

Application Ref: 12/01543/WCPP

Proposal: Revision to planning conditions resolved by Committee in December 2012 re the Regeneration of the Werrington Centre

Site: Werrington Centre, Staniland Way, Werrington, Peterborough

Applicant: Tesco Stores Limited
Agent: Savills L&P Ltd

Referred by: Head of Planning, Transport and Engineering Services
Reason: Application was previously considered by committee
Site visit: 25th October 2012

Case officer: Andrew P Cundy
Telephone no: 01733 453470
E-Mail: andrew.cundy@peterborough.gov.uk

Recommendation: GRANT subject to S106 and relevant conditions

1 Introduction

At its meeting on the 4th December 2012 PEP Committee resolved to approve planning permission for this application subject to:

- the completion of a Section 106 Planning Obligation in respect of a financial contributions towards - payment for the existing community car park - public art - bus stop upgrades - a travel plan - travel plan monitoring contribution - CCTV provision – monitoring fee
- 29 conditions:

Since this decision the applicant and the council's Pollution Team have requested a series of changes to a small number of the conditions approved by members and the addition of a new condition.

The conditions that are in need of revision are set out below together with explanation of why the change is needed:

Condition 15

In its approved form the condition set different noise limits for fixed plant and machinery during the day time and night time periods. In error the Pollution Team referred to the wrong noise level, 38 dB LAeq, whereas it should have been 35 dB LAeq which is a lower noise level.

Condition 19

In its approved form, the condition required the details of the alterations to the access to Olympus House to be submitted for approval. However, as this access was not shown in the plans consider by committee as being altered, the condition is not required.

Condition 25

In its approved form, the condition required a management plan for the operation of the new pub and shop unit service yard as a way of mitigating and potential noise problems. As the application as submitted and considered by the Committee made no changes to the pub element of the scheme approved back in 2009, in hindsight, it was unreasonable for officers to have recommended the condition to members. It is therefore now recommended by both Planning and Pollution Control Officers that the condition is removed.

In addition to the above changes, it is considered that a new condition is added which seeks details of the emissions from the proposed Combined Heat & Power Plant located in the service yard. This is a

'belt and braces' condition as the emissions will have to comply with other existing legislation relating to 'clean air'.

All other elements of this application and recommendation remain unchanged.

2 RECOMMENDATION

The Head of Planning Services recommends that the conditions approved by Committee on 4th December 2012 in relation to 12/01543/WCPP be revised as follows:

a) Condition 15 now to read:

- C 15 The rating level of noise emitted from all fixed plant including stationary vehicle refrigeration noise sources, shall not exceed 35 dB LAeq, 1 hour between 0700 and 2300 and 35 dB LAeq, 5 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS:4142:1997.

Reason: To safeguard the amenities of the surrounding locality by ensuring a satisfactory noise environment is maintained in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD

b) Condition 19 – To be deleted

c) Condition 25 – To be deleted

d) New condition to be added as follows:

Notwithstanding the submitted information, prior to the construction of the supermarket, details (to enable an assessment of emissions associated with the plant) in relation to the CHP shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD

Copy to Councillors Lane, J R Fox, J A Fox, C Burton, Fower, Thacker