

**Application Ref:** 13/01849/FUL

**Proposal:** Construction of a new retail supermarket (Class A1), with car and cycle parking facilities, public realm improvements to Station Road and associated landscaping works

**Site:** Former Royal Mail Sorting Office, Bourges Boulevard, Peterborough, PE1 1AE

**Applicant:** Peveril Securities/Waitrose  
**Agent:** Mr Simon Chadwick  
 Signet Planning Limited

**Site visit:** 19.12.2013

**Case officer:** Miss A McSherry  
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**Recommendation:** **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

Site and Surroundings

The application site is located within the city centre boundary and Railway Station Opportunity Area as defined by saved policies of the Local Plan, and the emerging City Centre DPD. The site is adjacent to but not within the central retail core retail as defined by the Local Plan and the emerging City Centre DPD. The Bourges Boulevard public transport corridor runs along the eastern boundary of the site, together with part of the cycle route network.

The existing Great Northern Hotel site is positioned to the south of the site, to the north is railway station land that is used for car parking and the fire station site, and to the west of the site are the railway platforms and tracks. Beyond Bourges Boulevard to the east of the site is the North Westgate Opportunity Area and the city centre multi storey car parks associated with the Queensgate shopping centre.

The application site covers an area of approximately 1.3 hectares, and is currently in use as a temporary Railway Station car park, with space for 496 cars. The site was formerly used as the Royal Mail sorting office site, however this use was relocated and the building subsequently demolished.

Proposal

Planning permission is sought for a new supermarket, with a gross internal area of 3,762 sq.m. and 2,537 sq.m net sales area plus café. The proposed retail floor space will be split into 75% for convenience goods, and 25% for comparison. It is proposed that this will be a Waitrose supermarket and it will replace the existing Waitrose store within the Queensgate shopping centre.

246 car parking spaces are proposed, including disabled and mother and toddler spaces, and 28 cycle spaces. Vehicle access to the site will be taken from Mayor's Walk.

## 2 Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
10/01461/OUT	Redevelopment of site to provide office (Use Class B1) and retailing use (Use Classes A1, A3 and A4) with associated vehicular access/egress, car parking and landscaping	Application Permitted	19/03/2012
10/00007/SCREEN	Request for Environmental Impact Assessment Screening Opinion relating to proposed redevelopment of site	Comments	23/11/2010
10/00277/FUL	Redevelopment of the former Royal Mail Sorting Office to provide a temporary surface level car park consisting of 500 spaces	Application Permitted	14/04/2010
09/01072/FUL	Redevelopment of the Former Royal Mail Sorting Office site to provide a surface level car park consisting of up to 500 spaces for a temporary period of five years	Application Permitted	19/11/2009
09/00466/FUL	Redevelopment of the former Royal Mail Sorting Office site to provide a surface level car park consisting of up to 500 spaces for a temporary period of five years	Application Withdrawn	07/09/2009

## 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)

#### Peterborough Core Strategy DPD (2011)

##### **CS04 - The City Centre**

Promotes the enhancement of the city centre through additional comparison retail floor space especially in North Westgate, new residential development, major new cultural and leisure developments and public realm improvements, as well as protecting its historic environment.

##### **CS10 - Environment Capital**

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

##### **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.

##### **CS15 - Retail**

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

#### **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.

#### **CS17 - The Historic Environment**

Development should protect, conserve and enhance the historic environment including non-scheduled nationally important features and buildings of local importance.

#### **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.

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

#### **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, 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.

#### **PP09 - Development for Retail and Leisure Uses**

A sequential approach will be applied to retail and leisure development. Retail development outside Primary Shopping Areas or leisure development outside any centre will be refused unless the requirements of Policy CS15 of the Core Strategy have been satisfied or compliance with the sequential approach has been demonstrated.

#### **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.

## **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.

## **Peterborough Local Plan (First Replacement) (2005)**

### **CC12 - Railway Station Opportunity Area**

## **Peterborough City Centre Plan (DPD) – Proposed submission version (2014)**

### **CC1 – 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.

### **CC2 – Retail**

Proposals for retail development outside or inside the Primary Shopping Area (PSA) will be determined in accordance with Policies CS4 and CS15 of the Core Strategy.

### **CC4 – Railway Station Policy Area**

#### **CC4.3 - Railway Station East Opportunity Area**

Development proposals for the Station East Opportunity Area should deliver a mixed-use, commercial-led development, including: retail uses ancillary to, and associated with, the railway station (other than the consented convenience retail development on the former Royal Mail site); and assisting in the delivery of improved connections between the Area and the City Core.

### **CC11 – Transport**

Within the area of the City Centre Plan, all development which has transport implications will be expected to make a contribution to the delivery of the City Centre Transport Vision (or any subsequent vision set out in a more recent Peterborough Local Transport Plan). This will be in the form of on-site provision, such as the creation of a high quality public realm; the provision of cycling infrastructure and/or attractive pedestrian facilities; and the making of appropriate accessibility improvements for people with disabilities; as well as off-site contributions (by way of a planning obligation) where these are necessary as a direct result of the proposed development.

## **4 Consultations/Representations**

### **Transport & Engineering Services**

No objections – Subject to the imposition of conditions and the securing of a financial contribution by legal agreement to provide the new pedestrian crossing and public realm improvement works off Bourges Boulevard.

### **Archaeological Officer**

No objection – Subject to the imposition of an archaeology watching brief condition. The site is within an area of archaeological significance however a large part of the site is likely to have already been disturbed and/or truncated by the expansion of the railway, and former land uses. Should any significant archaeological finds be uncovered during works further archaeological investigation will be required.

### **Drainage Team**

No objection – Subject to the imposition of a surface water drainage condition.

### **Planning Policy & Research**

No objection – A larger supermarket store was approved under planning reference 10/01461/OUT in 2012. The updated retail assessment submitted with this proposal is considered to be

acceptable and the proposal would not have any significant adverse impact on the city centre or any of the district centres. Due to the imposition of the new pedestrian crossing of Bourges Boulevard being secured by way of a legal agreement, the site can be considered as an 'edge of centre', rather than out of centre retail location.

**Wildlife Officer**

No objection – Subject to a condition to secure bird and bat boxes on site, to achieve biodiversity gain.

**Landscape Officer**

No objection – However the on-site planting is lacking and appears to have been designed secondary to the building and car parking. Recommend the imposition of planning conditions for the proposed landscaping and its management.

**Environmental Health (Food)**

No objection – Food business must comply with the business layout regulations and be registered with the Local Authority.

**Pollution Team**

No comments received

**Police Architectural Liaison Officer**

No objection - This proposal will increase the public use movement in this space, and so will have an impact on community safety and vulnerability to crime. The close proximity of the site to the railway station is likely to attract crime and anti-social behaviour. The proposals design should deter or address the potential impact of a terrorist related attack. CCTV coverage is required to cover the car park, cycle parking and the new public realm areas, and this should be secured by condition. A height barrier to the car parking area is supported. A condition is recommended to ensure all security measures and vulnerability to crime issues are suitably addressed.

**British Transport Police**

No objection – The cycle parking on the south of the site appears to have limited natural surveillance making it vulnerable to crime, in an area that already has a cycle crime problem. The station suffers from low levels of anti-social behaviour and alcohol related offences, however this new licensed premises may attract street drinkers and associated anti-social behaviour problems. British Transport Police have a police 24 hour post close to the station which covers Lincolnshire, Bedfordshire and Hertfordshire and are concerned addition policing problems generated from the development could distract them from their responses to work in this wider area.

**Environment Agency**

Object – In the absence of an acceptable flood risk assessment. A revised flood risk assessment has been submitted and the Environment Agency's further comments are awaited.

**Anglian Water Services Ltd**

No objection – Subject to the imposition of a surface water drainage condition. The developer will also need to ensure that the Anglian Water assets within or close to the development boundary are not impacted upon by the development.

**Fire Community Risk Management Group**

No comments received

**Peterborough Civic Society**

Welcome the proposed larger Waitrose store and the spin off benefits this could bring to the vitality and viability of the area. This is a key city centre site and the first thing visitors will see when arriving in the city by rail. The second entrance to the building on the southern side should be to the café area, with outdoor seating area, to ensure this is a fully active and welcoming elevation. This is key to stimulating the new pedestrian route from the station to the city. The quality of the

proposed paving and hard landscaping in this new pedestrian route between the Station and Bourges Boulevard is extremely important and should be co-ordinated with other surrounding land. There must be a physical separation between this route and the car parking. The western elevation facing the railway line and footpath/cycleway is poor and needs enhancement possibly with a mural. The proposed car parking should be pulled away further from the boundary with Bourges Boulevard with a soft landscape boundary to demarcate it from the public realm of Bourges Boulevard. We feel the proposed vehicle access will cause significant problems for the free flow of traffic on the Bright Street roundabout.

### **Network Rail**

No objection in principle, but has some specific requirements which must be met, particularly due to the close proximity to the development of an electrified railway.

### **Local Residents/Interested Parties**

Initial consultations: 28

Total number of responses: 8

Total number of objections: 8

Total number in support: 0

8 letters of objection have been received raising the following concerns:-

- The existing Waitrose store in Queensgate is more accessible to the bus station, and for bus users, than the location of the new store. The new store's location is more convenient for train users than bus users
- The elderly and those with mobility difficulties who currently use the bus to access the existing store, may no longer be able to do so, due to the increased walking distance. They will have to do their shopping online.
- There appears to be inadequate links to the bus stops, cycle routes and pedestrian footpaths. The development appears to give car access priority.
- Concerned about traffic flows to the site, particularly in peak times when roads around the site are extremely busy.
- There should be a separate vehicle entrance and exit point for customers
- There may be traffic difficulties for customers exiting and entering the site from Mayors Walk. A yellow box junction may cause traffic problems
- Has the scheme been future proofed in terms of size of delivery vehicles, if delivery vehicles to the site were to increase in size in a few years would they still be able to turn on site to prevent any dangerous reverse of large delivery vehicles on Mayors Walk
- Don't propose any pedestrian links on to Network Rail's footpath parallel to the railway line, previous attempts have been blocked by the landowner.
- The existing traffic exiting Mayors Walk already queues and has difficulty accessing the adjacent Bright Street roundabout as the dominant traffic flow is north to south. The traffic from this development, will add to these problems, and queuing traffic may prohibit traffic entering or leaving the application site.
- The development may attract traffic via Thorpe Park Road and Mayors Walk. This route already has issues with high volumes of traffic, speeding, inadequate junctions and poor road widths, which this development could add to. Service vehicles must not use this route and should be restricted to using Bourges Boulevard only.
- Traffic management measure should be put in place to deal with the existing traffic problems on Mayors Walk and Bourges Boulevard, and that the increased traffic of the development.
- The Waitrose building should be relocated on site, so that its frontage faces immediately on to Bourges Boulevard, to provide an active frontage on to what is proposed to be a more pedestrian friendly environment by the proposed City Council public realm enhancement works. The car parking should be positioned to the rear of the building, so it is not so dominant in the Bourges Boulevard streetscene, and does not give the

impression of an out of town development

- The development has little or no architectural merit, and will have a negative first impression for those arriving to the city by rail.

## **5 Assessment of the planning issues**

The main considerations are:-

### a) Background

This planning application follows the previous approval by the Planning and Environmental Protection Committee on 21<sup>st</sup> February 2012, of an Outline application for the redevelopment of the site to provide offices (Use Class B1), and retailing use (Use Classes A1, A3, and A4) with associated vehicular access/egress, car parking and landscaping in March 2012.

It is proposed that part of the S106 financial contribution from this development if approved will be used to contribute towards the City Council's Bourges Boulevard Improvement Scheme: Bright Street to Crescent Bridge. This is a scheme of significant public realm improvement works on this stretch of existing Bourges Boulevard dual carriageway, including 2 new at grade pedestrian crossings, to help increase connectivity and improve the public realm environment between the railway station and city centre. This scheme is part of a wider city centre transport and regeneration strategy. The scheme aims to help unlock key city centre brownfield opportunity sites within the Railway Station area, which have remained undeveloped in part due to poor pedestrian linkages to the city centre.

The main differences between the previously approved outline scheme and the current proposal

- is the deletion of the proposed (Use Class B1) offices,
- the deletion of the smaller A1, A3 and A4 units,
- and the reduced in the size of the proposed supermarket from 4,300sqm GEA to 3,762sqm, which the named proposed occupier of Waitrose

### b) Single rather than Mixed use development

The aspiration for the re-development of this site within the Railway Station Opportunity Area has always been for a mixed use development to maximise the use of this key city centre site which is located in a very sustainable central location, next to the Railway Station and in close proximity to the Bus Station. However despite this mixed use aspiration being incorporated in Planning Policy CC12 of the Peterborough Local Plan (First Replacement) since 2005, and approval 2 years ago of a mixed use office and supermarket scheme 10/01461/OUT, there has been no interest from anyone willing to redevelop the site for a mixed use scheme.

Therefore consideration now has to be given as to whether this site should remain undeveloped for the foreseeable future as no mixed use can be secured or whether we now accept in these difficult economic times that a single supermarket re-use of the site would be preferable to regenerate this key city centre site and provide improved pedestrian linkages from the Railway Station to the City Centre. It is Officers view that on balance a single retail supermarket re-use of the site would be preferable to regenerate this key city centre site and provide improved pedestrian linkages to city centre, rather than wait, currently an unknown amount of time, but probably a number of years, until the economy improves to achieve a mixed use redevelopment of the site.

### c) Retail use

A retail assessment supported the planning application 10/01461/OUT and assessed the appropriateness of the site for a 4300 sqm GEA supermarket, with a net sales area of 3000sqm, 900sqm of which was for comparison goods. The sequential test carried out demonstrated that there were no other suitable sites available higher in the retail hierarchy. It also considered the

retail impact of the proposal on other retail centres and retail supermarket stores, and concluded that the impact would not be significantly or unacceptably harmful.

An updated retail assessment has been submitted in support of this proposal. The store now proposed is smaller, with a gross floor area of 3,762 sqm rather than 4,300sqm, and a net sales area of 2,537 sqm rather than 3000sm. The net sales floorspace now proposed is broken down into 75% (1,903 sqm) for convenience and 25% (634sqm) for comparison goods. The updated retail assessment still concludes that there are no sequential preferable sites higher in the search sequence having considered the in city centre sites of the North Westgate Asda/Rivergate site and found neither of these to be suitable or available for the development proposed.

#### Retail Impact

The retail impact of the proposal on the city centre as a whole together with the other retail commitments of the approved but not yet implemented supermarket planning approvals at the Garden Park and Maskew Avenue would be less than 3%. The two main supermarkets that would be impacted upon by the development are the Morrisons on Lincoln Road and the Sainsbury's on Oxney Road. However as these stores are located in out of centre locations, they receive no planning policy protection. The impact of the proposal on all in centre existing stores would not be significant or of a level that would threaten the vitality or viability of these centres.

The application site due to its proximity to the city centre retail centre, and with the financial contribution to provide a new at grade pedestrian crossing to increase the accessibility of the site to the centre can be considered to be an 'edge of centre' rather than 'out of centre' retail location. Therefore the conclusion of the retail assessment are accepted and the proposal is considered to be in accordance with the NPPF and Policy CS15 of the Core Strategy.

#### d) Highway Implications

The previous application 10/01461/OUT, for 6,000sm offices, 4,300sqm A1 foodstore, and 850sqm A1, A3 and/or A4 considered the traffic impact of development and the traffic modelling submitted. It concluded that whilst there would be an impact on the Bright Street Roundabout western approach, the traffic would not queue back across the Bright Street roundabout. On that basis the Local Highway Authority raised no objections.

This application now proposes a smaller floorspace supermarket, with the deletion of the offices and ancillary retail units, therefore the traffic impact of this development will be less than previously approved.

The Local Highway Authority have considered the Transport Statement submitted with this proposal, and are satisfied that the traffic implications will be less than the previously approved scheme and are acceptable.

Highways raised concerns about the proposed parking layout in close proximity to the access and the manoeuvring space for vehicles and delivery vehicles at the access. They also raised concern about the ability of the service yard to accommodate the deliveries required. These issues have all been addressed through the revised plans received.

#### New Pedestrian Crossing

The site is located within the city centre boundary, and adjacent to but not within the city centre retail core. For a site to be considered 'edge of centre' rather than 'out of centre' in retail hierarchy terms it need to be both positioned at the edge of a centre and be within easy walking distance. In terms of the application site, it is located adjacent to the city centre retail area, but it is separated from it by Bourges Boulevard, which presently only has a single footbridge, to link it to the city centre, with no lift to provide disabled access. Therefore the view taken previously and now is that for the site to be truly an edge of centre site, a new at grade pedestrian crossing of Bourges Boulevard would be required.



The applicant therefore proposes as part of the development to make a financial contribution to the City Council's Bourges Boulevard Public Realm improvement works to provide the installation of a new at grade pedestrian crossing of Bourges Boulevard in close proximity to the site, to improve the pedestrian connectivity and strengthen the sites position as an edge of centre site, with the potential for linked trips.

### Parking

The car park is proposed to be managed on the basis that it will be free to Waitrose customers for a short term period, beyond which there will be a charging policy. This will prevent the car park being used either by railway station commuters, or long term visitors to the city centre, for which there are other more suitable car parking facilities available.

There is no objection to the level of car parking proposed for the size and nature of supermarket development proposed.

### Taxis

Waitrose have no objection to taxis entering the site, dropping off and leaving the site to allow customers the choice of using taxis as their mode of transport. However due to the constrained size of this city centre site, Waitrose requirements for minimum level of car parking and the close proximity of the site to the railway station taxi rank they do not propose to provide any on site dedicated taxi facilities. There is no Planning Policy requirement for on-site taxi rank facilities to be provided at supermarkets therefore in this instance on site taxi rank facilities could not be insisted upon.

### Conclusion

The Local Highway Authority are therefore satisfied that the proposal will not result in any unacceptable highway safety issues, and that whilst there will be traffic impacts particularly on Bright Street Roundabout they are not of a level that would be unacceptable or would require any highway improvement works to address them. Therefore subject to the impositions of conditions and the financial contribution to provide the new pedestrian crossing that the development is acceptable in highway terms and in accordance with Policies CS14 and PP12.

#### e) Design and layout

The site is unusual in its streetscene positioning in that it has 3 public roadside elevations; 1. to the south onto Station Road, 2. to the east on to Bourges Boulevard, and 3. to the north on to Mayor's Walk. It also has the railway line and public footpath leading to the railway station on its western side. Therefore it is extremely difficult to design a scheme on site which would provide active frontages on all 4 road/pedestrian frontages of the site.

With this in mind, and to try and encourage more pedestrian footfall from the railway station past the site, and into the city centre using the newly proposed pedestrian crossings of Bourges Boulevard, it was considered key that the Station Road frontage had to have activity to encourage people to use this new pedestrian route.

Therefore a second access to the new store was proposed on the south west corner of the building leading to a café area internally, with external seating area all of which would be visible from the railway station entrance/exit. It was considered this would be key to attracting pedestrian activity both to the site and to use the newly created public realm area in front of the building which would then lead people into the city centre across Bourges Boulevard. This new wide pedestrian public realm area in front of the building on the south side of the site provides a much improved route for visitors to access both the supermarket site and the city centre. The materials/street trees proposed to be used in this area are to match and complement those to be used in the City

Council's Bourges Boulevard Public Realm improvement works. The new pedestrian crossing of Bourges Boulevard will be paid for by a financial contribution secured by legal agreement as part of this proposal, which the City Council will use to assist the delivery of its proposed public realm works, which are due to take place later this year.

Therefore whilst it is regrettable as some objectors have raised, that an active frontage to the building could not be achieved directly on to Bourges Boulevard, it was considered more important that the active frontage be achieved on to Station Road to encourage pedestrian activity to and through Station Road to help strengthen this key proposed link for pedestrians into the city centre.

The car parking that fronts on to Bourges Boulevard will be, as it is presently, positioned on land that is lower in height than the land of the footpath on Bourges Boulevard therefore its visual impact on the appearance of the Bourges Boulevard streetscene will be reduced to that of an acceptable level. Details of the proposed boundary treatments will be agreed by condition.

There are some small areas of soft landscaping proposed in the car parking area, together with new street trees proposed on the new public realm area on the south of the site. Whilst this is limited in soft landscaping terms, this has to be viewed in the context that the site has very limited soft landscaping at present as it is a hard landscape car park, it is a city centre where land is at a premium and the site will be viewed in terms of the adjacent improved Bourges Boulevard where quite a number of new street trees are proposed. Therefore on balance the new landscape and tree planting are considered to be acceptable for this development site, in accordance with Policy PP16.

The biodiversity of the site will be enhanced by the provision of bat and bird boxes on site, which will be secured by way of a planning condition.

Issues of site security and reducing the sites vulnerability to crime have been raised, by the Police Architectural Liaison Officer and British Transport Police. The applicant has agreed to install CCTV to cover the car parking and new public realm area. It is considered that this together with any additional on-site security measures can be secured by planning condition. The comments of the British Transport Police about the site attracting anti-social behaviour and street drinking are acknowledged however it is considered with the use of CCTV and Waitrose own on site security management processes that this would not be a significant issue, or one that could warrant a refusal of planning permission.

Waitrose have confirmed they will provide accessible toilet facilities in store in line with current building regulations. Whilst enhanced accessible toilet provision over and above the normal requirements of building regulations would be desirable, it could not be insisted upon.

#### f) Impact on neighbouring sites

It is not considered that the proposed development would have any adverse impact on the adjacent railway station use. The developer when constructing development in close proximity to the railway line will need to ensure that they follow Network Rail's specific requirements to ensure that the development will not interfere with the safe operation of the railway line. Network Rail raises no objections in principle to the development, subject to their specific requirements being met.

It is not considered that the proposal would have any adverse impact on the adjacent Fire Station site or the existing Great Northern Hotel site or their extended development proposal for an extended hotel, offices, 6 apartments and some small A1 and A3 uses approved in February 2013 under planning reference 12/00329/OUT, but not yet implemented.

It is considered that the height, scale, siting and design of the proposed supermarket building and car park would not have any adverse impact on any of the surrounding uses. This is in accordance with Policies CS16 and PP3 of the Core Strategy and Planning Policies DPD.

#### g) Drainage

The flood zone mapping shows the site falls within Flood Zone 1, where it is considered there is low probability of flooding. The proposed supermarket is considered appropriate land use within this Flood Zone.

Due to the size of the site, greater than 1 hectare, a Flood Risk Assessment is required to support the application to demonstrate an acceptable surface water drainage strategy, based on sustainable drainage principles.

The Environment Agency have objected to the first submitted Flood Risk Assessment as it does not meet their specific technical requirements to provide a suitable basis for assessment of the flood risks arising from the development. Therefore a revised Flood Risk Assessment has been submitted and is currently with the Environment Agency for consideration. Members will be updated of any revised comments received in the Committee Update Report.

#### h) S106 Obligation

Under the Planning Obligations Implementation Scheme a S106 Contribution of £211,612.50 should normally be paid for the development proposed. However the amount has been reduced by £16,567.75 to £195,044.75 (plus monitoring fee), in light of the economic viability issues with the scheme. A financial contribution of £614,275 is also being made toward the required enhancements to Bourges Boulevard including the new pedestrian crossing. A £2,500 travel plan monitoring fee is also sought. The applicant has indicated a willingness to complete a Legal Agreement for the sum sought.

## **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 siting, scale and design of the supermarket proposal is considered to be acceptable with no unacceptable adverse visual impact on the surrounding area.
- The site's 'edge of centre' location meets the criteria of the retail sequential test, in that there are no other available sites for the supermarket higher in the retail hierarchy
- The retail proposal will not result any significant detrimental impact on the city centre or district centres as a consequence of trade draw either individually or in conjunction with other recent developments, planning approvals or schemes under construction
- Whilst a Mixed use development would have been preferable, this single retail supermarket use will provide enhanced redevelopment benefits for the site and the wider area with the provision of a new pedestrian crossing and enhanced pedestrian routes to the city centre.
- This development does not compromise the development of any other parts of the Railway Station Opportunity Area coming forward.
- The proposal would not be detrimental to any protected Cathedral views
- The proposal would not result in an unacceptable impact on the local road network or compromise highway safety or the implementation of the Primary Public Transport Corridor
- There would be no adverse impact on any neighbouring sites
- The proposal is therefore considered to be in accordance with Policies CS4, CS13, CS14, CS15, CS16 of the Core Strategy, Policies PP01, PP02, PP03, PP9, PP12, and PP16 of the Planning Policies DPD, Policy CC12 of the Local Plan and Policies CC2, CC4 and CC11 of the emerging City Centre Plan.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that planning permission is **GRANTED**

subject to the signing of a **LEGAL AGREEMENT** and 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 No development shall take place until details of all external building materials and all road/paving 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.**

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 No development shall take place/commence until a watching brief programme of archaeological work, including a Written Scheme of Investigation, has been submitted to, and approved by, the local planning authority in writing. No development shall take place unless in complete accordance with the approved scheme, should any archaeology of importance be found further on site archaeological investigation works may be required. The approved scheme shall be implemented in full including any post development requirements.**

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 paragraphs 128 and 141 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

- C 4 Prior to the occupation of the development the cycle parking shall be implemented in accordance with Peterborough City Council Cycle Parking Guidelines.**

Reason: In the interests of promoting the use of sustainable modes of travel to visit the site in accordance with Policies PP12 and PP13 of the adopted Peterborough Planning Policies DPD

- C 5 Prior to the commencement of any development hereby approved, full details of the vehicular and pedestrian accesses to the site from the public highway shall be submitted to and approved by the Local Planning Authority. The accesses to the site shall be implemented in accordance with the approved plans prior to the occupation of the development.**

Reason: In the interests of highway safety in accordance with Policy PP13 of the adopted Peterborough Planning Policies DPD

- C 6 Prior to the commencement of any development hereby approved, full details of the proposed off site highway works (yellow box junction) shall be submitted to and approved by the Local planning Authority. The highways works shall be implemented in accordance with the approved plans prior to the occupation of the development.**

Reason: In the interests of highway safety in accordance with Policy PP13 of the adopted Peterborough Planning Policies DPD

**C 7 Prior to the commencement of any development hereby approved a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The details within the CMP shall include:**

- o Haul routes to and from the site**
- o Hours of working**
- o Parking turning and loading/unloading areas within the site**
- o Compound/Storage/Welfare facilities**
- o Wheel washing facilities (wheel washing facilities shall be capable of cleaning the wheels, body and underside of the chassis of the construction vehicles)**

Reason: In the interests of highway safety in accordance with Policy PP13 of the adopted Peterborough Planning Policies DPD

**C 8 Prior to the occupation of the development hereby approved, the existing access to the site shall be closed in accordance with details to be submitted to and approved by the Local planning Authority. The highways works shall be implemented in accordance with the approved plans.**

Reason: In the interests of highway safety in accordance with Policy PP13 of the adopted Peterborough Planning Policies DPD

**C 9 The areas shown on plan 1429 URB FS [03] 00 53 Rev 00 for the parking, turning and loading/unloading of service vehicles shall be provided prior to the first trading of the store of the development thereafter used for no other purpose than the parking, turning and loading/unloading of service vehicles in connection with the permitted retail use.**

Reason: In the interests of highway safety in accordance with Policy PP13 of the adopted Peterborough Planning Policies DPD

**C10 Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. The following also needs to be submitted as part of any approved works/scheme:**

- Full and up to date design details of the proposed drainage systems for this development should be forwarded for approval**
- Calculations to support the final site drainage design**
- Written confirmation of approval from Anglian Water of any proposed discharge of surface water into their drainage systems, including confirmation of the allowable discharge rate.**
- Confirmation of whether infiltration is possible on site to manage all or part of the surface water through furthering testing as suggested in the Flood Risk Assessment for the site.**

Reason: To reduce the impact of flooding on the proposed development and future occupants, in accordance with Policy CS22 Peterborough Core Strategy DPD (2011).

- C11 Prior to the first occupation a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the Local Planning Authority. The development shall therefore be carried out in accordance with the approved details before first occupation.**

Reason: In the interests of biodiversity in accordance with Policy CS21 of the adopted Peterborough Core Strategy DPD (2011) and the NPPF.

- C12 Prior to the occupation of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.**

The scheme shall include the following details

- **Proposed finished ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD and policy TD1 of the Trees & Woodlands Strategy 2012.

- C13 Any trees, shrubs or hedges forming part of the approved landscaping that die are removed, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD.

- C14 A landscape management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The management plan shall be implemented in accordance with a timetable contained therein and as approved unless changes are first agreed in writing by the Local Planning Authority.**

The Plan shall include the following details:

- **Long term design objectives**
- **Management responsibilities**
- **Maintenance schedules**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies CS20 & CS21 of the adopted Peterborough Core Strategy DPD and TD1 of the Trees & Woodlands Strategy 2012.

- C15 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local**

**Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.**

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121.

- C16 The new unit hereby approved shall be used for the retailing of a single supermarket goods unit only and for no other purpose (including any other purpose within Class A1 of the Schedule to the Town & Country Planning (Use Classes) Order 1995 (or as subsequently amended).**

Reason: The information submitted to support the application is based on a maximum 3,762 square metres of GEA floor space being taken up by a food store. The application has been considered in this light against the planning policies and has been found acceptable on this basis. Any changes in types of goods being sold should therefore be subject to further assessment via a planning application.

- C17 The proposed foodstore shall comprise a maximum 3,762 square metres Gross External Area (2,537sqm total net sales floorspace (defined by Competition Commission, p64 Practice Guidance on Need, impact and the Sequential Approach) of which a maximum of 634 sqm shall be for comparison goods).**

Reason: The information submitted to support the application is based on a maximum 3,762 square metres of GEA floor space being taken up by a food store. The application has been considered in this light against the planning policies and has been found acceptable on this basis. Any changes in types of goods being sold should therefore be subject to further assessment via a planning application.

- C18 The draft Framework Travel Plan submitted with this application shall be in place prior to commencement of the development. Within 3 months of the occupation of the development, multi-modal surveys shall be carried out to ascertain the existing office/superstore modal shares. Within 6 months of occupation of the development a detailed Travel Plan setting SMART targets shall be implemented using the multi modal surveys as a basis for the targets and outlining measures that shall be implemented to achieve those targets.**

Reason: In the interests of promoting the use of non-car modes to travel to and from the site in accordance with Policy CS14 of the Peterborough Core Strategy Development Plan Document.

- C19 Prior to the commencement of construction, a scheme for the provision of fire hydrants to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In the interests of general amenity and fire safety, in accordance with Policy CS16 of the Core Strategy DPD 2011.

- C20 The development hereby approved shall have a target emissions rate 10% lower than required under building regulations at the time that building regulations approval is sought for the development.**

Reason: To facilitate the City Council's Environment Capital agenda and to comply with Policies CS10 & CS11 of the Peterborough Core Strategy Development Plan Document.

**C21 The proposed pedestrian crossing of Bourges Boulevard shall be implemented prior to the opening of the supermarket hereby approved.**

Reason: To ensure that the proposal provides for the necessary connectivity improvements to link better the site to the city centre in accordance with Policies CS14, CS4 of the Core Strategy and Policies CC12 and T8 of the Local Plan.

**C22 Within three months of the commencement of development details of the external lighting, boundary treatments, and CCTV provision shall be submitted to and approved in writing by the Local Planning Authority. These approved details shall thereafter be implemented prior to occupation.**

Reason: In the interests of residential amenity and to protect wildlife in accordance with policy CS16 and CS21 of the Peterborough Core Strategy DPD (2011).

**C23 The development hereby permitted shall be carried out in accordance with the following approved plans:-**

- URB FS 08 90 01 A01
- URB FS 03 00 53 A00
- URB FS 08 00 04 A01
- URB FS 08 00 01 A00
- URB FS 08 20 01 A00
- URB FS 08 10 01 A00
- URB FS 08 00 02 A00
- URB FS 08 80 01 A00
- URB FS 08 70 01 A00

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

**C24 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority before installation and should be installed before the use of the premises commences. The document prepared for the Department for Environment, Food and Rural Affairs (DEFRA), recommends best practice for 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (2005).**

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

**C25 Prior to the roof construction, details of any services which may be visible on external elevations, particularly pipes and extract or ventilation equipment and utility meter boxes, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.**

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).

Copies to Councillors M Nadeem, N Khan MBE, M Jamil