

P & EP Committee: 29 July 2008

ITEM NO 05

08/00292/FUL: DEMOLITION OF EXISTING WAREHOUSES, ERECTION OF 132 DWELLINGS, 5 X LIGHT INDUSTRIAL UNITS, AND 4 X WORKSHOPS, EXTENSION TO EXISTING OFFICES (REVISED PLANS RECEIVED 20.06.2008) AT SHREWSBURY AVENUE, WOODSTON

VALID: 25 MARCH 2008
APPLICANT: C K H D DEVELOPMENTS LTD
AGENT: ARCHITECTS DESIGN CONSORTIUM LTD
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: DEPARTURE FROM POLICY
DEPARTURE: YES

CASE OFFICER: Paul Green
TELEPHONE: 01733 453456
E-MAIL: pauls.green@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development and policy considerations
- The impact of the proposal upon the character and appearance of the area
- The impact upon the residential amenities of adjoining residents
- The impact of the proposal upon traffic and the surrounding area

The Head of Planning Services recommends that the application is APPROVED

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

- DA1 Townscape and Urban Design** – planning permission will only be granted if the development respects the relationship with nearby buildings and its surrounding and will not result in an adverse visual impact.
- DA2 The effect of development on the amenities and character of an area** – planning permission will only be granted if the development would not affect the character of an area, or have an adverse impact upon the amenities of occupiers of nearby properties.
- DA3 Materials** - planning permission will only be granted if the external finish of the development would harmonise with the established building materials of the locality.
- DA14 Contaminated Land** – planning permission will not be granted for development on contaminated land unless it can be demonstrated through investigation that the contaminated land can be remediated.

- H15 Residential Density** – planning permission will only be granted for development which achieves the highest net residential density compatible the character and appearance of the site and the surrounding area, living conditions of local residents and which achieves a good standard of design and layout and which provides adequate open space. Net densities below 30 dwellings per hectare should be avoided.
- H16 Residential Design and Amenity** – planning permission will only be granted for development which provides a satisfactory standard of amenities.
- H21 Affordable Housing** – An element of affordable housing equivalent to 30% of all dwellings shall be sought on sites within villages for the development of 15 dwellings or more, or with an area of 0.5 hectares or more.
- IMP1 Securing Satisfactory Development** – planning permission will not be granted for development unless provision is secured for all additional infrastructure as a direct consequence of the development
- LNE9 Landscaping Implications of Development Proposals** – planning permission will only be granted for development that where practicable makes adequate provision for the retention and protection of trees and other natural features and makes adequate provision for landscaping of the site.
- LNE10 Detailed Elements of Landscaping Schemes** – where appropriate the provision of a landscaping scheme shall be secured by a condition of planning obligation which will provide for the provision/retention of landscaping, new planting, provision for the protection and management of existing landscaping and ecological features as appropriate
- LT1 Open Space in New Residential Development** – planning permission will not be granted for development of 9 or more dwellings unless open space is provided and laid out in accordance the minimum standards laid out in Appendix VII.
- LT2 Off-site contributions towards the Provision of Open Space for New Residential Development** – planning permission for proposals of 9 or more dwellings will be granted if the developer has entered into a planning obligation to make a financial contribution towards meeting the open space needs of the proposed residential development off-site if the development would be of insufficient size to make provision within the site and if the open space facilities can be met more appropriately off site
- T1 Transport implications of New Development** – planning permission will only be granted if the development would provide safe and convenient access to the site and would not result in an adverse impact on the public highway.
- T8 Connections to the Existing Highway Network** – planning permission will only be granted for development if vehicular access is on to a highway whose design and function is appropriate for the level of vehicular traffic likely to be generated by the proposed development.
- T10 Car and Motorcycle Parking Standards** – planning permission will only be granted if the development would provide adequate parking provision in accordance with approved parking standards.
- U1 Water Supply, Sewage Disposal and Surface Water Drainage** – planning permission will only be granted for development if facilities of adequate capacity and design are available or will be provided without detriment to the environment.
- U6 Development at Risk of Flooding** – Development will only be granted if the risks of flooding have been assessed and mitigation measures proposed whereby the risk of development and to land elsewhere is acceptable.

- H7 Within the Urban Area residential development on any site not allocated in policy H3-** Development will be permitted where site is well related to the area and not within defined Employment Area.

Material Planning Considerations

Planning Policy Statement 1 – Delivering Sustainable Development Planning Policy Statement 3- Housing

3 DESCRIPTION OF PROPOSAL

The proposal is for a mixed use development with the applicant's existing offices to be retained and extended. New housing accessed via Lansdowne Way and Shrewsbury Avenue would be built along the northern boundary of the site adjoining residential development in Lansdowne Walk and would be of two and three storeys in height. Along the Shrewsbury Avenue frontage four storey flats grouped around open space in the form of a pond and gardens and backing onto the industrial area would be built. The proposal provides for a mix of 1-4 bedroomed properties with the car parking at ground level for the two and three storey housing and undercroft parking for the four storey flats.

In addition, the existing four storey industrial building on the site would be retained for warehouse use and seven B1 units provided. The proposal also provides for four workshop units with flats over.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site comprises of approximately 2 hectares of land and is allocated for Employment Land in the Local Plan. The site is currently occupied by Cross Keys Homes as their headquarters and contains 3198 sq. metres of offices, warehouse buildings and car parking. To the south west is Shrewsbury Avenue and housing beyond, to the north further housing and to the south east warehousing.

5 PLANNING HISTORY

None relevant.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – Final comments awaited

Children's Services - Require financial contributions for education.

Historic Environment Manager- Not likely to affect significant archaeological remains.

Neighbourhood investment Team - Require financial contribution towards community centre.

Pollution Control Group - No objections subject to conditions.

EXTERNAL

Natural England - No objections

Senior Architectural Liaison Officer – No comments received

Environment Agency – Objects because the development has no flood risk assessment. Recommends conditions regarding contamination.

Fire and Rescue Services - Provision should be made for fire hydrants.

Anglian Water – No objections

NEIGHBOURS

Letters of objection have been received from 14 local residents raising the following issues:

- Concern that new roads will become a rat run, loss of light, working hours, construction traffic, impact of noise from adjoining industrial site, surface water and foul sewer capacity, traffic congestion, increased security risk, eye sore, risk of increased anti social behaviour, density too high, lack of parking, lack of open space, height of buildings and impact of development on Shrewsbury Avenue junction.

Petition signed by 57 residents of Lansdowne Walk objecting on the grounds of construction traffic using Lansdowne Walk, suggest bollards be introduced to the street to prevent a circuit to race around. Alleyway to side of No. 26 should be blocked off or if not then CCTV should be installed. Fencing to car parks needs to be reinstated.

Five letters of objection to the amended plans still concerned at the traffic situation and the occupier of 18 Lansdowne Walk concerned at a possible loss of light.

7 REASONING

a) Principle of development

The proposal is a departure from the Replacement Local Plan which seeks to retain employment land from competing uses. However since the local plan was adopted in 2005 both national and regional policy has shifted to take a more proactive approach to mixed use schemes where the land is well related to the surrounding area in terms of links to shops, schools, open space and community facilities. In the draft Core Strategy sufficient land has been identified for employment purposes excluding existing allocations with and those without permission. Therefore in principle the development, with its close links to the adjoining residential area and its own proposal to provide workplace units and further B1 units on the site, is considered to be acceptable.

b) Layout and design

The layout comprises of a new road to be known as The Street with access from Lansdowne Way flanked by two and three storey dwellings terminating in The Square. The other access point from Shrewsbury Avenue to be known as The Avenue is flanked by the extended offices and new flats on either side. A five storey point block flat building will act as a focal point at the centre of the scheme with open space including a pond as part of a sustainable drainage system.

The buildings are to be visually light in appearance with white rendering a predominant material, cedar cladding on some elevations provides a contrast with brickwork at a lower level. Roofs are varied with some with a slate finish, the centre block with a copper finish and the houses having a low pitch zinc type finish. Throughout the scheme balconies are introduced to all the house types.

The office extensions are two storey in height flat roofed and match the scale of the existing offices but with more external glazing. The B1 units are of a mixture of brick, cedar cladding and metal roofs.

c) Residential amenity

Concerns have been raised by residents in Lansdowne Walk at the close proximity of the three storey housing proposed in The Street to existing two storey dwellings. The applicant has now amended the scheme to omit three storey housing to the rear of Nos. 64-69 Lansdowne Way and adjoining the “clipper” housing at 76-78 Lansdowne Way and replace this with two storey housing. The back to back distance would be 20 metres rather than the 21 metres usually requested. Similarly the three storey development at the entrance to the Street lies within, at the nearest point, 12 metres of the Nos. 76-78 Lansdowne Way but at an oblique angle. The proposed dwellings would be to the south west of the existing dwellings so there would be no significant loss of sunlight.

d) Traffic- The applicant has been in extensive consultations with the applicant with the outcome that the cycleway has been omitted internally from the scheme. The developer will be requested as part of the Section 106 agreement to install MOVA software at the Oundle Road / Shrewsbury Avenue junction to ameliorate traffic congestion. Also a workplace and residential travel plan and associated contributions will be required together with contributions to cycleway facilities.

A construction management plan will also need to be to ensure minimal disruption to the properties in the vicinity of the site.

With regard to the petition received from many of the residents of Lansdowne Walk it is considered that the developer cannot be reasonably expected to address these as it cannot be proven that any of the existing problems will be exacerbated by the development.

e) Third Party Concerns

The major concerns of residents are concerned with traffic both with the capacity of Shrewsbury Avenue to cope with additional traffic, construction traffic and the probability of using the new roads as a circuit. Also there were concerns about the existing footpath link through Lansdowne Walk which is used by both pedestrians and cyclists. The comments of the Highway Authority address those concerns.

With regard to loss of light raised by a resident in Lansdowne Walk the new properties although three storey in height have a ridge height of 8 metres and using the 25% angle of light will not obstruct light to those properties.

The applicant has also addressed the proximity of existing dwellings to the scheme by reducing several of the properties from three-storey to two-storey development.

Your officer considers the proposal to be an excellent example of a mixed use scheme and recommend approval subject to Section 106 contributions to affordable housing, highways, a cycleway, education and community centre.

8 CONCLUSIONS

Subject to the imposition of the attached conditions the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The development is considered to be well related to the adjoining area and is considered to be an acceptable mixed use scheme conforming to local and national guidance. Hence the proposal accords with Policies H3 and H7 of the Peterborough Local Plan and PPS1.
- The height, scale and density of the scheme are considered acceptable in their context. Hence the proposal accords with Policies DA2, H16 and LNE10 of the Peterborough Local Plan.
- The height, scale and density and layout of the proposal are acceptable and will not impact upon the residential amenities of the occupiers of neighbouring properties. Hence the proposal is in accordance with Policies DA2 and DA8 of the Peterborough Local Plan.
- The traffic and highway proposals are considered acceptable and in accordance with policies T1, T8 and T10 of the Peterborough Local Plan.

9 RECOMMENDATION

Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the affordable housing educational, highway, community centre needs of the area, the Head of Planning Services be authorised to grant planning permission 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 the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 No development shall take place until details of all materials to be used in the external surfaces of the dwellings, office extension and industrial units; have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policies DA2 and DA3 of the Peterborough Local Plan (First Replacement).

- C 3** Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
(The applicant/agent is advised that the works involved in this condition are the sole responsibility of the owner/developer to ensure a safe development and secure occupancy for future residents. In addition the applicant/agent should be aware that the Local Planning Authority has determined this application on the basis of information submitted with the planning application. The grant of permission does not imply that the site is free from contaminants.)
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Planning Policy Guidance (PPG23 Planning and Pollution Control), Policies DA14, DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).
- C 4** No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority; the landscaping scheme shall include details of hard landscaping, planting plans, written specification (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme.
Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C 5** A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development or the occupation of any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C 6** Before the commencement of development on site a scheme for protecting the proposed noise sensitive development from the existing and proposed commercial units shall be submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.
Reason: To protect the amenities and privacy of the adjoining properties in accordance with Policy DA13 of the Peterborough Local Plan (First Replacement).
- C 7** Before the development of the proposed commercial uses commences a scheme shall be submitted to and agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from those sites. these provisions could include physical and / or administrative measures and would be implemented prior to occupation of the units.
Reason: In the interests of amenities of the surrounding area and to ensure adequate measures to control noise in accordance with PPG24 Planning and Noise.

If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

- R1** A request has been made by the Local Planning Authority to secure education, however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).

Copy to Councillors Scott, Seaton, North