

**Application Ref:** 13/01159/R4FUL

**Proposal:** Demolition of existing Spinney play centre and construction of replacement children's play centre with undercover external dining area

**Site:** Spinney Adventure Play Centre, Hartwell Way, Peterborough, PE3 7LE

**Applicant:** Little Miracles Peterborough

**Agent:** Ms Kathryn Money  
Eclipse Planning Services

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** Wider public interest

**Site visit:** 16.07.2013

**Case officer:** Mr S Falco

**Telephone No.** 01733 454408

**E-Mail:** sam.falco@peterborough.gov.uk

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

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

### **Site Description:**

The site is located to the south of Hartwell Way, Ravensthorpe and owned by Peterborough City Council. It is host to the Spinney Play Centre which is a parent led support group and registered charity for families with children that have additional needs and disabilities. The site is also used by the local Scouts and other Community Groups.

The site measures 0.45 hectare, and comprises a pre-fabricated concrete single storey building that has come to the end of its useful life and is no longer fit for purpose as a children's play centre. The existing structure has a footprint measuring 23.1m (length) x 10.9m (depth).

### **Proposal:**

The proposal is to demolish the existing building which has been applied for under application ref: 13/00033/DEMOL and replace the building with a new play centre with a detached covered external seating area that meets the needs of the charity.

The replacement building will have a modern design measuring a footprint measuring 27.3m (length) x 10.9m (depth), with a mono pitch roof that extends to 3.25m to the eaves and 3.8m at its highest point.

The proposed covered seating area has a footprint of 9m x 7.3 with a monopitch roof to match the main building measuring 3m to the eaves and 4m at its highest point. The canopy will be supported by 6no. columns.

The new building will be situated largely in the same location as the existing, with the same orientation, parallel to Hartwell Way. The main change is that the building will be slightly larger and set back deeper into the plot by approximately 4m so that it will not encroach on the canopy and root protection area of the mature trees on site.

## **2 Planning History**

No relevant planning history

### **3 Planning Policy**

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

#### **National Planning Policy Framework (2012)**

##### **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 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.

#### **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.

##### **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.

##### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

##### **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 Planning Policies DPD (2012)**

##### **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, 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.

**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.

**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.

**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.

**4 Consultations/Representations**

**Building Control Surveyor**

No comments received

**Councillor E Murphy (02.08.13)**

Raised concerns as to whether the usable floor space of the new hall would be significantly smaller than the existing and questioned the amount of storage that the new building would have.

**Councillor G Nawaz**

No comments received

**Early Years & Child Intervention Team**

No comments received

**Pollution Team**

No comments received

**Transport & Engineering Services (12.08.13)**

It is noted that this is a replacement children's play centre, the building footprint will only be marginally larger than the original and will be positioned further into the site than the original. It is also noted that the existing vehicular access and hardstanding within the site remains unchanged.

An improvement is to be made by way of a new private footway leading from the existing footway in the public highway to the new building entrance.

Whilst there is limited information provided about number of staff, visitors parking etc, it is assumed that these factors will remain the same as the current use. There is a lay-by which is understood to be used predominantly by visitors to the centre . At the time of my site visit there were two vehicles parked within this area with space for further vehicles to park.

Hartwell Way is a "Clearway" which means that no stopping or parking is permitted within it. On my site visit (when the play centre was open) I did not see any vehicles parking on Hartwell Way, so it would appear that this restriction is complied with.

The site is accessible by foot from Ravensthorpe with footways leading from the southeast and the opposite side of Hartwell Way.

It is noted that the site is unlikely to accommodate adequate space for parking, turning and loading/unloading of all vehicles associated with the demolition and construction phases. It may be necessary for road space to be booked with our street works co-ordinator in order to allow adequate space for vehicles associated with the development to be close to the site.

In summary, the Local Highways Authority (LHA) raise no objections to the proposal as it is a replacement building with no changes to the access or hardstanding within the site.

### **Property Services**

No comments received.

### **Landscape Officer (12.08.13)**

I consider that the Tree Survey and Arboricultural Impact Assessment submitted with this application have been completed in accordance with BS5837:2012 and is considered to be best practice guidance. It is assessed that the proposed development is sympathetic to the Landscape Character of this woodland site. The loss of tree T12 and T5 is considered acceptable owing to their low grade quality. It is noted that the successful implementation of this project, without harm on the existing mature tree cover, is subject to the safe and controlled demolition of the existing building and the creation of raft foundation for the new build. I would therefore like to request a method statement for the demolition of the building (main consideration the removal of the existing foundations in relationship to the tree roots). In addition I would like to see the specification for the raft foundation and footpath entrance to ensure that both are implementable without significant excavation below existing grounds levels.

It is considered that the new building is likely to suffer from leaf litter on the roof. It would thus be prudent to include filtration (mesh or bristle inserts) for rainwater guttering. In addition, the downpipes should be fitted with easily cleanable traps.

Subject to additional information regarding the foundation design of both the building and footpaths I raise no objection to this application.

I would recommend suitably worded conditions to ensure compliance with the tree protection scheme and associated method statements.

### **Mr Steward Jackson MP**

No comments received

### **Natural England - Consultation Service (09.08.13)**

The application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

We would, in any event, expect the LPA to assess and consider the possible impacts resulting

from this proposal on the following issues when determining this application

**Police Architectural Liaison Officer (05.08.13)**

I confirm that I have viewed the application and have no objections.

**The Wildlife Trusts (Cambridgeshire)**

No comments received

**Wildlife Officer (12.08.13)**

Designated Sites:

This development is located adjacent to Water Spinney County Wildlife Site, however I consider that this proposal is unlikely to have an impact upon the features for which this site has been designated a County Wildlife Site.

Protected Species:

Nesting Birds: The proposal involves the removal of a number of trees and shrubs which may support nesting birds. I would therefore recommend that a condition be attached requiring that trees be checked for nesting birds prior to tree/shrub work being undertaken.

Landscaping:

I would encourage the provision of replacement planting using a range of native species.

Opportunities for Biodiversity Gain:

I would recommend that a number of bird nesting and bat roosting features are provided to enhance the development for biodiversity. I would request that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift, as well as bat roosting features.

Conclusion:

I therefore have no objection to the granting of planning permission subject to the use of appropriate conditions as set out above.

**The Wildlife Trusts (Cambridgeshire)**

No comments received

**Local Residents/Interested Parties**

Initial consultations:

Total number of responses:

Total number of objections:

Total number in support:

No comments currently received. The closing date for consultation responses 02/09/2013 (after this report was written) Any comments received between writing this report and Planning Committee on 03/09/2013 will be appended to the update report.

**5 Assessment of the planning issues**

**a) Character and Appearance:**

The proposal has been designed to be very similar in proportion and scale to the existing building and has taken into consideration the constraints that the site holds. Due to the secluded nature of the site, the proposal has taken into account the need to design out crime where possible by having no openings on the front elevation, which was a key objective with there being very little natural surveillance. This has led to a rather 'closed' front elevation to the building which is often seen as a negative. However, having taken into consideration the security issues of the site, it is deemed that this is the best way forward to protect the building and the site.

The proposed structure is considered to be a significant improvement over the existing pre-fabricated concrete building that has a tired and dated appearance. The new building will be set back further into the plot, therefore reducing its prominence within the streetscene.

On the basis of the above assessment the proposal is not considered to have any note worthy detrimental impact on the character and appearance of the area in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP02 of the Peterborough Planning Policies DPD 2012.

**b) Area Amenity:**

The proposal is very similar in scale to the existing building. The replacement building is not considered to significantly intensify the use of the site over and above the current set up.

The closest dwellings are located 30m from the site and due to the single storey nature of the replacement building the proposal is not considered to be detrimental to neighbour amenity by way of overlooking, overbearing or overshadowing in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP03 of the Peterborough Planning Policies DPD 2012.

**c) Highways:**

The Local Highways Authority have considered that the proposal would not result in any additional impact on the adjacent public highway due to the fact that the use is already in existence and the size of the building is only marginally larger. Therefore the site is not being significantly intensified and on that basis the proposal is considered to be in accordance with Policy CS14 of the Peterborough Core Strategy DPD 2011 and PP12 and PP13 of the Peterborough Planning Policies DPD 2012

**d) Landscape:**

The site is heavily wooded and therefore great care must be taken to protect the trees worthy of retention from harm throughout the demolition, groundworks and construction phase of the development. A topographical survey has been submitted with the application along with a tree survey and Arboricultural Impact Assessment. There are some smaller trees to be removed on the site, but the Landscape Officer has responded to the consultation positively, stating that the loss of the two trees is acceptable as they are not worthy of a Tree Protection Order. The tree surveys and Arboricultural Impact Assessments have been carried out in accordance with best practice and the proposed development is considered to be sympathetic to the more important trees and the landscape character of the woodland site.

The design has taken into account the tree canopies and the root protection areas of the mature trees and therefore the proposal is considered to be in accordance with Policy CS20 of the Peterborough Core Strategy DPD 2011 and PP1 of the Peterborough Planning Policies DPD 2012.

**e) Wildlife:**

The site is located adjacent to the Water Spinney County Wildlife Site. The site as stated above is heavily wooded and therefore care needs to be taken in protecting any wildlife on site.

The Wildlife Officer has assessed the proposal and responded to the consultation stating that the development is unlikely to detrimentally impact on the elements that have led the surrounding site to be designated a County Wildlife Site.

Due to the fact that there will be the loss of some trees and shrubs on site. Whilst the works will be carried out outside nesting season, the Wildlife Officer has recommended that a condition requiring necessary checks for nesting birds before work is undertaken. This is best dealt with by way of an informative as planning permission is not required for the proposed works to trees and shrubs.

Natural England has no objections and stated that any comments from the Local Authority's Landscape Officer should be taken into consideration.

The Wildlife Officer has no objections to the proposal and therefore the proposal is considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD 2011 and PP16 and PP19 of the Peterborough Planning Policies DPD 2012

**f) Representations:**

The concern raised as to the size of the new hall and the provision of storage in relation to the existing was a good question. In terms of the usable floorspace of the two halls, the existing measures approximately 12.6m x 8.2m and the proposed is to measure 9.8m x 9.4m. It is considered that the resultant floorspace is marginally smaller, but the provision of other multi use floorspace by way of a number of smaller rooms serve as an improvement over the single use floorspace that exists.

Confirmation has been sought that storage space will be provided within the building in addition to the existing storage containers that are proposed to be retained post development.

## **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 is not considered to have any note worthy detrimental impact on the character and appearance of the area and will act to improve the locality in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP02 of the Peterborough Planning Policies DPD 2012.
- The proposal is not considered to be detrimental to the neighbour amenity by way of overlooking, overbearing or overshadowing in accordance with Policy CS16 of the Peterborough Core Strategy DPD 2011 and PP03 of the Peterborough Planning Policies DPD 2012.
- The proposal is not considered to be detrimental to the adjacent public highway in accordance with Policy CS14 of the Peterborough Core Strategy DPD 2011 and PP12 and PP13 of the Peterborough Planning Policies DPD 2012
- The design has taken into account the tree canopies and root protection areas of the mature trees and therefore the proposal is considered to be in accordance with Policy CS20 of the Peterborough Core Strategy DPD 2011 and PP1 of the Peterborough Planning Policies DPD 2012.
- Neither Natural England or the PCC Wildlife Officer have objections and therefore the proposal is considered to be in accordance with Policy CS21 of the Peterborough Core Strategy DPD 2011 and PP16 and PP19 of the Peterborough Planning Policies DPD 2012

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- C 2 The construction of the hereby approved development shall not be carried out except in accordance with the approved details on plan reference: 4000/02, LM-01, LM-02 RevB, LM-03 LM-04, LM05 Rev A, RP180713-DRW01 and 190713/AIA/RP

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 3 The works carried out on site shall be in strictly accordance with the submitted Tree Survey and Arboricultural Impact Assessment Ref: 190713/AIA/RP (31/07/2013).

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP14 of the Peterborough Planning Policies DPD (2012).

Copies to Councillors: E Murphy, G Nawaz