

**Application Ref:** 16/00835/R3FUL

**Proposal:** Proposed new medical centre

**Site:** The John Mansfield Centre, Western Avenue, Dogsthorpe, Peterborough

**Applicant:** Mr Graham Gardener, PrimeCare Properties Ltd  
**Agent:** Mr Brian Poole, AP4 LLP

**Referred by:** Head of Development and Construction  
**Reason:** Departure from the Local Plan  
**Site visit:** 29.04.2016

**Case officer:** Miss Louise Lovegrove  
**Telephone No.** 01733 454439  
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**Recommendation:** **GRANT** subject to relevant conditions

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

### Site and Surroundings

The application site is currently a vacant plot of formerly developed land situated on the southern side of Western Avenue. The site forms part of the larger, now demolished, John Mansfield School site which occupies the entire parcel of land enclosed by residential dwellings along Western Avenue (to the north), Eastern Avenue (to the east), Myrtle Avenue (to the east and south-east), Almond Road (to the south) and Willow Avenue (to the west).

The parcel of land subject to this application is situated to the front of the former school site, immediately adjacent to Western Avenue. It infills the parcel of vacant land between the public highway and the City College John Mansfield Campus (JMC) buildings to the south and east. There is a vehicular access serving the JMC bounding the application site to the east, and a former vehicular access serving the school site opposite No.137 Western Avenue. The entire frontage along Western Avenue has been secured through 2.4 metre high green weldmesh fencing.

There are semi-mature trees and shrubs along the frontage of the site with Western Avenue, two of which (in the north-western corner) are formally protected by means of a Tree Preservation Order.

It should be noted that the application site, and wider land, are allocated for residential development under Policy SA3.24 of the Peterborough Site Allocations DPD (2012).

### Proposal

The application seeks planning permission for the construction of a two storey medical centre (Class D1) comprising:

- 6no. consulting rooms;
- 3no. minor operation/treatment rooms;
- 1no. health care assistant/treatment room;
- Pharmacy (100 square metres of floor area);
- Ancillary offices, waiting area and storage; and
- Vacant floorspace at first floor to enable future expansion.

The total gross internal floor area of the proposed medical centre (including Pharmacy) extends to 1,021.4 square metres. In addition, the proposal includes the provision of a new access road to

serve both the proposal and wider housing development site which would be accessed from Western Avenue and a new car park with 63 parking spaces (31no. for visitors, 3no. for Doctors and 29no. for staff). Associated landscaping, refuse storage and cycle parking are also proposed.

The proposed new accommodation would provide replacement facilities for three GP practices which currently operate from premises at Eye Road, Church Walk, Poplar Avenue, Burghley Road and Parnwell Medical Centre.

It should be noted that the proposal has been amended from that which was originally submitted to take into account the comments of the Local Highway Authority (detailed below). Consultation on the associated amendments (which only relates to the widening of the access road, provision of further traffic information and a slight increase to the red line boundary of the application site) is currently ongoing and will not expire until 23<sup>rd</sup> June 2016.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
07/01738/R4OUT	Residential development comprising up to 150 units, new priority junction on Western Avenue adj Acacia Avenue, access road, car parking, amenity space and landscaping	Permitted	28/01/2011
08/00914/NDEM	Demolition of single and multiple storey buildings to the front of the site	Permitted	26/08/2008

## **3 Planning Policy**

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

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

#### **Section 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 11 - Re-use of Previously Developed Land**

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

## **Peterborough Core Strategy DPD (2011)**

### **CS02 - Spatial Strategy for the Location of Residential Development**

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

### **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.

### **CS22 - Flood Risk**

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

## **Peterborough Site Allocations DPD (2012)**

### **SA03 - Urban Area**

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

## **Peterborough Planning Policies DPD (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.

## **Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document runs from 15 January to 25 February 2016.

At this preliminary stage the policies cannot be afforded any weight with the exception of the

calculation relating to the five year land supply as this is based upon the updated Housing Needs Assessment and sites which have planning permission or which are subject to a current application. Individual policies are not therefore referred to further in this report.

#### **4 Consultations/Representations**

##### **PCC Tree Officer (23.05.16)**

No objections - There are 3no. trees within the site which are subject to a Tree Preservation Order (TPO) and are proposed to be removed in order to facilitate the development. In addition, all of the frontage trees except one flowering cherry are also to be removed. Whilst the TPO trees are in a good condition (except 1 to the rear), there is precedent for their removal by virtue of an earlier permission on the site. Mitigation planting is required to address the loss of amenity, particularly on the roadside frontage, and as a legal duty in respect of felling of TPO trees. Protective tree measures are also required to ensure no harm results to the retained tree within the site and adjacent trees to the south (outside the application site).

##### **PCC Transport & Engineering Services (27.05.16)**

No objections in principle – Additional details are required to: demonstrate that the data used for predicted traffic generation is the most up-to-date; that the future expansion of the surgery (vacant shell space proposed) is taken into account with regards to parking and traffic impacts; and demonstrate tracking for the new access junction with Western Avenue to ensure the design is of a sufficient standard. In addition, the existing bus stops on Western Avenue would conflict with the new access and will require relocation. This could be secured by condition. The existing vehicular access into the site will require closure and associated remedial works will be needed. These could be secured by condition. The surface and drainage of the access road will be needed however these could also be conditioned.

##### **PCC Pollution Team (26.05.16)**

No objections – The current application does not include details for mechanical plant. Therefore, prior to their installation, a scheme to specify the provisions to be made for the control of noise emanating the site should be submitted. The preference for this would be to ensure that the rating level of noise is no more than 10dB below existing background levels. In addition, it is envisaged that the premises will be fitted with some external lighting. Owing to the proximity to neighbours, the developer will need to demonstrate compliance with guidance issued by the Institute of Lighting Professionals. Finally, measures to control the emission of noise and dust from the site during the period of construction will be required.

##### **Education & Childrens Dept - Planning & Development**

No comments received.

##### **Archaeological Officer (13.05.16)**

No objections - The majority of the application site was formerly occupied by the buildings associated with The John Mansfield Secondary School. The foundations for the former buildings are likely to have caused widespread truncation of potential buried remains. In addition, an archaeological evaluation conducted on the playing fields in 2007 revealed no archaeological features. As such, a programme of archaeological work would not be justified.

##### **Lead Local Drainage Authority (29.04.16)**

No objections - The sustainable drainage principles set out in the application are acceptable. Request a condition to secure full design details of the final drainage system for the development including overland flow routes, discharge rates and attenuation volumes, and a detailed ground investigation to demonstrate that infiltration can be utilised.

##### **Sport England (03.05.16)**

No comments - The proposed development is not considered to fall within either the statutory or non-statutory remit of Sport England.

## **Police Architectural Liaison Officer (PALO)**

No comments received.

## **Environment Agency (27.04.16)**

No objections - The proposal has been assessed as having a relatively low environmental risk.

## **Local Residents/Interested Parties**

Initial consultations: 25

Total number of responses: 5 (including 2no. lead petitioners and 2no. Councillors)

Total number of objections: 4

Total number in support: 0

A petition of 44 signatories from residents along Acacia Avenue has been received raising the following:

- The development of a medical centre itself is not opposed, as this would be of benefit to the area. Rather, the proposed road layout and foreseen increased volume of traffic during operating hours is opposed.
- At present, we already have an increase in traffic cutting through Acacia Avenue, which is only 5 metres wide, to avoid traffic calming measures on Welland Road.
- Residents' parking on Acacia Avenue has significantly increased - even since the first application.
- If there are not enough parking spaces allocated in the development, the effects of extra traffic visiting the medical centre and pharmacy will result in overspill parking onto Western Avenue and Acacia Avenue. This was raised on previous applications, from which a petition was formed and this resulted in the agreement for the Western Avenue end of Acacia Avenue to be blocked off to road traffic.
- Another concern has been raised regarding the amount of driving schools using Western Avenue and the reversing around the junction with Acacia Avenue in the past 2 years. This already makes the junction dangerous throughout the day as it is constantly in use. The introduction of a staggered junction opposite Acacia Avenue, along with the current bus stops, will make this area potentially even more dangerous to road users and pedestrians.
- We wish for the agreement, as before, to transform Acacia Avenue into a cul-de-sac to help alleviate foreseen problems, and lower the risks of road traffic incidents.

One letter of representation (neither objecting nor supporting) has been received from a neighbouring resident to the site raising the following:

- The main concern is the increase in traffic along Western Avenue and parking on the road directly in front of the medical centre. My mother is disabled and would need to have access to her property at all times. Possibly she could have a disabled parking space?
- Is there going to be residents' parking only on the road side?

**Councillors Ash and Sharp** along with **former Councillor Miners**, have expressed concern regarding Acacia Avenue and additional traffic. Upon receipt of confirmation that the site owner (City Council Property Services) agrees to secure this closure, the objections from Councillors Ash and Sharp have been withdrawn.

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

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking, access and highway implications
- Neighbour amenity
- Trees
- Surface water drainage

**a) Principle of development**

As detailed in Section 1 above, the application site forms part of a wider parcel of land which is allocated for residential development under Policy SA3.24 of the Peterborough Site Allocations DPD (2012). Policy CS2 of the Peterborough Core Strategy DPD (2011) sets out the housing requirements for the City over the plan period to 2026. 25,500 additional dwellings are required over this time.

The proposal would result in the loss of 0.4 hectares of allocated housing land. This is not considered significant in the context of the wider allocation or Local Plan requirement. This area would not make a significant contribution towards the overall level of housing provided on the wider allocated site. Neither given the self-contained nature of the site (bound to the north by Western Avenue, to the east by residential dwellings, and the south by the JMC), would it prejudice the development of the remainder of the allocation in terms of creating an unacceptable relationship.

The City Council is currently undertaking a review of the Local Plan, with a view to producing an updated document by Summer 2018. As part of this process, the first draft of the new Local Plan has already undergone public consultation and an updated Strategic Housing and Economic Land Availability Assessment (SHELAA) published. The loss of the application site area for residential purposes is not considered to materially alter the contents of this assessment and any loss can be mitigated through the new Local Plan process given the opportunity to allocated new sites for development.

Notwithstanding the above, the loss of the housing land has to be balanced with any benefits arising from the development proposed. In this case, the application would have a community benefit through the provision of a new medical facility serving the wider area. As detailed in Section 1 above, the proposal would consolidate the services currently provided by 3no. GP practices operating out of 5no. separate sites. The proposal would result in the closure of these 5 sites and provision of all existing services within a new, purpose-built facility. Paragraph 70 of the National Planning Policy Framework (2012) highlights the need for planning decision to '...plan positively for the provision and use of shared space, community facilities... and other local services to enhance the sustainability of communities and residential environments'. It is considered that the proposal would fully accord with this by providing necessary health facilities serving the residents of Dogsthorpe, Central and East wards of the City.

It should be noted that the proposed medical centre falls within Class D1 (non-residential institutions) and therefore could, at any point in the future, be changed to another use within this class without the need for planning permission. Such uses include schools, day nurseries, places of worship etc. The identified benefit has only been considered on the basis of a medical centre use and as such, it is considered appropriate to secure a condition which retains the use of the site solely for the current proposed use and no other within Class D1.

Further to the above, it is noted that the proposal includes 100sqm of pharmacy floorspace which falls within Class A1 (retail). Under adopted national and local policies, all new retail floorspace should first be directed to identified District and Local Centres which the current application site is not situated within. However, the proposal represents an ancillary use to the proposed medical centre and would serve the needs of visitors and patients. It is therefore considered that there is no requirement for the Applicant to demonstrate that the site can be accommodated within nearby Local Centres.

Taking into account the above, it is considered that the community benefit arising from improved health facilities would outweigh the relatively small level of harm that would result from the loss of a parcel of land allocated for residential development. The principle of development is therefore considered to be acceptable.

**b) Design and impact upon the character and appearance of the surrounding area**

The proposed medical centre building would be sited centrally within the frontage of the undeveloped land, immediately opposite the junction of Western Avenue with Acacia Avenue. It would be marginally setback from the back edge of the Western Avenue footway, with intervening landscaping (the details of which can be secured by condition). It is acknowledged that the proposed building, whilst only two storeys in height, would have a larger mass and scale than the residential dwellings which surround it. Furthermore, it would be sited forward of the established building line. However, it is considered that it would be set a sufficient distance away from the dwellings to the east and west (36 metres and 28.8 metres respectively) to ensure that it does not appear unduly prominent or dominant within the streetscene. It should also be noted that historically this has been a school site, therefore it has always been of a very different form to the surrounding residential properties, with a different building line.

With regards to the proposed car parking, it is accepted that the proposal would introduce a significant area of open hardstanding, occupying approximately two thirds of the application site. However, this has been sited to the rear and eastern side of the building so that its impact is reduced within the overall context of the streetscene. Furthermore, as detailed above, the historic development of the school site included hardstanding and was therefore of a differing form. Subject to securing appropriate screening planting along the boundary with Western Avenue, it is not considered that this level of hardstanding would harm the overall visual amenity of the locality.

In terms of the design of the medical centre building, it is proposed to be of mono-pitched design with the highest part (standing at 8.9 metres) fronting on to Western Avenue. The building is of greater width than depth however it is considered that the staggering of front building lines ensures that the overall horizontal mass is reduced. This is further achieved through the differing external materials, comprising cladding at first floor with brick at ground floor. These details are not yet finalised however can be secured by condition. The proposed fenestration is of regular form and further assists in reducing the bulk of the building so that it would not appear an unduly dominant feature within the streetscene. It is noted that the design of the building differs from the established built form of the surrounding area, however it would appear as a standalone focal point within the streetscene and it is considered that the design and appearance of the proposal achieves this.

On the basis of the above, the proposal would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

**c) Parking, access and highway implications**

Parking provision

It is noted that some concern has been expressed with regards to the level of parking provision proposed, particularly in relation to the potential for overspill parking in the surrounding residential streets. These concerns are noted however it is considered that the proposal provides adequate parking facilities for the level of proposed accommodation / facilities. Under Policy PP13 of the Peterborough Planning Policies DPD (2012), new medical centres and A1 retail floor space (pharmacy) is subject to a maximum parking standard. With regards to the proposed medical centre, it must provide no more than 2 visitors parking spaces per consulting room, pick-up/drop-off facilities and 1 parking space per full-time equivalent staff member. The proposal would provide 10no. consulting rooms and is anticipated to have up to 23 full-time members of staff. This therefore equates to a maximum parking provision of 43 parking spaces. In addition, the 100sqm Pharmacy is required to provide no more than 7 parking spaces which totals 50 parking spaces overall. In addition, it must be noted that the proposal includes future expansion space at first floor which is not currently laid out as its usage would be dependent upon future expansion of the medical centre and what facilities/services that requires. Based upon a worst-case scenario, this area could

accommodate additional consulting rooms (as this is the most intensive parking standard).

The proposal would provide a total of 63no. parking spaces allocated at: 31 visitor spaces and 32 staff spaces (including 3no. specific doctor's parking spaces). This therefore exceeds the maximum parking standards by 13no. spaces. The Applicant proposes that this overprovision of parking would cater for the future expansion of the medical centre and this is accepted by the Local Highway Authority (LHA). Whilst adopted policies set out a maximum parking level, the National Planning Policy Framework (NPPF) requires that all parking must be considered on a case-by-case basis and, from knowledge of other centres across the City, it is acknowledged that additional parking is required.

Further to the above, it should also be noted that the siting and layout of the proposal is such that it would encourage staff and visitors to park within the car park. The only patient entrance into the medical centre and pharmacy is located on the southern elevation of the building, fronting on to the car park. This is also the position of the drop-off/pick-up area and as such, it is considered that this would encourage all visitors to enter the site rather than stop/park along Western Avenue and the surrounding streets.

With regards to cycle parking provision, the proposal would make provision for 8no. cycle parking spaces for staff within a covered and secure shelter situated adjacent to the staff entrance to the building. In addition, 7no. visitors cycle parking spaces which are covered and situated adjacent to the visitor entrance would be provided for visitors. It is considered that this level of cycle parking is sufficient to meet the needs of the development and encourage more sustainable methods of travel to/from the site.

In light of the above, it is considered that the proposal would provide adequate on-site parking facilities to serve the needs of the proposed development which would not place undue pressure for parking within the surrounding public highway.

#### Access

The proposal seeks to create a new access road taken from Western Avenue. To ensure that the development of the medical centre does not prejudice the wider housing allocation to the south and west, it is necessary to ensure that this access road is of a standard which could accommodate not only the current proposal, but also up to 120no. dwellings (which is considered to be the maximum level which could be accommodated on the remaining allocation). The LHA has not raised any objections to the proposed access road provided that tracking diagrams are submitted to demonstrate that a refuse/service vehicle can manoeuvre from Western Avenue into the new access. These diagrams are awaited and an update will be provided to Members.

The proposed access road is to be 5.5 metres in width (for the carriageway) with 2 metre footway provided to the eastern side (adjacent to the medical centre). This will ensure that it can cater for both the medical centre and housing development beyond. It will be required that the road and footway is provided prior to first use of the medical centre, however this will only be required to base course level with a temporary top finish as it is anticipated that an application will be received in due course for the residential development. In such an event, it would not be prudent to require the road to be top-dressed as it would be likely damaged during the period of construction. The footway however should be fully completed to ensure that patients/visitors can access the site safely on foot. The junction design (in terms of radius size) has been amended and is currently subject to further consultation with the LHA. Their revised response will be provided to Members in the Update Report.

With regards to the existing vehicular/pedestrian access to the JMC, this would be retained in its current form and is not affected by the proposal.

The LHA has advised that the swale design of the road, which runs along the western side of the carriageway is not required. This is noted and an amendment can be secured by

condition. However, the LHA has requested that a 2 metre wide footway be provided in its place. Whilst again this is noted, it is not considered the proposed medical centre generates the need for this footway as visitors may safely cross the access road and use the footway to the eastern side. The provision of the opposite footway can be secured separately as part of the forthcoming residential application.

In terms of refuse and servicing, the internal layout of the site is such that refuse/service vehicles could not enter to collect the waste or drop of supplies. To address this, the proposal includes a servicing bay to the eastern side of the new access road, immediately adjacent to the building. This would enable service vehicles to pull clear of the road, thereby not impeding the free flow of traffic. Any such vehicles would then turn within the new junction to the south (shared with the JMC and medical centre) before exiting out into the wider highway network. The LHA has raised no objections to this.

Finally, the proposed layout of the site would require a one-way arrangement, with visitors/patients/staff entering along the western boundary of the site and existing along the southern boundary onto a shared access with the JMC. This access is only to be used by the JMC for servicing and therefore, there will not be significant conflict between users. Moreover, once the residential allocation is built-out, future residents would have right of way with the medical centre users having to give-way. Again, the LHA has not raised objections to this arrangement.

#### Highway implications

A significant number of residents on Acacia Avenue along with past/present Ward Councillors have expressed concern with regards to the impact of the proposal upon usage of Acacia Avenue. They have advised that, at present, this route is used as a 'rat-run' to avoid traffic calming measures along Welland Road, and there is a concern that the proposed medical centre would exacerbate this. The residents have therefore strongly requested that the junction of Acacia Avenue and Western Avenue be closed. Based upon the predicted traffic generation from the proposal, the LHA has advised that the proposal does not generate the need for this closure. However, in light of the strong level of public feeling and the securing of this closure as part of an earlier permission on the site for housing (which has now expired), the landowner (the City Council's Property Services Team) has confirmed that they are prepared to undertake the works to close the junction. Accordingly, it is proposed that this be secured by condition within a timetable to be agreed between the landowner, Officers and the LHA. On this basis, the Ward Councillors have removed their objections.

In addition to the above, the LHA requires a number of relatively minor off-site highway works to be undertaken in order to accommodate the proposal and new access road. These include removal of the school 'keep clear' yellow lining along Western Avenue, closure of the existing school access which will become redundant and any associated works to make the footpath good, and relocation of the bus stops which would impede visibility and conflict with the new access road. All of these can be secured by condition.

Notwithstanding the above, the LHA has requested that clarification be provided to demonstrate that the data used to predict traffic movements is the most up-to-date and is relevant to the proposal. This clarification has been provided however updated comments are awaited from the LHA. These will be provided to Members in the Update Report. Notwithstanding this, it is not anticipated that this additional information would alter the assessment detailed above.

On the basis of the above, it is considered that the proposal would provide adequate parking provision to meet the needs of the development, would ensure safe access for all users, and would not pose a danger to the safety of the public highway network. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

**d) Neighbour amenity**

It is not considered that the physical size and scale of the proposal would result in any detriment to the amenities of neighbouring occupants. To the east and west, whilst these dwellings are of smaller height and scale to the proposal, there is adequate separation (36 metres and 28.8 metres respectively) to ensure no unacceptable levels of overbearing, overlooking or overshadowing result. To the north, the proposal would be sited 28.5 metres from the nearest residential property along Western Avenue. This is again considered sufficient to ensure no unacceptable harm results to neighbour amenity.

With regards to noise and general disturbance generated by the use of the site itself, it is considered that the layout of the site respects the context of the area and the relationship to neighbouring dwellings. It is acknowledged that the car park extends to be within close proximity of the boundary with Nos.92 to 98 Welland Road, with only the access to the JMC intervening. However, this is designed to serve staff only which will result in considerably less vehicular movements than the visitor/patient car park. Compliance with this layout can be secured by condition. Furthermore, it is not considered that the proposal would generate a significant additional impact through vehicle noise/disturbance above and beyond the former use of the site as a school (albeit it is acknowledged that the site has been vacant for a number of years).

In terms of noise from fixed plant, the application has not been accompanied by any information regarding plant/ventilation equipment to be installed however it is noted that this will likely form part of the development. Accordingly, it is considered necessary to impose a condition which limits the level of noise emission from such plant to no more than 10dB above existing background levels when measured from the nearest residential properties. This is the level recommended by the City Council's Pollution Control Officer. The Applicant would be required to demonstrate compliance with this limit in the event of receipt of any reasonable complaint on the grounds of noise. This would ensure that local residents do not suffer from unacceptable noise disturbance which would harm their amenity.

With regards to noise/disturbance from construction, it is considered necessary to impose a condition relating to the submission and accordance with a Construction Management Plan. This will include the requirement to adopt measures to control the emission of noise and dust from the site during the construction period.

On this basis, it is considered that the proposal would not result in an unacceptable level of impact to the amenities of neighbouring occupants and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

**e) Trees**

Within the application site there are 2no. individual trees and part of 1no. group of trees which are subject to formal protection by virtue of a Tree Preservation Order (TPO). In addition, there are a number of trees along the frontage of Western Avenue which are not subject to formal protection. The application has been accompanied by a detailed Arboricultural Assessment, the contents and method of which have been accepted by the City Council's Tree Officer. The most prominent of these trees are the 2no. TPO Silver Birches which are located centrally within the wider site frontage. In order to facilitate the development, these trees are proposed for removal. Whilst the removal of TPO trees is generally resisted, the Tree Officer has raised no objections owing to the historic agreement for these trees to be felled. The TPO was only imposed following the granting of planning permission on the wider site for residential development which permitted the felling of the trees. Whilst some time has passed, it is not considered that the loss of the trees could now be resisted owing to this.

To the rear of the site is the TPO group of mixed trees. It is proposed for one of these to be felled which the Tree Officer raises no objection to, as it is of poor quality and condition. The remaining trees, which are situated on a bank, fall outside of the application site and are

therefore to be retained. To address the difference in site levels, a retaining structure is to be installed. The Tree Officer considers that this is likely to be outside of the root protection area of the retained trees and therefore raises no objections. With regards to other trees/landscape features within the site, all are proposed for removal except 1no. flowering cherry. None are considered by the Tree Officer to be worthy of formal protection and as such, their loss is not resisted.

In light of the level of tree removal proposed, it is considered necessary to require a scheme of replacement planting and landscaping to the site, particularly along the Western Avenue frontage. This could be secured by condition and will include the need to provide new native tree species to ensure that the treed character of the streetscene is maintained.

On the basis of the above, it is not considered that the proposal would result in harm to the landscape amenity of the surrounding area, and is therefore in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

**f) Surface water drainage**

Under the provisions of the NPPF, all new major development (which the proposal falls under as it exceeds a proposed floor area of 1,000sqm) is required to make provision for Sustainable Drainage Systems (SuDS). Detailed ground investigation work has not yet been completed on the site and as such, its permeability is unknown. However, the application has been accompanied by an indicative drainage strategy which sets out differing options for dealing with surface water drainage through SuDS. The majority of the hardstanding proposed is to be constructed of permeable paving (e.g. the parking areas and internal access). Any areas of non-porous hardstanding will be channelled to direct surface water runoff to this porous material. It is then proposed for the water to infiltrate either to lined substrate which will hold back the water to ensure it can be discharged into the public sewer at a controlled rate or, the water will be held in drainage crates below the surface before it is discharged at a controlled rate. The City Council's Drainage Engineer has not raised any objections to this subject to securing a final design for the surface water drainage scheme by condition.

On this basis, the proposal would adequately deal with surface water run-off to ensure no increased flood risk results within or beyond the application site. The proposal is therefore in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

**g) Other matters**

In response to representations received from residents which have not been addressed above:

- **Lining along Western Avenue** - The LHA has advised that the proposed development does not generate the need for additional lining along Western Avenue. The specific concerns/needs of the objector are noted, however the proposal cannot be required to undertake works which are not necessary to make it acceptable. In this instance, the provision of either a disabled parking bay or imposition of traffic restrictions are not needed and cannot be required.

## **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:

- whilst the proposal would result in the loss of 0.4 hectares of land allocated for residential development, it is not considered that this would materially affect the ability to deliver the housing provision set out over the Local Plan period;
- the proposed development would not prejudice the ability to deliver housing on the remaining residential land allocation, in accordance with Policy SA3.24 of the Peterborough Site Allocations DPD (2012);
- the proposed medical centre and pharmacy would not result in any unacceptable impact upon

the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);

- adequate parking and access would be provided to meet the needs of the proposal and no undue impact would result to the safety of the public highway, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in an unacceptable impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in unacceptable harm to the landscape amenity of the surrounding area, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012); and
- the proposed development would adequately deal with surface water run-off to ensure no increased flood risk results within or beyond the application site, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

## **7 Recommendation**

The Head of Development and Construction recommends that Planning Permission (Regulation 3) is **GRANTED** subject to the following conditions and the end of the revised public consultation period (to 23 June 2016) with no new substantive objections relating to the changes to the access road/red line boundary being received:

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

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

- C 2 The development hereby permitted shall be carried out in accordance with the following drawings:

- Site Location Plan (drawing number 49\_14\_P\_01 Revision A)
- Site Survey As Existing (drawing number 49\_14\_P\_02)
- Proposed Site Layout Indicating Surfaces, Landscaping and Parking (drawing number 49\_14\_P\_05 Revision B)
- Site Layout Showing Demolitions and Infrastructure (drawing number 49\_14\_P\_06 Revision B)
- Ground Floor Plan (drawing number 49\_14\_P\_10 Revision A)
- First Floor Plan (drawing number 49\_14\_P\_11)
- Roof Plan (drawing number 49\_14\_P\_12)
- Proposed South-West and South-East Elevations (drawing number 49\_14\_P\_13 Revision A)
- Proposed North-East and North-West Elevations (drawing number 49\_14\_P\_14 Revision A)
- Proposed Sections AA and BB (drawing number 49\_14\_P\_15 Revision A)
- Proposed Site Section and Context Elevation To Western Ave. (drawing number 49\_14\_P\_16 Revision A)

Reason: For the avoidance of doubt.

C 3 No development, other than groundworks and foundations, shall take place until samples/details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling (samples) including brickwork, cladding panels and timber boarding
- Roofing (details)
- Windows (details) including roller shutters
- Pharmacy shop front (details)
- Doors (details)
- Rainwater goods (details)

The samples/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 4 No development, other than groundworks and foundations, shall take place until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

- Planting plans including retained trees, species, numbers, size and density of planting
- Hard surfacing materials of all non-adoptable footways, parking, access and circulation areas
- Boundary treatments
- External lighting (including light spillage diagrams)
- The form, appearance and construction of the retaining wall to the southern boundary

In the event of any reasonable light pollution complaint being received by the Local Planning Authority, the Developer (or their successors in Title) shall be required to demonstrate compliance with the Institute of Lighting Professional's 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. Where compliance is not demonstrated, a scheme to bring the lighting into compliance shall be submitted to, approved in writing and implemented within a timetable to be agreed with the Local Planning Authority.

The hard landscaping scheme shall be carried out in accordance with the approved details prior to first occupation of medical centre/pharmacy and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner).

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased 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 to those 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 visual amenity and to mitigate the loss of existing landscape features, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012).

C 5 No work shall take on the application site (including soil stripping, preconstruction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until a site specific Method Statement and/or Tree Protection Plan to BS5837:2012 'Trees in relation to design demolition and construction - Recommendations methodology' has been submitted to and approved in writing by the Local Planning Authority that identifies (not exclusively) the following:

- Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the application site;
- Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable);
- Details of facilitation pruning;
- Location for access, material storage, site office, mixing of cement, welfare facilities etc; and
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees.

The scheme shall be implemented strictly in accordance with the agreed details/plans. The tree protection shall be erected according to the specification and locations shown on the agreed Tree Protection Plan prior to any work commencing on the application site. Signs must be placed on the tree protection emphasising that it is not to be moved, nor the area entered into until the end of development without written permission from the Local Planning Authority's Tree Officer.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP16 of the Peterborough Planning Policies DPD (2012). The condition is required prior to commencement to ensure that no site preparation works harm trees which are to be retained and are of amenity value to the locality.

C 6 No work shall take on the application site (including soil stripping, preconstruction delivery of equipment or materials, the creation of site accesses) until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include (not exclusively) the following:

- Hours of working
- Haul routes to/from the site
- Material storage locations
- Parking, turning, loading and unloading areas for all construction vehicles
- Contractor parking
- Site welfare cabin and office positions
- Measures to control the emission of dust from the site
- Measures for the control of noise emanating from the site
- Wheel washing facilities, which every vehicle exiting the site must pass through before entering the public highway
- Temporary construction fencing

Development shall be carried out in accordance with the approved CMP.

Reason: In the interests of highway safety and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012). The condition is required prior to commencement to ensure that no works take place in preparing the site which would harm highway safety or neighbour amenity.

- C 7 Notwithstanding the drawings hereby approved and prior to the commencement of development, revised details of the approved access road to remove the swale element shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include the surfacing and drainage of the approved access road and pedestrian footway.

The carriageway to the road shall be provided in accordance with the approved details to base-course level with a temporary top-dressing prior to first occupation of the development hereby permitted. The footway shall be completed in accordance with the approved details prior to first occupation of the development hereby permitted.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012). The condition is required prior to commencement to ensure that the design of the access road is acceptable prior to its construction.

- C 8 Prior to first occupation of the development hereby permitted, details of the surfacing, demarcation and 'one-way' signing/lining to the approved car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The car parking shall be provided in accordance with the approved details prior to first occupation of the development. Thereafter, it shall be retained solely for the purposes of parking in connection with the use of the medical centre/pharmacy in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 9 Prior to first occupation of the development hereby permitted, a scheme of work to facilitate the closure of the junction of Acacia Avenue with Western Avenue shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the implementation of the approved scheme. The closure shall be completed in accordance with the agreed details and timetable.

Reason: In the interests of highway safety and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP12 of the Peterborough Planning Policies DPD (2012).

- C10 No development, other than groundworks and foundations, shall commence until details of the following off-site highway works have been submitted to and approved in writing by the Local Planning Authority:

- i) Relocation of bus stops along Western Avenue which conflict with the approved access road;
- ii) Removal of the yellow school linings along Western Avenue; and
- iii) Permanent closure of the existing site access, including any remedial work to the public footway.

The off-site highway works shall be carried out in accordance with the approved details and prior to first occupation of the development.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C11 Prior to first occupation of the development hereby permitted, details for the provision of staff and patient/visitor cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the provision for staff cycle parking to be secured and covered, and all cycle parking shall accord with the locations and number of spaces shown on drawing number 49\_14\_P\_05 Revision B 'Proposed Site Layout Indicating Surfaces, Landscaping and Parking'. The cycle parking shall be provided in accordance with the approved details and prior to first occupation of the development. Thereafter, it shall be retained solely for the parking of cycles in connection with the use of the medical centre/pharmacy in perpetuity.

Reason: To encourage more sustainable methods of travel to/from the site, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

C12 Prior to first occupation of the development hereby permitted, details of the signing and lining to the service bay shown on drawing number 49\_14\_P\_05 Revision B 'Proposed Site Layout Indicating Surfaces, Landscaping and Parking' to ensure that this area is kept clear for use by service/refuse vehicles only shall be submitted to and approved in writing by the Local Planning Authority. The signing and lining shall be carried out in accordance with the approved details prior to first occupation of the development.

Reason: In the interests of highway safety, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

C13 Prior to the installation of any external plant/extraction/ventilation equipment, details including the location, size, design and rating level of noise to be emitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of the building.

The rating level of noise emitted from any external plant/extraction/ventilation equipment shall not exceed 10dB LAeq above existing background levels. The noise levels should be determined at the nearest noise sensitive premises and in accordance with BS 4142:2014.

In the event of any reasonable noise complaint being received by the Local Planning Authority, the Developer or their successors in Title, shall be required to undertake a full noise assessment to demonstrate compliance with the above noise limit and submit this within 28 days of notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the noise assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority.

Reason: In the interests of preserving the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C14 Prior to the commencement of development, details of the final proposed drainage system to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details should include (not exclusively) the following:

- Overland flood flow routes to demonstrate that the flow is routed away from the building;
- Confirmation of surface water discharge rates and attenuation volumes, with appropriate calculations;
- Confirmation from the surface water sewer maintainer of the proposed discharge rate;
- Confirmation of ground investigations and whether infiltration can be utilised.

The approved system shall be implemented in full prior to first occupation of the development.

Reason: To ensure no risk is posed within or beyond the site from surface water, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011). The proposal is required prior to commencement to ensure that no enabling works are undertaken which would conflict with an acceptable drainage scheme.

- C15 The site/building shall be used as a medical centre with ancillary pharmacy only and for no other purpose (including any other purpose within Classes A1 or D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987) (or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification), notwithstanding the provisions of the Town & Country Planning (General Permitted) Development Order 1995 (or any statutory instrument revoking and re-enacting that Order).

Reason: In order to prevent unacceptable levels of traffic and parking, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C16 Notwithstanding the provisions of Part 2 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or means of enclosure shall be erected within the curtilage of the site unless expressly authorised by any future planning permission.

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

Copies to Cllrs Chris Ash, Bella Saltmarsh and Keith Sharp

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