

Planning and EP Committee

Application Ref: 15/01013/FUL

Proposal: Part demolition, alteration and extension including change of use and erection of roof top extension to provide for uses within A1, A3- A5 (shops, restaurants & cafes, drinking establishments and hot food take-away), D2 (assembly and leisure) and other associated works

Site: Queensgate Shopping Centre, Westgate, Peterborough,

Applicant: IREEF Queensgate Peterborough Propco S.a.r.l

Agent: Miss Hannah Fortune

Nathaniel Lichfield & Partners

Site visit: 24.08.2015

Case officer: Mrs J MacLennan

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Recommendation: **GRANT** subject to relevant conditions

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

Site and surrounding area:

The application site is at the north west corner of the Queensgate Shopping Centre (QSC) which lies at the heart of the city centre retail area. The site primarily involves the area occupied by John Lewis and the former Waitrose store. It covers an area of approximately 1.8 hectares, providing c. 36,000 sqm Gross Internal Area (GIA) of Class A1-A5 floorspace. The site is bounded to the north by Westgate and the 'Westgate Development Opportunity Area', to the south by Cowgate and to the west by the Bus Station, multi storey car parks and Bourges Boulevard beyond. The surrounding area comprises a mix of uses including retail, leisure, offices and further afield, residential. The site abuts the Park Conservation Area and the City Centre Conservation Area to the north and south respectively and lies in close proximity to a number of listed and locally listed buildings.

The site lies adjacent to the Bus Station and is within a five minute walk of the railway station. There are four multi-storey car parks adjoining the centre which offer 2,300 car parking spaces. The site offers good pedestrian and cycling links to nearby residential properties.

Proposal

The application seeks planning consent for the addition of roof extensions to provide a multi-screen cinema (D2) and food and beverage areas (A1-A5).

Cinema: The Cinema would occupy part of the centre occupied by John Lewis at the second floor and would extend over the former Waitrose unit. An additional floor would be provided by a roof extension above the John Lewis store to create a third floor, including a mezzanine, to provide the cinema. The additional D2 floor space required to accommodate the cinema would be 3729 sqm and an additional 688 sqm for the Mezzanine floor.

The height of roof extension accommodating the cinema element would be 3.7m above the existing Mansard Roof of the John Lewis store to the north. The IMAX element of the cinema would be an additional 3m in height and would be set in from the west elevation of the building by 32m.

Restaurant Cluster: Two additional floors would be added at roof level above the former Waitrose Store to provide for food and beverage uses. The food and beverage area will form a cluster located

within the extensions providing 2000sqm at first floor level and 457 sqm at second floor level.

The extension above the former Waitrose Store, the southern element, accommodating part of the cinema and restaurants would have staggered roof heights, the highest element being the cinema at 14.9m.

The roof of the west mall would be removed at the upper ground floor level to be replaced with a full height glazed mall. This would provide natural light and a visual connection to the activity on the upper floors.

Changes are proposed to the John Lewis service yard and 'click and collect' facility to include a ramped access and additional customer parking.

The total gross internal area of the Queensgte Centre following development would be 48,516 sqm; an increase of 6,858 sqm. The following table sets out the composition of floor space/uses within the Centre.

Use	Existing GIA (sqm)	GIA to be lost by change of use or demolitions (sqm)	Total GIA New Floorspace (including change of use) (sqm)	Net Additional GIA following development (sqm)	Total Floorspace
A1 (Retail)	35,849	5,252	64	-5,188	30,661
A3-A5 (restaurants & cafes, drinking establishments & Hot-food takeaways)	242	116	2,450	2,334	2,576
D2 (Leisure)	0	0	4,278	4,278	4,278
Scheme 'other'	5,579	249	5,683	5,434	11,013
Total	41,670	5,617	12,475	6,858	48,528

The overall amount of A1 (retail) floorspace will decrease due to the increase in A3-A5, D2 and other uses including improved pedestrian circulation and dining space.

It is proposed that the QSC car parks would be open later during the evenings to accommodate the cinema goers.

The malls to the QSC would also be accessible during the evenings providing links to Cathedral Square from Queens Street and Cumbergate providing connectivity through the QSC with the Bus/Rail Station.

Internal reconfigurations:

The proposal would involve internal reconfigurations, the details of which are provided below. The internal works do not require the benefit of planning permission and are provided for information only.

The works to the centre would involve the reconfiguration of the John Lewis Store and the utilisation of back-of-house areas which are no longer required. John Lewis is retracting its shop floor coverage

and Waitrose has relocated which has provided the opportunity for additional retail units. New retail units would be provided on the upper ground floor and first floor levels of the John Lewis store. The former Waitrose store will provide a new retail unit and a circulation core/access to the new restaurant and leisure offer to be constructed above. The roof top extension created above the former Waitrose store would provide restaurants. The restaurants would overlook the west mall with terraces surrounding a double height internal courtyard. The circulation core/access continues on this level to access the restaurants and cinema above on the second floor.

The second floor would accommodate the multi-screen cinema. The cinema lobby would be to the south with the majority of screens accessed via a bridge over the west mall. The Mezzanine cinema level is proposed to link both blocks across the enhanced mall space.

2 Planning History

Reference	Proposal	Decision	Date
10/01426/FUL	Extension to provide additional retail floor space, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations	Permitted	31/01/2011
11/00980/DISCHG	Discharge of conditions C2 (Archaeological work) , C3 (Materials) and C5 (Site Investigations) of planning permission 10/01426/FUL - Extension to provide additional retail floorspace, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations	Determined	19/08/2011
11/01052/NONMAT	Non-material amendment to planning permission 10/01426/FUL - Extension to provide additional retail floor space, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations	Comments	02/08/2011
11/01456/DISCHG	Discharge of condition C4 (Construction Management Plan) of planning permission 10/01426/FUL (Extension to provide additional retail floor space, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations)	Determined	09/11/2011
12/00578/FUL	Installation of a new fire door to King Street (east side).	Permitted	06/06/2012
12/00641/NONMAT	Non-material amendment to planning permission 10/01426/FUL dated 31/01/2011 (Extension to provide additional retail floor space, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations) for amendments to conditions C8 and C9	Comments	17/05/2012

12/00735/FUL	Installation of metal gate on the King Street Alley Way	Permitted	06/07/2012
12/00956/DISCHG	Discharge of condition C7 (contamination) of planning permission ref. 10/01426/FUL dated 31/01/2011 - Extension to provide additional retail floorspace, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations	Determined	19/07/2012
12/01080/ADV	Two internally illuminated Primark blue external letter signs, one internally illuminated projecting banner sign and four Primark blue vinyl text to glazing	Permitted	10/09/2012
12/01377/NONMAT	Non-Material amendment to planning application 10/01426/FUL - Extension to provide additional retail floor space, development of new service corridor and lift core in basement service yard, construction of new mansard roofs and elevation works to King Street and Queen Street elevations	Determined	27/09/2012
12/01414/FUL	Installation of street furniture at external entrances to Queensgate shopping centre, comprising new PAS rated bollards (static, removable and rising variations), vehicle blockers and PAS rated cycle racks. New gatehouse to be installed at one service entrance	Permitted	26/11/2013
15/00989/ADV	6 no. New, non-illuminated signs to replace existing like for like, all these signs are either external to the mall building or visible from the road	Permitted	07/08/2015

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

Section 2 - Retail, Leisure and Office Development Outside Town Centres

Should be subject to an Impact Assessment on existing, committed and planning public/private investment in a centre(s) and on town centre vitality and viability. If there is no local threshold, 2,500

sq m will apply. Proposals which would have an adverse impact should be refused.

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 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 8 - Social, Cultural and Recreational Facilities

Developments should plan for the provision and use of shared space, community services and other local services; guard against the unnecessary loss of valued services/facilities; allow established shops, facilities and services to develop/modernise; and ensure an integrated approach to the location of housing, economic uses and communities facilities and services.

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.

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 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Section 12 - Development Affecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the assets is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

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.

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.

CS17 - The Historic Environment

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

CS18 - Culture, Leisure and Tourism

Development of new cultural, leisure and tourism facilities will be encouraged particularly in the city centre.

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.

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)

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.

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.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

Peterborough City Centre Plan (2014)

CC1 - Presumption in Favour of Sustainable Development

Development should contribute to the City's Environment Capital ambition and take steps to address key principles of sustainable development.

CC2 - Retail

Proposals for retail development will be determined in accordance with Policies CS4 and CS15 of the Peterborough Core Strategy DPD. Within Primary Retail Frontages, development within use classes A1 and A3 will, in principle, be acceptable.

CC3A - City Core Policy Area (a) General principles

The Council will seek development of the highest quality which strengthens the area as the retail, leisure, tourism and civic focus for Peterborough and its sub-region. New development must: improve the quality of the public realm; protect important views of the Cathedral; preserve or enhance the heritage assets of the area; and protect and enhance existing retail areas. The Council will also support development which results in a net increase in dwellings, improved connectivity, employment, conservation of historic shop fronts and development which encourages trips into the City Centre.

North Westgate Opportunity Area

Planning permission will be granted for comprehensive mixed-use development including retail, housing, office and leisure. This must also include improvements to the connectivity with the railway station and be integrated with the existing retail area.

Individual proposals which would prejudice the comprehensive development of this area will not be permitted.

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.

The provision of additional car parking spaces will be resisted within the City Core Policy Area.

Elsewhere in the City Centre new residential development within classes C3 and C4 will be expected to make provision for car parking in accordance with Policy PP13 of the Planning Policies DPD. There will be no minimum requirement for car parking spaces in association with any other type of development. Additional spaces will only be allowed if the development has provided a fully justification.

Planning practice guidance (PPG) – Department for Communities and Local Government (2014)

- Conserving and enhancing the historic environment
- Design
- Ensuring the vitality of town centres
- Travel plans, transport assessments and statements in decision-taking

The Park Conservation Area Appraisal Report and Management Plan

The City Centre Conservation Area Appraisal Report and Management Plan

4 Consultations/Representations

PCC Transport & Engineering Services – No objections – Staff cycle parking should be secured by condition. The existing car parks are sufficient to meet the needs of the development.

Travel Plan: The submission of a Travel Plan is welcomed. It includes targets and an action plan.

Traffic impact: The peak hours of use for a cinema are generally outside the highway network peak hours on both a weekday and Saturday.

The TRACK plots submitted for the revised ‘click and collect’ area for the John Lewis store are acceptable.

PCC Lead Local Drainage Authority – No objections – No comments to make in relation to this application as the surface water drainage as the footprint of the centre and ground level hard standings are not due to be changed.

PCC Conservation Officer – No objections - The proposed development has the potential to impact on the setting of a number of listed and locally listed building in the vicinity at Lincoln Road, Westgate, Long Causeway, Exchange Street, Cumbergate, Cathedral Square and Cowgate. Also the site is located adjacent to the City Centre Conservation area and the Park Conservation area is to the north.

The more evident part of the extension will be viewed from Crescent Bridge roundabout / Bourges Boulevard. The proposed development sits broadly in the massing of the existing roof elements and the proposed materials - grey cladding and glazing - match the existing roof top materials.

The shopping centre is, or forms, the backdrop to various listed buildings. The bulk of the building currently has a small adverse impact on the setting of some listed buildings (e.g. Wortley Arms Houses, former Royal Hotel, Westgate). There will be some minor visual impact on long distance views towards and from the Cathedral.

In many locations in views of listed buildings and parts of the Park and City Centre Conservation areas the proposed extension will not be visible. In other locations the development will be seen and this will vary depending on position of the viewer. The extension will be set back from the northern elevation to Westgate.

Overall the effect of the extension adding height to the centre is considered at worst to have a negligible adverse effect on the setting of some listed buildings and the City Centre conservation area.

PCC Wildlife Officer – No objections – The Wildlife Officer is satisfied with the Ecology report’s assessment of the impacts on protected species. The Ecological Assessment has identified that the existing building is likely to support nesting birds including various more common species as well as the black redstart which is a UK BAP Priority Species and is listed under Schedule 1 of the Wildlife

and Countryside Act (as amended). The Officer recommends targeted Black Redstart surveys are carried out every two weeks in May & June and monthly in July and August during the construction period by a suitably qualified ecologist, as recommended in the Ecology report. Should evidence of their nests being found, then appropriate measures should be put in place to ensure this species is not disturbed.

The Wildlife Officer recommended a number of bird nesting and bat roosting features are provided to enhance the development for biodiversity. The applicant has subsequently advised that a range of bird boxes would be provided and the Wildlife Officer is satisfied that these details can be secured by condition.

PCC Pollution Team - No objection - Details of filtration equipment for cooking odours would not be required as due to the surrounding uses it would be impossible to pin point the A3/A5 uses in Queensgate as a potential source of nuisance.

Archaeological Officer – No objection - Due to the history of development, the subject site is deemed to have negligible archaeological potential. As a result, there is no need to condition a programme of archaeological work.

PCC Rights of Way Officer – No objections – no comments to make.

PCC Sustainable Travel Officer – No objection - Following the receipt of recommended changes the Travel Plan now reflects more of a strategic and active focus on encouraging staff to travel sustainably to work. Updated travel survey information from 2015 is required and minor changes have been sought.

Environment Agency – Has no comments to make on this application.

Police Architectural Liaison Officer – No objections – No recommendations or further comments to make.

Peterborough Local Access Forum – Both the Queensgate development and the North Westgate development were discussed at our meeting and the following points were raised:

- There seemed to be several problems with access by car, cycle, taxi, bus and walking where the two application sites meet along Westgate. The North Westgate plans show priority vehicular access from the 2 existing car park exits only, whilst the Queensgate plan Design and Access statement shows car park access and exit from the 3 more points straight onto what could be a shared surface in the new development. How will this work in practice?
- The main vehicular access and exit for the bus station and the taxi rank is also across this narrow area, which is shown on the North Westgate plan as being a 24 hour pedestrian route and access point into the shared surface. No pedestrian routes to access the North Westgate development are shown on the Queensgate Design and Access statement 8.1 and 8.2 Vehicular & pedestrian access and cycle access. This sounds difficult to police and not at all encouraging for walkers and cyclists.
- Concern regarding the lack of connectivity between the two developments. We feel this is an opportunity missed as it does not seem at all easy to get from the new Queensgate development into the public Open Space around Westgate on foot, without going through the car park or bus station. How will this impact cyclists, mums with buggies and less able users? The Queensgate development makes much of taking the lid off Queensgate and letting the natural light flood in but seems to remain turning its back on the public open space just outside.
Officer response: Whilst the initial North Westgate scheme has been subject to revision since its initial submission, these are two separate applications. There are no changes to the access and egress from Queensgate as a result of the application and the Local Highways Authority have raised no objections.

- The North Westgate includes a Pedestrian level wind microclimate assessment which concludes that the Lawson Comfort criteria will be met, but it takes no account of the inevitable changes to wind patterns when the existing John Lewis building is increased in height. The height of the surrounding buildings is an important factor in the 'feel' of a public area. It does seem to us that there are still many access issues still be resolved for this application to become a successful project.

Officer response: It is considered that given the bulk, mass and height of the existing building the rooftop additions are unlikely to have a significant impact on the microclimate at street level.

Peterborough Civic Society –

- Recognises that this application has the potential to enhance the attractions of Queensgate both through cinema and food court.
- Welcome the proposal to increase the public accessibility of the centre/City Centre, outside normal shopping hours.
- No objection to the reconfiguration of the retail units or the extension of retail trading space into parts of the John Lewis not currently in retail use.

However, we also have the following serious concerns:

- The bulk of the cinema extension rising above the bus station is inappropriate.
- Its design and materials are out of keeping with the elevational treatment of the existing centre.
- The scheme will undermine the viability of the current long-awaited regeneration scheme for the North Westgate area.
- Should the City Council be minded to grant consent we suggest that this application offers the opportunity to negotiate for planning gain in the form of the illumination of Crescent Bridge.

Officer response: The illumination of Crescent Bridge is not necessary to make the development acceptable in planning terms, it is not directly related to the development and it is unreasonable to request this and therefore contrary to para. 204 of the NPPF.

Historic England - Do not wish to comment in detail but offer the following observations

- Part of the site lies outside the Conservation Area however the proximity of the development is such that it will have some impact on the character and appearance of the Conservation Area and on the setting of Listed Buildings in Westgate.
- Historic England has concluded that the bulk and massing of the alterations to the Queensgate centre would result in a modest level of harm to both the character and appearance of the adjacent conservation area and to the significance of listed buildings along Westgate through impact on their setting. Whilst the harm may be modest in accordance with paragraph 134 of the NPPF it will be necessary for the LPA to weigh that harm against wider public benefits that would be delivered by the proposal.
- The application would address the connectivity issues to the city during closing hours. Whilst this is welcomed and would go some way to offsetting the harm from the bulky roof extensions there are further opportunities. The current Queensgate Centre severs the route from King Street the Primark extension has prevented the route but this could be improved by providing active frontages. The improved connectivity should be secured by condition or S106.

Environment Agency - No comment to make on this application.

Local Residents/Interested Parties

Initial consultations: 253

Total number of responses: 4 (2 from Savills)

Total number of objections: 2

Total number in support: 0

Savills/Hawksworth - objection

An objection has been received from the Savills acting on behalf of Hawksworth Securities Plc; the

applicant for the adjacent North Westgate development (15/01041/OUT). The conclusion of the letter is provided below. A full copy of the objection letter is provided at Attachment 1.

- The redevelopment of North Westgate will facilitate redevelopment and, therefore, kick-start regeneration elsewhere in the City Centre. However, the proposed leisure-led scheme is dependent on the inclusion of a cinema which acts as its anchor. The inclusion of and grant of planning permission for a cinema at QSC will jeopardise this and prevent the North Westgate scheme coming forward.
- The NPPF clearly states that there should be a presumption in favour of sustainable development.
- Sustainability has three dimensions: economic, social and environmental (paragraph 7). Paragraph 8 states that these roles should not be undertaken in isolation; to achieve sustainable development economic, social and environmental gains “should be sought jointly and simultaneously” and “planning should play an active role in guiding development to sustainable locations”.
- As set out above, North Westgate will deliver economic, social and environmental gains, including the regeneration of this key City Centre site, with an estimated 1117 potential jobs, the delivery of over 200 dwellings, community facilities, new public spaces and connections to the communities to the north as well as enhancing the setting of Westgate Church and properties on Lincoln Road.
- North Westgate clearly meets the requirements of the NPPF by jointly and simultaneously facilitating net gains across the three pillars of sustainability.
- If the development of North Westgate does not proceed then the implications for the Peterborough Core Strategy includes the undersupply of housing and jobs, both of which are key to the growth strategy and sustainability.
- The cinema in Queensgate delivers some economic gains in terms of jobs but it does not offer any regeneration benefits for the City Centre and offers no social or environmental gains such as housing, community facilities and new public realm. It does not represent sustainable development and it will prejudice the opportunity to deliver sustainable development in Peterborough City Centre as proposed in the Development Plan policies CS4 and CC3.
- Policy CS4 of the PCS gives policy support for the redevelopment of North Westgate and priority for its delivery in the early years of the Plan Period.
- Policy CC3 of the City Centre Plan DPD, regarding development in the City Core, states that proposals which would prejudice the comprehensive development of North Westgate Opportunity Area will not be permitted.
- In conclusion, Queensgate does not benefit from a policy allocation and the adopted Development Plan makes no reference to the expansion of leisure facilities within the QSC. Given the policy priority afforded to North Westgate, which is allocated and offers the delivery of significant planned investment in the City Centre, it is imperative that planning permission is refused for a cinema at Queensgate.
- The reasons for refusal of the Queensgate scheme can be summarised as follows:
 - The scheme does not provide the joint and simultaneous delivery of the three elements of sustainability required by the NPPF and does not respond to the opportunity to achieve sustainable development in Peterborough City Centre. It is, therefore, contrary to paragraphs 8 and 10 of the NPPF, Policy PP1 of the Peterborough Planning Policies DPD and Policy CC1 of the City Centre DPD.
 - The scheme would prejudice the delivery of the regeneration and sustainable development of North Westgate which is a priority within the Development Plan. It is, therefore, contrary to Policy CS4 of the Core Strategy and Policy CC3 of the CCDPD.

The agent has responded to the representations made by Hawksworth, Peterborough Civic Society, Peterborough Local Access Forum and River Island and this is provided at Attachment 2 of this report for information.

River Island – No objections in principle

- Concern regarding the lack of consultation with the existing retailers within Queensgate.
- Consultation may have addressed the concerns regarding the potential disruption (to the trade of existing occupiers) caused by the construction phase and the effect on the vitality and viability of existing businesses.
- Request that a focussed consultation with existing occupiers of the QSC. *Officer response: The applicant has responded to the points made regarding public consultation and have reiterated that all managers of all the store in the QSC were invited to a preview event to the public consultation held on 14th May 2015. Furthermore the QSC Management issue monthly newsletters to all stores which provide updates on the scheme.*
- Suggest a Construction Management Plan be provided prior to any decision being issued. *Officer response: A Construction Management Plan will be required to be submitted and agreed prior to the commencement of development. The Plan will ensure that disruption caused by the development will be managed and minimised as far as practicably possible.*

Gladstone Connect (Community Group)

Object – Our area has suffered planning blight for 15 years or more. If the further development proposals at Queensgate were to threaten the viability of North Westgate scheme, then we would oppose them. These proposals should not be allowed to stand in the way of the very long overdue regeneration of North Westgate.

1 additional representation has been made stating the following:

- As far as I can see, this is going to make using the bus station problematic, at least. The bus station is too small now. Slamming a road through the middle will make it dangerous and restrict buses even further. Quite why a shopping precinct needs a road shoving into it, I have no idea. It negates the whole concept of a safe area to shop without motor vehicles. This ridiculous application should be thrown out. *Officer response: It is unclear which road is being referred to and the comments possibly refer to North Westgate as there are no alterations proposed to the Bus Station.*

5 Assessment of the planning issues

Background

Invesco – purchased the Centre and associated land holdings at North Westgate in January 2014. The proposal is part of a programme of works including the refurbishment of car parks (completed), internal mall refurbishments and improvements to Westgate Arcade (completed). Investment in the centre is important to ensure the centre remains attractive, in the context of changes in shopping trends.

An application is also under consideration for the Westgate Opportunity Area (15/01041/OUT). This is an outline application (with all matters other than access reserved) for a mixed use scheme, to include, a cinema (Class D2), restaurants and cafes (Class A3), retail units (Classes A1, A2) a food hall (Classes A1, A3, A4, A5), office space (Class B1a), a hotel (Class C1), community and health care facilities (Class D1), residential (Class C3), together with associated car parking, vehicular access, servicing arrangements, public realm works and landscaping.

The principle of development

QSC is located within the city centre core policy area and the vision for this area is for development that will strengthen Peterborough's sub-regional role as a key shopping destination. Paragraph 5.2.12 of the City Centre Plan states that as part of the vision for the city centre, there '*will be new retail and leisure provision, particularly further improvements to the Queensgate shopping centre and the North Westgate Opportunity Area.*' Furthermore Policy CC3 of the Adopted Peterborough City Centre Plan DPD seeks '*development which encourages trips into the city centre for shopping, leisure (including cinema), social and cultural purposes*'. There is an identified need for the city

centre to expand its cultural offer and the need to attract new facilities particularly a centrally located cinema and more bars and restaurants.

The cinema has the potential to attract large numbers of people and its location within the city centre is appropriate due to accessibility to a range of transport modes along with the provision of existing car parks/cycle parking provision and the likelihood of linked trips being made and to enhance the vitality and viability of the city centre. It is a key objective of national and local planning policy to have strong city centres.

The food and beverage provision would address a deficiency of these uses in the existing QSC. Investment has already been made in the city to enhance the restaurant provision within the city centre for example Carluccios and The Handmage Burger Company. It is considered the restaurant cluster would provide a complementary offer to the QSC, the cinema and other restaurant uses within the city centre. Ultimately encouraging visits to the city centre during the day and evening and increasing dwell time and enhancing the viability and vitality of the city centre.

In addition, although not for consideration under this planning proposal the reconfiguration of the John Lewis Store and the former Waitrose Store will provide large retail units which would encourage new retail operators to the city.

Policy CC3 of the adopted Peterborough City Centre Plan supports improved connectivity for pedestrians and cyclists and particularly to the rail station. The proposal would provide improved connectivity for pedestrians from the city centre to the Bus/Rail station through the extended opening hours of the QSC malls. Also the Policy states that new development must, where appropriate 'protect and enhance existing retail areas.' The proposal, by virtue of its content clearly satisfies this aspect of the policy.

It is considered that the provision of a cinema and associated restaurant offer will strengthen the existing city centre core, extending retail hours and dwell times and improve the evening and night time economy for the city centre. The principle of development is therefore supported and accords with the Council's vision for the City Centre and policy CC3 of the Adopted Peterborough City Centre Plan DPD, policies CS4 and CS18 of the Adopted Peterborough Core Strategy DPD.

North Westgate Development Opportunity Area

The Peterborough Civic Society have raised concern that the scheme will undermine the viability of the current long-awaited regeneration scheme for the North Westgate area. The proposed scheme for North Westgate is leisure-led and will provide similar facilities to the Queensgate scheme but with the added planning gain of securing the major objective of regeneration for this part of the city.

In addition, an objection letter on behalf of Hawksworth Securities plc; the applicant for the North Westgate Development, has been received. The letter argues that, essentially, the approval of the QSC cinema would jeopardise the delivery of the North Westgate redevelopment which is anchored on the provision of a cinema.

The objector makes reference to the national planning policy which by implication supports the delivery of the North Westgate Scheme, i.e. 'a presumption in favour of sustainable development' and that the three dimension: "economic, social and environmental gains should be sought jointly and simultaneously" and "planning should play an active role in guiding development to sustainable locations". In the objection it is stated that the North Westgate will deliver these gains with over 200 dwellings, community facilities, new public spaces and connections to the communities to the north as well as enhancing the setting of Westgate Church and properties on Lincoln Road and that if the North Westgate development does not proceed there would be an undersupply of housing and jobs. It is argued that although there would be some economic benefits from the proposed QSC cinema there would not be any social or environmental benefits i.e. housing, community facilities to the city centre and does not represent sustainable development.

The objection is based on the premise that the QSC application does not represent sustainable development. This is not the case. Whilst the NPPF identifies three strands to sustainability, it does not require developments to deliver against all three in order to be acceptable. The Queensgate proposal and the North Westgate proposal, whilst having some similar elements i.e. cinema, food and beverage units and retail, also has differences i.e. housing, public realm etc. Clearly not all schemes can contain the same elements as each other, but this does not mean, in the context of the NPPF that the lesser schemes must be refused permission. Contrary to what has been suggested, the Queensgate scheme would benefit the three dimensions of sustainability:

Economic: - Creation of jobs, focus of investment in the City Centre improving its vitality and viability. Improved access to car parks, the mall and wider city centre to the benefit of the night time economy.

Social:- Inclusive location accessible through a variety of transport modes.

Environmental:- Improved public realm in the context of the change to the interior of the mall, improved city centre accessibility at night time which has been a key constraint to date.

Thus it can be seen that the Queensgate scheme is 'sustainable' in its own right and is not contrary to the NPPF.

The applicant for the North Westgate scheme has stated that if the Queensgate scheme obtains planning permission then the North Westgate scheme cannot be implemented. This is acknowledged as it is unlikely that two city centre cinema's would be financially viable. However, this is a matter of competition between the developers and not a matter of planning policy (not least because there is not a national or local planning policy that seeks to refuse policy compliant development within the city centre that has the potential to prevent the redevelopment of the North Westgate site.)

It is acknowledged that the North Westgate Development, if implemented, would be a positive contribution for the city centre, providing city centre housing and so on. However, the location of the QSC for the cinema is considered to be sustainable in that it would be accessible by a variety of transport modes. Furthermore, the provision of a cinema and restaurant quarter would contribute to the sustainability of the city centre in terms of job creation and input to the local economy.

The letter goes on to refer to planning policies CS4 of the Core Strategy which gives support for the redevelopment of North Westgate, and policy CC3 of the City Centre Plan which states that proposals which would prejudice the comprehensive development of North Westgate Opportunity Area will not be permitted. Furthermore, Queensgate does not benefit from a policy allocation and the adopted Development Plan makes no reference to the expansion of leisure facilities within the QSC. Given the policy priority afforded to North Westgate, which is allocated and offers the delivery of significant planned investment in the City Centre, it is imperative that planning permission is refused for a cinema at Queensgate.

There are numerous shopping centres with food courts/quarters and cinemas and it is clear that this provision is lacking for the QSC. In addition the city centre faces increased competition from out of centre retail parks such as the Brotherhood Retail Park and Serpentine Green District Centre and in order to remain viable the city centre as a whole has to reinvent itself to be a place where people want to visit. One of the objectives of the Core Strategy is to regenerate the city centre in order to maintain viability and enhance vitality so that it remains at the top of the retail hierarchy in the East of England region.

It is accepted that there are no policies within the development plan for the redevelopment of Queensgate per se however, policies CS4 and CC3 state that development that encourages trips into the city centre for shopping, leisure (including cinema), social and cultural purposes will be supported to strengthen the area the city centre core area.

It is considered that the proposal for a cinema accords with the vision for the City Centre and the

associated planning policy. Policy CC3 of the City Centre Plan talks about the need for a cinema within the city centre core however, it does not state that the cinema has to be on the North Westgate site.

Both applications will be considered on their merits and in accordance with relevant planning policy. As discussed above the proposal for a cinema on the QSC would accord with relevant planning policy.

It would not be reasonable to refuse the application on the basis that the approval of the QSC would prejudice the development of North Westgate. It is the case officer's view that the meaning of the policy within CC3 that *'individual proposals that would prejudice the comprehensive redevelopment of this area will not be permitted'* is to prevent a development within the site that would compromise the comprehensive redevelopment of the allocated site. It is not applicable to sites outside the allocation.

In addition there is no guarantee that the North Westgate Development would be delivered. As stated in the objection letter, the North Westgate Opportunity Area was allocated for redevelopment in the 1971 City Centre Plan and there is still a pending application dating back to 2007. On the other hand Invesco has indicated that it expects to implement the scheme early next year and the operator for the Cinema is confirmed as 'Odeon'.

Design and Visual Amenity

The existing centre is a large block and forms the back drop to the finer urban grain of the historic streets of Westgate and Cowgate. The existing material palette is simple, primarily comprising buff brick, lead mansard roofs and glazing. Due to the existing substantial mansard roofs most of the extensions would be screened by the existing roof structure. The retained lead mansard on the north block restricts visibility of the majority of the new cinema volume. It would be clad in matching material to blend into the mansard rather than contrast and draw attention to the increased volume. The cinema is set back from the existing elevation edge providing space between the mansard and the cinema's façade. The southern block would be more visible but the western façade would be in the most part, screened by the Bus Station and multi storey car parks. This element would be finished in light grey cladding panels with dark grey aluminium framing strip.

The massing of the extension would be broken up into 3 blocks with public spaces between them provided by the glazed malls. The variation in materials punctuates the otherwise continuous bulk and mass of the extension on the west façade of the building. Glazing to the mall elevation and roof is a clear glass curtain wall – the glass will restrict solar glare and unwanted heat. The glass is self-cleaning and low emissivity. The restaurant courtyard is also glazed the same as the mall.

It is proposed that the varying heights of the blocks create a rhythm on the roofline and this is accepted.

The west mall is main point of connectivity from the Bus/rail station and people's first impression of the city. Current low ceilings lack natural lighting resulting in an uninviting environment. The introduction of the glazed west mall has provided a visual enhancement to this entrance to the QSC and creates a more legible route to the rest of the centre and upper floor uses.

The Peterborough Civic Society recognises the proposal's potential to enhance the attraction of Queensgate through the introduction of a cinema and the inclusion of a food court and welcomes the increase in public accessibility. However concern is raised regarding the proposal. It is considered that the bulk of the cinema rising above the bus station is inappropriate and that the design and materials are out of keeping with the elevation treatment of the existing centre.

It is acknowledged that the elevational changes to the western façade are substantial however as stated above the majority of view of this elevation would be screened by the multi storey car parks. With regard to the design and use of materials, the existing building is a simple and bulky design

with a variety of roof heights and the materials are limited to buff brick, lead mansard roof and some glazing aspects to the entrances. The existing centre is also described as 'inward facing'. It is considered that the proposed materials aluminium cladding, glazing and buff brick to match the existing would complement and harmonise with those used in the existing building.

In addition it is considered that the design of the entrance to the western mall would provide a more welcoming experience for visitors to the centre.

It is considered that whilst the roof top extensions would result in an addition to the height and mass of the building the design of the extensions and appropriate use of materials would harmonise with the proportions and appearance of the existing building and would not detract from the character and appearance of the city centre as a whole. Hence the proposal accords with policy PP2 of the Adopted Peterborough Planning Policies DPD, policy CS16 of the Adopted Peterborough Core Strategy DPD and section 7 of the NPPF.

Impact on the conservation area and heritage assets

A Townscape, Visual and Heritage Impact Assessment has been submitted in support of the application. There are no listed or locally listed buildings within the application site however part of the site is situated within the city centre conservation area boundary and the Park Conservation area is to the north. There are a number of listed and locally listed buildings nearby. The study assessed three elements: an assessment of the likely effects on the character and quality of the townscape; the effects of the development on the significance of heritage assets; and an assessment of the effect of development on views, viewers and their visual amenity. Twenty-one key representative views were selected. It is noted that due to the low lying nature of the site and the dense development of the city, street level views of the scheme are well contained to the immediate vicinity of the site. The proposed development would, however, be seen together with the wider roofscape of Peterborough from the elevated view locations of the Cathedral Tower and bridges across the railway line.

The extension is located to the north-west of the QSC roof, furthest from the historic core of Peterborough. This means that the majority of the views from where the extension is visible are away from the sensitive townscape elements and particularly the Cathedral. The change to the view from the Cathedral tower is likely to be neutral in the context of the existing townscape character and acceptable. In terms of the remaining views, all effects are either negligible or neutral (minor to moderate).

The Conservation Officer has considered the assessment and identified that the more evident part of the extension will be viewed from Crescent Bridge roundabout / Bourges Boulevard. In this context the proposed development sits broadly within the massing of the existing roof elements and the proposed materials would match existing roof top materials, and so is visually acceptable.

In addition, the shopping centre is, or forms, the backdrop to various listed buildings. The bulk of the building currently has a small adverse impact on the setting of some listed buildings (e.g. Wortley Arms Houses, former Royal Hotel, Westgate). There will be some minor visual impact on long distance views towards and from the Cathedral. In many locations in views of listed buildings and parts of the Park and City Centre Conservation areas the proposed extension will not be visible. In other locations the development will be seen and this will vary depending on position of the viewer. The extension will be set back from the northern elevation to Westgate.

The Conservation Officer recommends the application be approved and considers that the work will only have a slight adverse impact on the setting of certain listed and locally listed buildings but overall would accord with section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990. Also, it is considered that the work will preserve the character and appearance of the City Centre and The Park Conservation Areas in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD (2012) and the

National Planning Policy Framework (Heritage considerations)

Officers agree with the conclusions of the applicant that the extension would have a negligible effect on surrounding townscape character. The increase in height to the north-western part of the QSC roof would not alter the key characteristics or setting of the identified townscape character areas surrounding the site. The greatest townscape changes would be to the transport corridor character area (around Bourges Boulevard) but due to the poor quality townscape of this area and the height precedent already set by the shopping centre, the effect to the character of this area as a whole would be negligible.

Historic England has made representation on the application and considers that the bulk and massing of the alterations to the Queensgate centre would result in a modest level of harm to both the character and appearance of the adjacent conservation area and to the significance of listed buildings along Westgate through impact on their setting. Historic England has referred to para 134 of the NPPF that the Local Planning Authority will be required to weigh that harm against wider public benefits that would be delivered by the proposal.

It has been noted in the above report that the existing QSC comprises a large mass of buff brick and as a consequence has some impact on the setting of some listed buildings which lie to the forefront of the building. Consideration therefore is limited to the additional impact on the listed buildings resulting from the rooftop extensions. It is considered that whilst extension would add large volumes to the existing building these would not be apparent at the street level and would only be visible from views further from the site where, given the scale and mass of the existing building, they would appear proportionate.

The impact is measured against the benefits of the proposal which would be improved vitality and viability for the city centre through the likely increase in visitor numbers through cinema and restaurant offer, increased dwell times, employment opportunities improved night time economy, and improved pedestrian connectivity outweighs the negligible adverse harm caused by the extension.

Historic England have stated that the improved connectivity in the city would go some way to offset the harm resulting from the proposal however have requested that active frontages are provided to the elevations fronting King Street.

The potential to open up the ground floor elevation to King Street was considered under a previous scheme for the Primark extension. At the time of the application it was considered that this was a flaw in the original consent for the QSC and it would not be 'possible to turn back the clock'. It is considered that this part of the centre is not included in the changes and due to the internal layout of this element of the QSC it would not be reasonable to request this. It is considered that the improved connectivity from the city centre through the QSC to the Bus/Rail stations provided by the Queen Street and Cumbergate entrances would be a significant improvement on the existing connections for the city centre.

As per paragraph 134 of the NPPF, the development will result in less than substantial harm to the significance of the designated heritage assets, and this limited harm needs to be weighed against the public benefits of the proposal, namely an enhancement to the vitality and viability of the existing city centre, economic benefits, and improved city centre pedestrian access. Therefore the less than substantial harm is outweighed by the benefits of the scheme and hence the proposal accords with policy CS17 of the Adopted Peterborough Core Strategy DPD, policy PP17 of the Adopted Peterborough Planning Policies DPD and section 12 of the NPPF.

Highway Implications

A LHA is content with the information provided within the Transport Statement.

There are 4 multi-storey car parks directly to the west of the QSC and in total there are 2,300 parking spaces. It is not proposed that there would be any additional car parking provided, however the car parks would be open later into the evening for users of the cinema. It is likely that the cinema will

increase the demand for parking however the peak time for cinema goers is likely to be in the evening, outside the core shopping hours when there is likely to be spare capacity.

Cycle parking: It is considered that there are insufficient staff cycle parking spaces available and further provision would be secured by condition. There would be provision within the 'click and collect' area.

There is customer cycle parking around the city centre in numerous locations. The LHA considered that further cycle parking should be proposed or at least the existing covered to encourage more trips by cycle. However, subsequent to the information as originally submitted the applicant has provided an assessment of provision and whether these are fully utilised. The LHA is satisfied that there are ample spaces around the entrances to the centre for visitor cycle parking.

Car parking: It is accepted that the existing car parks will open later to accommodate the proposed opening hours for the Cinema and associated restaurants. It is accepted that the existing car parking provision within the centre accords with the adopted parking standards under policy PP13 of the Adopted Peterborough Planning policies DPD.

Traffic impact: A 10% discount rate has been applied to the cinema trips to take into account linked trips with the shopping centre or other retail uses. However, the LHA are of the opinion that cinema trips are highly unlikely to link with an existing shopping trip and that the 10% discount is somewhat unrealistic. It is noted that the peak hours of use for a cinema are however generated outside the highway network peak hours on both a weekday and Saturday.

In respect of A1, A3-A5 trips these are more likely to be linked to the cinema during the evening or possibly shopping trips during the day. The application of a discount rate to these trips is therefore acceptable.

There would be a positive impact of the new proposals as the area of A1 retail floorspace is reduced which in turn would lead to a reduction in traffic to and from the shopping centre. The Transport Statement shows that overall because of this there would be a decrease in overall traffic during the Saturday network peak hours and a small increase in the weekday peak.

The LHA have however, stated that the 10% discount applied to the cinema trips is unrealistic and therefore the cinema trips for the network peaks have been recalculated to remove the discount. The result of this is that there is an increase in trips in both weekday and Saturday peaks as a result of this proposal. This increase is however, not significant being 16 trips and 13 trips respectively.

TRACK plots have now been submitted for the revised 'click and collect' area for the John Lewis store which the LHA consider to be acceptable.

It is noted that there are concerns regarding likely disruption that could be caused by the construction. The team will work closely with the centre management and local authority to develop and coordinate the construction methodology and plan any logistical operations that may impact on access to the centre and schedule these for out of hours working as appropriate to mitigate disruption. A Construction Management Plan will be secured by condition.

Travel Planning

A workplace travel plan has been submitted which has been developed with the Peterborough City Council Travel Choice Team. The submission of a Travel Plan is welcomed and it is hoped that the plan will encourage alternative methods of travel to work which would reduce the pressure on staff car parking, reducing the number of single occupancy car journeys along with the environmental benefits. The plan includes targets and an action plan and will be continuously reviewed and improved. Revisions to the TP initially submitted were requested by the Travel Choice Officer and these have been taken on board. However, undated survey information for 2015 is missing therefore the details would be secured by condition.

It is not considered that the proposal would unduly impact on the highway network and measures would be put in place to encourage alternative modes of transport. Hence the proposal accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and policies CS14 of the Adopted Peterborough Core Strategy DPD.

Ecology

An Ecological Assessment of the site has been undertaken and has identify any potential constraints to development. Due to the urbanised nature of the site and the lack of semi natural habitats the supporting value to the site in terms of flora and fauna is therefore limited and the impact on the wider environment as negligible. This report identifies the biodiversity features present which tend to be opportunist bird species that utilise building fabric including feral pigeon and gulls and the specially protected black redstart was identified in the wider area with the variety of levels and vertical habitats (rooftop plant and ventilation ducts) potentially offering suitable habitat. The building does not contain features associated with bat roosting. The report goes on to identify mitigation measures that should be followed to minimise impacts including avoiding construction work during the bird nesting season and undertaking surveys works.

The Wildlife Officer is satisfied with the conclusions of the report. The Officer's view is that as the building is likely to support nesting birds including the black redstart which is a UK BAP Priority Species and is listed under Schedule 1 of the Wildlife and Countryside Act (as amended) a condition should be appended to the decision notice requiring black Redstart surveys are carried out every two weeks in May & June and monthly in July and August during the construction period by a suitably qualified ecologist, as recommended in the Ecology report. Should evidence of their nests being found, then appropriate measures should be put in place to ensure this species is not disturbed. worded condition.

The Wildlife Officer has also recommended that a number of bird nesting and bat roosting features are provided to enhance the development for biodiversity. These details would be secured by condition.

With the recommendations being fully incorporated into the approved scheme the development would provide a net gain in biodiversity and accords with policies PP16 of the Adopted Peterborough Planning Policies DPD.

Statement of community involvement

The applicant has undertaken a programme of community consultation prior to the submission of the application in order to gain the views of key stakeholders and members of the public and to inform the scheme on areas of concern. Pre-application discussions were undertaken with the Local Planning Authority and the Local Highways Section.

An evening reception was held on the 14th May where local Councillors and key stakeholders were invited to attend a preview of the public exhibition.

A briefing was also given to Members of the City Council on the 3rd July following the submission of the application.

A public exhibition was held on the 15th and 16th May at the QSC which was open to local employees, residents and the general public. It was attended by representatives of the development team to provide opportunity for customers to ask questions and offer comments. The event utilised paper questionnaires and exhibition stands. 290 people attended the event and over 304 responses were received either from the event or by post. 98% of respondents indicated that they were in favour of the proposals.

Sustainability

The proposal includes measures to reduce the development's energy demand, consumption and associated CO2 emission include:

- Maximising internal comfort conditions by passive means
- Improving U-values for opaque and transparent elements over building regulations requirements
- Utilising energy efficient lighting systems with automated controls
- Maximising daylight use
- Enabling natural ventilation in the glazed façade to exhaust air from the space
- Building management system to monitor mechanical systems

It is considered that the proposal would make a contribution to Peterborough City Council's aspiration to become an environment capital in accordance with policy CS10 of the Adopted Peterborough Core Strategy DPD.

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 principle of a city centre cinema and restaurant provision with additional retail provision for the city centre is acceptable. This is in accordance with the vision for the City Centre, Policy CC3 of the City Centre DPD and Policy CS4 of the Core Strategy,
- the scale, proportions, design and use of materials would harmonise with the existing centre. This is in accordance with Policy CS16 of the Core Strategy and Policy PP2 of the Planning Policies DPD.
- it is accepted that the resultant bulk and mass of the extension would have a negligible adverse effect on the setting of some listed buildings and the City Centre conservation area. However this is outweighed by the benefits of the scheme to the vitality and viability of the city centre through the likely increase in visitor numbers through cinema and restaurant offer, improved night time economy, employment, and improved pedestrian connectivity. This is in accordance with the NPPF and Policy CS17 of the Core Strategy and Policy PP17 of the Planning Policies DPD.
- the site is accessible by a choice of means of transport and the proposal is supported by a transport statement and travel plan and will not result in any adverse highway implications. This is in accordance with Policies CS14 of the Core Strategy and Policy PP12 of the Planning Policies DPD.

7 **Recommendation**

The case officer 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 No development shall take place until details of the materials to be used in the external elevations of the extensions hereby approved 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 Policies CS16 and CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012). This is a pre-

commencement condition because it is important to ensure that the appropriate materials will be available at the time the above ground building work takes place given the proximity to the Conservation Area.

C 3 Prior to the commencement of the development hereby approved, a detailed Construction Management Plan (CMP) shall be submitted and approved by the Local Planning Authority. The details of the CMP shall include the following:

- Parking turning and loading/unloading for construction traffic taking into consideration access/parking requirements for surrounding building occupiers
- Method of ensuring that mud/debris is not carried on to the adjacent public highway including wheel/chassis cleansing (where applicable)
- Management of the manoeuvring of large construction vehicles including details of the types of vehicles being used in the construction process

The approved CMP shall be implemented for the entire duration of the construction period of the approved development.

Reason: In the interests of highways safety in accordance with Policy PP12 of the Adopted Peterborough Planning Policies DPD. This is a pre-commencement condition as the details will need to be approved before any work commences on site to avoid disruption to the adjacent highway network.

C 4 Prior to the extensions being brought into use additional cycle parking for staff shall be provided, the number and location of which are to be agreed in writing by the Local Planning Authority. The cycle parking shall be secure and covered and once implemented be thereafter maintained for the parking of cycles only.

Reason: In the interests of promoting travel by non-car modes and in the interests of highway safety and in accordance with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

C 5 Prior to the extensions being brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain SMART targets to encourage the reduction of car trips to the Queensgate Centre and promote the use of non-car modes instead and details of a review mechanism. The Travel Plan shall be implemented in accordance with the approved details.

Reason: In the interests of promoting travel by non-car modes and in the interests of highway safety and in accordance with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD and policy CS14 of the Adopted Peterborough Core Strategy DPD.

C 6 Details of the numbers, locations and design of bird boxes shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details prior to the extensions hereby approved being brought in to use.

Reason In order to provide biodiversity enhancements for the site and in accordance with policy PP16 of the Adopted Peterborough Planning Policies DPD.

C 7 In the event that construction works are undertaken during the months of May to August targeted Black Redstart surveys shall be carried out every two weeks in May & June and monthly in July and August during the construction period by a suitably qualified ecologist,

as recommended in the Ecology report. Should evidence of their nests being found, then appropriate measures should be put in place to ensure this species is not disturbed.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

- C 8 Notwithstanding the details hereby approved the opening times for the car parks and connective routes through the Queensgate Centre shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented when the extensions are brought into use and shall be maintained in perpetuity.

Reason: In order to provide connectivity, particularly in the evenings to and from the city centre, bus station and railway station and in accordance with policy CC3 of the Adopted Peterborough City Centre Plan, and policies CS4 and CS18 of the Adopted Peterborough Core Strategy PDP.

- C 9 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Elevation - BNY-SA 08 LL03 Rev B01
- Click and Collect – BNY-SA 08 AL07 Rev B01
- Click and Collect - BNY-SA 08 AL08 Rev B00
- Floor Plan – BNY-SA 1002 Rev B01
- Floor Plan – BNY-SA 08 002 Rev B01
- Proposed site plan – BNY-SA 08 LL93 Rev B01
- Elevation – BNY-SA 08 LL02 Rev B01
- Floor Plan – BNY-SA 08 B102 Rev B00
- Roof Plan – BNY-SA 08 5002 Rev B00
- Floor Plan – BNY-SA 08 2002 B00
- Section – BNY-SA 08 LL13 Rev B00
- Location Plan – BNY-SA 08 LL90 Rev B00
- Elevation – BNY-SA 08 AL06 Rev B00
- Service yard and section – BNY-SA 08 LL16 Rev B00
- Floor Plan – BNY-SA 08 3002 Rev B00
- Elevations – BNY-SA 08 LL04 Rev B00
- Floor Plan – BNY-SA 08 4002 Rev B00
- Section – BNY-SA 8 LL15 Rev B00
- Section - BNY-SA 8 LL14 Rev B00
- Section – BNY-SA 08 AL05 Rev B00

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