significantly alter the feel and demographic of the neighbourhood
- The proposal will increase levels of crime
- I hope that there will be shops on this development if so a post office would be welcome as our nearest ones are miles away
- The ecology survey contains significant and relevant omissions – specifically hedgehogs are not mentioned at all, goldfinches, starlings and sparrows are all under pressure in the UK and use the site in large numbers
- Concerned as to the effect that noise reducing barriers will have

- If consent is granted it is requested that all contractors park on-site and that noise, dust and general disturbance is kept to a minimum
- Concern about noise nuisance from construction
- Thought need to be given with regards to access routes to schools
- Concern about impact on utilities
- Our contention is that Ideal Shopping operations could have a seriously adverse impact on residential amenity by virtue of:
 - o 24/7 operations
 - o Security lighting
 - o Noise from heavy goods vehicles manoeuvring
 - o Noise from fork lift trucks loading and unloading
 - o Light and noise from the outdoor studio
 - o Noise and disturbance from staff vehicles entering and leaving the site in the early hours of the morning

In order to achieve this objective and to overcome their objections to any detailed proposal that might impact upon their business, Ideal Shopping would encourage the Local Planning Authority to require the following:- The positioning of open space/play space between dwellings and the southern boundary; a significant bund, running east – west adjacent to the southern boundary, of say 20m in width and at a height of 3m; a 2m acoustic fence on top of the bund; landscaping on the bund with shrubs and trees (including heavy standards). Such measures would go some way to avoiding future complaints from residents about noise, views, activity and light.

Second consultations (including consultation on proposed bus gate) - :164

Total number of responses: 4

Total number of objections: 4

Total number neither objecting or supporting: 0

Total number no objection: 0

Three neighbour letters received raising the following issues

- Think its an appalling idea - for us living on the Maples it is going to be such a bother – will now have to drive round the long way, using more petrol
- It will be increasingly difficult to exit from Newark Road into Oxney Road, nearly impossible at rush hour
- Traffic congestion will be increased on Empson Road due to re-directed vehicles trying to access the ideal home shopping side of Newark Road
- Access for staff and delivery agents will be limited with further distance to travel to get around the closed Newark Road – HMF UK will incur financial penalties due to the increased distances - The Fengate site already has poor access and limited high speed broadband; this change would further limit the benefits of the industrial park and may result in HMF UK seeking a different location.
- If the access to the new estate cannot be via the Sainsbury roundabout there has got to be traffic/pedestrian-controlled lights at the junction of Newark Road and Oxney Road
- Suggest that they use the existing access off Newark Road

5 Assessment of the planning issues

1. Principle of development

This application is in Outline and seeks to establish the principle of development of the land for up to 230 residential units together with the creation of two new accesses off Newark Road. All matters relating to the design of the buildings, scale, layout and landscaping are to be considered in the submission of a reserve matters application.

In accordance with current government guidance in respect of outline applications the Design and Access Statement has included a schematic layout together with details of a possible scale and form of development that could be accommodated within the site constraints. However, it

should be emphasised that these drawings are indicative only and as such should not carry any weight in the determination of this application and would not constitute part of any planning permission.

The Peterborough Site Allocations DPD was adopted in April 2012 Policy SA3.42 of that document allocates 5.08 ha of land at Perkins North for residential development. As that document has been adopted, use of the allocated housing site for housing is acceptable. Further the proposal would result in the efficient and effective use of land on a site which is located close to services and facilities to meet residential needs, would provide housing to support the City Council's growth agenda and deliver affordable housing.

The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy DPD, policy PP1 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

2. Loss of playing field

The proposed site, a former private sports ground open to employees and associated families only, closed in 2008 and has since remained unused. It covers an area of approximately 4.3 hectares. No replacement facilities have been provided, but clubs that used the site have received funding from a Sports and Social Fund Committee to help clubs secure alternative facilities, equipment etc. When the site was operational it contained 1 football pitch, 1 cricket pitch, 1 bowling green, 3 tennis courts, a car park, a clubhouse and sports hall.

Para 74 of the National Planning Policy Framework states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.*

Sport England consider that to grant planning consent for residential development on this site without adequate replacement provision contravenes the guidance within the NPPF. To comply with Sport England's policy, the proposal would need to satisfy exception E4 of their policy, which states:

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing fields or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

However, in his report on the Peterborough Site Allocations DPD the inspector acknowledged that the site was a former playing field used by employees of the Perkins Engines Factory and that it has been disused since 2008. The inspector also noted that Perkins now operate a sports and social fund giving financial support to employees to use recreational facilities elsewhere, rather than continuing to provide their own. Taking into account that the site has been allocated for employment development since 2001, in the Local Plan First Replacement and its predecessor and that the site has been re-assessed and reallocated for housing in the DPD the inspector concluded that the objective of maintaining an adequate supply of open space and sports and recreational facilities, set out in the then PPG17: Planning for Open Space, Sport and Recreation, would not be compromised by the allocation of these sites for housing development.

3. Transport

The Highways Agency raise no objection. They consider that the application is unlikely to have a material impact on the A47 trunk road.

a) Impact on Highway Network

In terms of the transport assessment work that has been done, the Council's highway engineers, subject to provision of a bus gate along Newark Road and a contribution towards junction improvement schemes at Oxney Road / Edgerley Drain Road and Empson Road / Edgerley Drain Road are generally satisfied with the proposals. It has been accepted that a contribution can be secured through Council's Planning Obligation Implementation Scheme.

b) Bus gate

The provision of a bus gate along Newark Road is critical to the delivery of this allocated housing site. The bus gate is proposed along Newark Road between The Broadland and Palmers Road junctions. The bus gate will have a CCTV Camera and only buses, cycles and emergency vehicles will be allowed through it. The Council's Highway Engineers have asked that a Stage 1 Safety Audit of the proposals be provided before they could support the installation of such a feature on the public highway.

c) Access

Detailed permission is sought for the siting and design of the access into the site. A plan has been submitted by the applicant showing that, subject to some revisions, an acceptable junction can be provided.

d) Reducing the need to travel by private car

Policy CS14 of the Core Strategy emphasizes the Council's objectives to reduce the need to travel especially by private car. Specifically part 7 of that policy seeks the provision of new or enhanced public transport, walking and cycling links, routes and infrastructure. Accordingly Transport and Engineering Services require a 3 metre wide cycle link to connect from the site to the existing cycleway at the Sainsburys roundabout. The Council's Highway Engineers are happy that details of this link can be agreed through the reserved matters application.

LTP3 seeks to improve frequencies of bus services wherever possible; it is reasonable to expect that a development of this size provides a contribution towards the running of more frequent buses along Newark Road. It has been accepted by officers that a contribution can be secured through Council's Planning Obligation Implementation Scheme.

The Council's highway engineers are therefore content with the principle of the proposal subject to various conditions and the completion of a S106. The proposal is therefore considered to be in accordance with Policies CS14 of the Core Strategy.

4. Affordable Housing and Life Time Homes

The application proposes 30% affordable housing, 20% life time homes and 2% wheel chair housing. The proposal therefore affords with policy CS8 of the adopted Core Strategy. The City Council Housing Needs Study for the Peterborough area identifies the requirement for a mix of accommodation i.e. small units as well as family homes. The proposed mix of dwelling types proposed would not fulfil this requirement. The applicant will be required to consider an alternative mix through the reserved matters application process.

5. Open Space

The application proposes 2 acres of public open space. The recently adopted Planning Policies DPD introduces new open space standards. However, given that the application was prepared and submitted when the old Local Plan standards were in use (policy LT1 referred) it is considered appropriate in this instance to assess the proposal against this standard. Under policy LT1 4.95 acres of on site open space are required. Whilst the amount of open space proposed would fall below this, the proposed on site provision is considered acceptable as a contribution of £447,460 towards the provision of new and improved playing fields, play equipment, pitches, courts, greens and allotments within a 3km radius of the site and/or the

upgrading of play equipment on site is also proposed.

6. Residential amenity – future occupiers on site

The noise report submitted with this application indicates that noise from the Perkins factory is likely to have a significant impact upon the outdoor amenity of the proposed residential development and is an important planning constraint. This would need to be taken into consideration during the design phase of the development. Should permission be granted it is recommended a condition requiring submission of a scheme for protecting noise sensitive residential development from noise from the Perkins factory and other significant noise sources be appended.

The indicative scheme appears to indicate that a satisfactory level of amenity could be provided for the future occupiers of the development including private gardens. Notwithstanding detailed assessment will take place at Reserved Matters stage. It should be noted that this conclusion does not necessarily mean that 230 dwellings will be acceptable, hence the wording “up to”.

7. Impact on Existing Neighbours

As previously stated this application is in outline only and as such the form, layout and design of the option provided as part of the application package are indicative only and are identifying one of a number of possible options for the development of the site. The indicative scheme introduces buildings that are 2-3 storeys with a small number of 4 storey flats providing a total of 230 units at a density of 50 dph. Following consultation with the local community concerns were raised regarding the height of the buildings especially those closest to the dwellings on Newark Road. As the application is in outline, if planning permission is granted this does not commit the LPA to agreeing to 3-4 storey buildings. This will be a matter dealt with at reserved matters stage.

8. Landscaping and Ecology

Landscaping

The site has two linear groups of Lombardy Poplar trees, a group of 15 trees running east to west and a group of 62 trees running north to south on the western site boundary. Both groups of trees do form part of the landscape in this location, but due to the species and planting arrangement, their contribution to the landscape is both stark and unnatural. The trees do not provide any positive linkages or softening properties within the landscape there. The Council's landscape officer raises no objection to the proposed development. A comprehensive landscaping design will be required to accompany a reserved matters application

Ecology

A phase 1 habitat survey of the site was undertaken in April 2012. The appraisal concluded that the site was a low value habitat that had no significant ecological or biodiversity value. The Council's wildlife officer is satisfied with the report's assessment of impacts on protected species and has no objection to this application subject to conditions, restricting works to trees within the bird breeding season, requiring a detailed visual inspection of the trees to be felled for roosting bats, requiring landscape details, requiring details of bird nesting and bat roosting features.

9. Flood Risk and Drainage

The Environment Agency Flood Map indicates that the site is located within Flood Zone 1; land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year. As a result, the site is considered to be at low risk of fluvial flooding. Table 3 of the NPPF technical guidance identifies that all development is appropriate within this flood zone. A flood risk assessment has been submitted with the application. The Environment agency has no objection to the proposed development subject to conditions requiring submission of a detailed surface water drainage scheme. Further the applicant has been liaising directly with the council drainage team. The drainage team agree with the use of sustainable drainage systems in the drainage strategy for the site.

10. Other matters

a) Contamination

On a precautionary basis, the possibility of contamination should be assumed when considering individual planning applications in relation to all land subject to or adjacent to previous industrial use and also where uses are being considered that are particularly sensitive to contamination – e.g. housing, schools, hospitals, children’s play areas. A Phase 1 land quality report has been submitted with the application. The report has identified potentially unacceptable moderate to high risks to high sensitivity future site users and residents posed by the historical use of the site and the current activities occurring at the main Perkins Engines Centre. Subject to conditions requiring further assessment and mitigation prior to the commencement of development the Environment Agency and the Council’s Pollution Control Section have raised no objection.

b) Archaeology

The application site lies within an area of archaeological interest along the Flag Fen basin, with human activity dating back to the Neolithic period. If present, archaeological remains are expected to have survived in good condition of preservation. A condition would therefore be appended requiring a desk based assessment and a programme of archaeological work, to include evaluation by trial trenching, to be undertaken

c) Construction Management

A condition requiring the submission and approval of a Construction Management Plan is recommended to ensure that there is no adverse impact upon neighbouring residents.

11. S106

Under the Council’s Planning Obligation Implementation Scheme (POIS) the indicative development gives rise to the requirement for the following contributions

Nos. of units	Unit type	Cost per unit	Total contribution
3	Studio flat	£2,000	£6,000
38	1 bed flat	£3,000	£114,000
67	2 bed flat	£4,000	£268,000
18	3 bed flat	£5,000	£90,000
63	3 bed dwelling	£6,000	£378,000
18	4 bed dwelling	£8,000	£144,000
		Total	£1000000.00

The applicant has submitted a viability appraisal to demonstrate that the development cannot afford this payment in full and so the POIS contribution has been reduced to £852,540.

In addition to the above the following are also proposed for inclusion in the Section 106 1 – a contribution of £447,460 towards public open space 2 - provision of a bus gate along Newark Road, 3 - 30% affordable housing, 4 – a 2% monitoring fee

6 Conclusions

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

- the site is allocated for housing and will provide housing to support the City Council's growth agenda
- the development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway can be provided
- the development can be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties
- the impacts of noise can be adequately mitigated
- the impact of the development upon the existing landscaping is not considered to be significant and as such is considered acceptable
- the impact of the proposed development upon ecology of the site is considered to be acceptable
- the development will allow for the provision of Public Open Space
- the site can be adequately drained and mitigation measures secured to deal with ground contamination
- the impact of the proposed development upon archaeology is considered to be acceptable
- the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK
- further to the submission of a viability appraisal the developers have demonstrated that the proposal cannot pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution is acceptable in this instance
- the proposal is therefore in accordance with Policies SA3 of the adopted Site Allocations DPD, and Policies CS02, CS08, CS10, CS11, CS12, CS13, CS14, CS16, CS19 and CS22 of the adopted Peterborough Core Strategy DPD, Policies PP01, PP02, PP03, PP04, PP12, PP13, PP14, PP16, PP19, PP20 of the adopted Peterborough Planning Policies DPD, and the provisions of the National Planning Policy Framework

7 Recommendation

The case officer recommends that planning permission is **Granted** subject to conditions and a S106 Agreement:-

- C 1 Approval of the details of the siting, design and external appearance of the building(s) the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development 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.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected the means of access thereto and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

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.

- C 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- C 5 The development hereby approved shall be carried out in accordance with the following approved details:-
Location Plan Drg 925-SK18
925-SK17
9X4810-SK001RevA
9X4810-SK002
Arboricultural Implication Report dated April 2012
Flood Risk Assessment dated July 2012
Ecology Appraisal dated May 2012
Transport Statement
Noise Assessment dated 18th June 2012
Heritage Desk-Based Assessment dated June 2012
Framework Residential Travel Plan dated July 2012
Planning Design and Access Statement dated July 2012
Phase 1 Land quality assessment dated MARCH 2008

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting planning permission as set out above

- C 6 The details submitted under Condition 1 above shall include the following:
- a scheme for the provision of 30% affordable housing which 70% is of social rented tenure and 30% intermediate tenure
- lifetime homes at a provision of 20%
- wheelchair homes at a provision of 2% if 50 dwellings are proposed.

Reason: In order to meet varied housing needs in accordance with Policy CS8 of the adopted Peterborough Core Strategy DPD.

- C 7 The details submitted under Condition 1 above shall demonstrate how the development will contribute towards the City Council's Environment Capital aspirations. If no such information is submitted, or if the information is not acceptable, then the development shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

- C 8 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall thereafter be implemented as agreed.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD.

- C 9 Prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:
- a noise management plan including a scheme for the monitoring of construction noise;
 - a scheme for the control of dust arising from building and site works;

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

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

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

- C 10 No development shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details:
- walling and roofing materials
 - doors, windows and rainwater goods including garage doors
 - boundary treatments and road/path surfaces
 - details of any renewable energy or similar features to be included.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C 11 Prior to commencement of construction of the dwellings, detailed contoured plans with existing and proposed spot heights and cross sections shall be submitted to and approved in writing by the Local Planning Authority. These shall show finished levels of streets and dwellings and shall demonstrate level access to dwellings. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

Reason: In order to protect and safeguard the amenities of the adjoining occupiers and to ensure access for all, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C 12 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: In order to protect and safeguard the amenity of the area in accordance with the provisions of the National Planning Policy Framework, in particular paragraphs 121 and 123.

- C 13 No development approved by this planning permission, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the planning authority:
- 1) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources,

pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The Phase I Report identifies potential sources of contamination including the potential presence of landfilled material on the northern site. We consider that limited site investigation and assessment of the potential risk posed to controlled waters is required. Based on the results, further work may be needed.

- C 14 No development shall take place until a detailed surface water drainage scheme for the site, based on the principles and parameters outlined within the Flood Risk Assessment ref: R63040Y001C, dated September 2012 has been submitted to and approved in writing by the planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year including climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Confirmation, as per the email from Helen Montgomery at Pell Frischmann dated 25 September 2012, that the developer will maintain the drainage system and that the culvert, (to which the site drains), will be maintained by the current owner, Perkins Engines.
2. Full details of the proposed option of surface water drainage based on the information provided in the FRA.
3. The results of the infiltration testing if soakaways are to be used.
4. A detailed drainage layout.

Reason: To prevent the increased risk of flooding, both on and off site.

- C 15 The scheme shall provide bird nest and bat roosting features; the details of which shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details no later than the first planting season following the occupation of the development, whichever is the earlier.

Reason: In the interest of promoting biodiversity within the site and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD.

- C 16 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that soakaways are not located in potentially contaminated ground or ground that may have been formerly a landfill. Soakaways that are located in contaminated ground have the potential to increase the likelihood of contaminant migration.

- C 17 Development shall not commence before a travel plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and will not generate adverse traffic to the area, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Chapter 4 "promoting sustainable transport" of the National Planning Policy Framework.

- C 18 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless immediately prior to works a survey is undertaken that concludes the area is free of nesting birds.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy.

- C 19 Prior to the commencement of development, the following shall be submitted to and approved in writing by the Authority:
- a) a programme for the implementation of a scheme of hard and soft landscaping within the site
 - b) a (five year) maintenance schedules for all landscape areas;
 - c) details of the planting plans (noting species, plant sizes, proposed numbers/densities and an implementation programme);
 - d) a written specification(including cultivation and other operations associated with tree, shrub, hedge of grass establishment);
 - e) all hard surfacing material and signage;
 - f) details of fencing, gates and other means of enclosure and boundary treatment;

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

Reason: To ensure the provision of new and replacement landscaping in the interests of the amenities of the area, in accordance with Policy CS20 of the Core Strategy.

- C 20 If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of new and replacement landscaping in the interests of the amenities of the area, in accordance with Policy CS20 of the Core Strategy.

- C 21 None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers

- C 22 Construction work should not begin until a scheme for protecting the proposed noise sensitive residential development from noise from the Perkins factory and other significant noise sources has been submitted to and approved by the local planning authority; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

The World Health Organisation has provided guidance that "general outdoor noise levels of less than 55dB L_{Aeq} are desirable to prevent any significant community annoyance" and that "a level of less than 35dB(A) is recommended to preserve the restorative process of sleep".

For a reasonable standard in bedrooms at night, individual noise events (measured with a Fast time weighting) should not normally exceed 45dB LAmax. These recommendations should be regarded as the maximum noise levels to be permitted within or around the noise sensitive development.

Reason: In the interests of the amenity of the future occupiers of the development and in accordance with policy PP4 of the Adopted Peterborough Planning Policies DPD.

- C 23 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works) until a detailed close visual inspection has been undertaken (from a cherry picker or by tree climbing) of all mature trees including the Lombardy Polars to identify any features of potential value to roosting bats or by a bat activity survey (dusk and pre-dawn) to confirm bat absence. If during inspection any features of potential value to roosting bats is identified, then the LPA shall be notified immediately and no further work be carried out until a method statement detailing a scheme for relocating the bats has been submitted to and agreed in writing with the LPA. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: In the interest of promoting biodiversity within the site and in accordance with policy CS21 of the Adopted Peterborough Core Strategy DPD.

- C 24 Notwithstanding the details shown on drawing 9X4810 - SK002, a 3m wide footpath/cycleway link from the development to the existing segregated footway/cycleway at the 'Sainsburys' roundabout is required. Full details of the proposed link (including the route, lighting, levels, construction details, bollards/barriers and associated signage) shall be submitted to and approved in writing by the Local Planning Authority and the link shall be constructed in accordance with the approved details prior to the occupation of any of the dwellings.

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

- C 25 Prior to first occupation of any of the dwellings hereby approved, a bus gate (based on the principles shown on drawings 8426/01/01 and 8426/01/02) shall be constructed on Newark Road, between its junctions with Palmers Road and The Broadlands. This bus gate shall be ANPR controlled and also supported by a CCTV camera, appropriate signage, road markings, physical measures and TROs, and shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority.

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

- C 26 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the design of the lighting columns, their locations and LUX levels. The lighting scheme shall thereafter be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, in accordance with Policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD and Policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C 27 Notwithstanding the details shown on drawing 9X4810 - SK001 A, the junctions of the

proposed access roads with the existing highway (Newark Road) shall be laid out with 6m radii.

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

- C 28 The vehicle-to-vehicle visibility splays of 2.4m x 62m as shown on the approved plans, at the junction of the access road with the public highway shall be provided before the commencement of the development.

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

- C 29 Within three months of the commencement of development, a scheme detailing which bus stops are to be improved and what improvements are to be carried out shall be submitted to and approved in writing by the Local Planning Authority. Improvements to include the provision of real time information boards to provide increased public transport facilities for visitors to and from the development. The approved scheme shall be implemented in accordance with the approved details, prior to first occupation of any of the dwellings.

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

- C 30 The existing access to Newark Road shall be permanently closed to vehicular traffic before first occupation of any of the dwellings. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

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

If the S106 has not been completed within one month of the date of this resolution without good cause, the Head of Planning, Transport and Engineering Services be authorised to refuse planning permission for the reason stated below:

- R1 A request has been made by the Local Planning Authority to secure a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

Copy to Councillors Shabbir N, Todd M Y, Johnson J