

Agenda Item 5.3

Planning and EP Committee

Application Ref: 18/00108/OUT

Proposal: Residential Care Home with access, appearance, layout and scale secured and landscaping reserved

Site: Land To The Rear Of Thorpe Wood House, Thorpe Wood, Peterborough,
Applicant: Mr Stephen Walsh
Unex

Agent: Mr William Faux
D T Architects

Referred by: Head of Planning Services
Reason: Departure from Local Plan Policy
Site visit: 07.02.2018

Case officer: Mrs J MacLennan
Telephone No. 01733 454438
E-Mail: janet.maclennan@peterborough.gov.uk

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 located within site allocation SA11.15 'Land adjacent to Thorpe Wood House 2.48 ha' and is allocated for employment uses. The application site lies to the north-west side of the allocation site and comprises approximately 0.9 hectares of vacant scrubland and wild grass. The site has varying levels with a general downwards slope towards the south-east. Planning permission has recently been granted for a 50 bed specialist dementia care unit on the east side of the allocation fronting Thorpe Wood comprising approximately 0.47 hectares (Ref: 15/01912/FUL), which is currently under construction. The remainder of the allocated site is vacant. Directly to the north is Thorpe Wood House, a 4 storey office block; to the south-east is vacant land within the applicant's control which abuts a public right of way and then Thorpe Wood Golf Course. Directly to the south west of the site is a car park associated with the adjacent office development and further to the west is Bluebell Wood. A ditch runs across the site frontage from north to south.

The site has an existing vehicular access off Thorpe Wood. A shared cycle/footway runs from Thorpe Wood to the south of the site and connects into Nene Park.

Proposal

This application seeks outline planning consent including the reserved matters relating to access, appearance, layout and scale, with landscaping only reserved to a later stage, for a 2/3 storey 100 bed residential care home (C2) in the form of two wings with a central communal area. The building would have a gross external area of 4198.8m². The quantum of development would provide 1,708m² at ground floor, 1,708m² at first floor and 782.8m² at second floor. The south eastern wing would be 2 storey to a height of 10m. The south western wing would be 3 storey with a maximum height of 13.8m.

The care home would provide 18 no. full time jobs and 20 part-time jobs (25 full time equivalent).

The site would be accessed via an existing access off Thorpe Wood. 51 no. parking spaces would be provided including 3 disabled parking spaces

The scheme, as originally submitted, included a B1 Office building to the south east of the site. The scheme has been amended deleting the B1 Office. A further re-consultation has been undertaken.

2 Planning History

Reference	Proposal	Decision	Date
94/P0913	Office development with access and car parking (outline)	Permitted	30/11/1995
98/01014/REM	Erection of office building with associated access, car parking and landscaping (94/P0913 refers) - amended scheme involving revised building design	Permitted	25/04/2000
08/00979/OUT	Residential development of 58 units and 4 storey office extension to Thorpe Wood House with associated car parking	Refused	28/10/2008

Adjacent site of relevance

97/01152/OUT	Extension to offices and associated car parking landscaping and access (outline)	Permitted	30/03/1998
98/01013/FUL	Extension of existing car park	Permitted	23/12/1998
01/01625/WCPP	Variation of Condition 2 of 94/P0913 to allow the development to begin up to 5 years from a) the date of approval of the last reserved matters to be approved, or b) from the date of the active planning permission, whichever is the later	Withdrawn by Applicant	12/03/2004
02/01299/REM	Extension of existing offices with associated car parking	Permitted	13/02/2003
04/01726/WCPP	Variation of condition 3 of planning permission 97/01152/OUT to extend the period during which the planning permission can be implemented by a further two years	Refused	25/11/2004

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 1 - Alternative uses for Allocated Employment Sites

Where there is no reasonable prospect of an employment use being implemented applications for alternative uses should be considered, having regard to market signals and the need to support sustainable local communities.

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 10 - Adapting and Mitigating Climate Change

Energy efficiency improvements to existing buildings should be supported. New development should comply with local policies for decentralised energy supply unless it can be demonstrated that this is not feasible or viable. Account should be taken of the landform, layout, building orientation, massing and landscaping to minimise energy consumption.

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.

Peterborough Core Strategy DPD (2011)

CS03 - Spatial Strategy for the Location of Employment Development

Provision will be made for between 213 and 243 hectares of employment land from April 2007 to March 2026 in accordance with the broad distribution set out in the policy.

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.

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 Site Allocations DPD (2012)

SA11 - General Employment Areas and Business Parks

Within the allocated General Employment Areas and Business Parks planning permission will be

granted for employment uses (classes B1, B2 and B8 within the GEAs, classes B1(a) and B1(b) within the Business Parks).

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 (Submission)

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 Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

LP04 - Strategic Strategy for the Location of Employment, Skills and University Development

LP4 a) Promotes the development of the Peterborough economy. Employment development will be focused in the city centre, elsewhere in the urban area and in urban extensions. Provision will be

made for 76 hectares of employment land from April 2015 to March 2036. Mixed use developments will be encouraged particularly in the city, district and local centres.

LP4b) Employment Proposals not within General Employment Areas or Business Parks will be supported provided that there are no suitable sites within allocated sites/ built up area, it is of an appropriate scale, would impact on the viability of an existing allocated site and not result in any unacceptable impact.

LP4c) The expansion of existing businesses located outside of allocated sites will be supported provided existing buildings are re-used where possible, there would be no unacceptable amenity, highway or character impacts.

LP4d) Conversions and redevelopment of non allocated employment sites to non allocated employment uses will be considered on their merits taking into consideration the impact on the area, the viability of the development including marketing evidence and the impact of continued use of the site.

LP4e) Proposals which directly assist in the creation of a university campus will be supported.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- 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.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered. Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP45 - Employment Allocations

Identifies the sites to be developed primarily for development within use classes B1, B2 and B8.

4 Consultations/Representations

PCC Peterborough Highways Services – No objections. Concerns were raised concerning the B1 (a) Office element with the initial scheme. We have reviewed the revised transport assessment and as a result of the removal of the office element it is felt that the impact of the vehicular traffic will be negligible and therefore there are no mitigation measures required to address this aspect.

PCC Pollution Team - No comments received

Archaeological Officer – No objection - An archaeological evaluation of the site and subsequent target area excavation were carried out in the middle of the 1990s. In the eastern corner of the site the excavation confirmed the presence of an Iron Age ditched enclosure visible on aerial photographs. There is no need for further archaeological work.

Lead Local Drainage Authority – No objections in principle as it has been previously demonstrated that the site can successfully drain. However further information regarding the sustainable drainage scheme will be required by condition or as part of a reserved matters application.

Peterborough Cycling Forum - The Cycle Forum welcomes the provision of access directly from the public right of way which runs adjacent the site. This will provide a convenient and traffic free route for cyclists arriving from areas to the south and west via Ferry Meadows Country Park, and from almost all other areas of Peterborough. The Cycle Forum requests that the paths from this entrance, towards the office building and care home, have a minimum width of 2 metres. The cycle parking for the care home is well positioned.

Anglian Water Services Ltd – No objection - There are no assets owned by Anglian Water or those subject to an adoption agreement within the site. The foul drainage from this development is in the catchment of Flag Fen that will have capacity. The foul sewerage system at present has available capacity for these flows. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice should permission be granted.

PCC Tree Officer – No objection - The site is outside of a conservation area and there are no TPOs in the immediate vicinity. Supporting the application is an Arboricultural Report which identifies a single hedgerow on the south of the site. Concern was raised regarding the original scheme which outlined an office building to be located 4m from the public footpath boundary and a 2m reduction of the hedge. The Officer considered that hedgerow feature along this boundary would be overpruned and there is likely to be future pruning or removal pressure. The scheme was revised moving the building further from the boundary. The office element was subsequently deleted from the scheme. There are no objections to the revised scheme subject to a tree protection condition.

The Woodland Trust - No comments received

PCC Wildlife Officer – No objection. The mature hedgerow and trees along the southern site boundary are likely to support foraging/ commuting bats, particularly given that this landscape feature provides excellent habitat connectivity for bats travelling between the adjacent Thorpe Wood County Wildlife Site and Bluebell Wood CWS. It is recommended that external lighting is designed to be baffled downwards away from the southern boundary hedgerow and a range of bat roosting features are installed at suitable locations on the proposed building.

Recommends bird nesting Informative. A range of nesting boxes should be installed that cater to a number of different species such as House Sparrow, Starling & Swift. Details regarding numbers, designs and locations should be provided by the applicant which would be acceptable via a suitably worded condition.

The applicant's ecologist found no evidence of badgers within the application site, however there are clear large mammal tracks through the site. All construction trenches are covered overnight or a means of escape provided for any badgers or other mammals that may have become trapped. This may be secured via a suitably worded condition.

Thorpe Wood County Wildlife Site (CWS) and Bluebell Wood CWS are both located in close proximity to the application site and are connected via the wide hedgerow/ tree belt which forms the southern boundary of the application site. It is therefore important it is retained and strengthened as a landscape/ habitat feature.

Environment Agency - No objection

Police Architectural Liaison Officer (PALO) – No objection. The scheme is acceptable in terms of crime and fear of crime. This is an area of low vulnerability to the risk of crime. There is no mention of crime prevention or security but it does appear to have been considered. Would welcome a discussion regarding Secured by Design principles.

Cambs Fire and Rescue - Additional water supplies for firefighting are not required. If the proposed

development is to incorporate dry fire mains then additional fire hydrants may be necessary to meet the required distances between fire hydrants and dry fire main inlets in accordance with Section 15 of Approved Document B Vol 2 of the building regs. Fire vehicles access should also be provided in accordance with section 16 of Approved Document B Volume 2 of the building regs.

Local Residents/Interested Parties

Initial consultations: 51
Total number of responses: 2
Total number of objections: 2
Total number in support: 0

Comments have been received from a neighbouring occupier to both the initial scheme and the revised scheme. The initial concerns referred to the introduction of another 50 parking spaces for the office building alone, combined with staff for the 2 care homes that will occupy the plot. This would create gridlock on Thorpe Wood, most significantly between 4 and 5:30. If the traffic survey is to be believed, an increase of 7% will mean just two cars added to a typical line of 20, however as the exit onto the roundabout at Thorpe Wood is frequently blocked this will also have a serious knock on effect to public transport as well. As of today, we frequently have difficulty exiting Asset House at 5, adding all of these cars will only make it worse.

In respect to the revised plans the occupier appreciates the effort that has been put in to prove that peak traffic conditions on Thorpe Wood will not change due to this development, the neighbour is of the opinion that the statistics and consideration has only been given with regards to traffic levels as of today. When the Nursing home on the adjacent plot finally opens there will be an increase in traffic that has not been taken into account.

Also not taken into account is the fact that other than on foot the only access to pedestrians is via the bus route into Thorpe Wood, which of course will be unable to get through once the undoubted gridlock ensues. As such any traffic survey and estimation taken is likely to be woefully inaccurate until such time as the first establishment opens.

The impact of traffic on Thorpe Wood, leading to the Soke Parkway is significant, as it then affects the main Parkway, entry to Serpentine Green areas, access to Bretton and needs greater consideration.

5 Assessment of the planning issues

The main planning issues are:

- 1) The principle of the development
- 2) Highways Implications
- 3) Layout, Appearance and Scale
- 4) Amenity
- 5) Landscaping Implications
- 6) Wildlife Implications
- 7) Flood Risk and Drainage
- 8) Contamination

1) The Principle of Development

Policy CS3 of the Adopted Peterborough Core Strategy makes provision for the development of between 213 and 243 hectares of employment land over the period from April 2007 to March 2026, including land already committed with planning permission. Policy SA11 identifies allocated sites for General Employment Areas (GEAs) and Business Parks (BPs) in order to meet employment land targets over the plan period. The application site is allocated under site Allocation SA11.15 and

would provide 2.48 ha. for employment use. Within Business Parks (BP) planning permission will be granted for development within Use Class B1. Other development in BPs will not be permitted unless ancillary to B1 use.

Under the new Local Plan policy LP4 sets out the spatial strategy for employment and provision has been made to accommodate 76ha of employment land identified as needed over the period from April 2015 to March 2036, including land already committed with planning permission. Policies LP43 and LP45 identify the sites required to deliver the above level of growth. Under the new Local Plan the site remains an allocated employment site under policy LP45 (LP45.5) and would provide 2.06 ha of employment land. However unlike policy SA11 of the current Local Plan policy LP4 advises that for proposals which would result in the loss of an employment site for re-development to non-employment uses will be considered on their merits taking account of the following:

- whether the loss of land or buildings would adversely affect the economic growth and employment opportunities in the area the site or building would likely serve;
- whether the continued use of the site or building for employment purposes would adversely affect the character or appearance of its surroundings, amenities of neighbouring land-uses or traffic conditions that would otherwise be significantly alleviated by the proposed new use. It should also be shown that any alternative employment use at the site would continue to generate similar issues;
- whether it is demonstrated that the site is inappropriate or unviable for any employment use to continue and no longer capable of providing an acceptable location for employment purposes; and
- whether the applicant has provided clear documentary evidence that the property has been appropriately, but proportionately, marketed without a successful conclusion for a period of not less than 6 months on terms that reflect the lawful use and condition of the premises. This evidence will be considered in the context of local market conditions and the state of the wider national economy.

The new Local Plan is progressing through the adoption process and is at the Proposed Submission Stage and some weight can be given to policy LP4. Para 216 of the NPPF also indicates that policies within the emerging Local Plan can be given significantly more weight if they are consistent with advice contained within the NPPF. Paragraph 22 of the National Planning Policy Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

The proposal is to construct a Care Home on the site, which is classed as a C2 Residential Institution and is therefore a departure from Local Plan policy. As such the applicant has provided justification for the loss of employment land as part of the proposal.

The applicant's supporting statement advises that the land allocated under SA11.15 has been vacant for over 20 years despite its extensive planning history. There have been various applications for employment uses dating back to 1994 (including 94/P0913 Office Development with access and car parking – outline, and a reserved matters application in 1998 which was granted consent in 2000 ref. 98/01014/REM). To date however, the site has never managed to attract a pre-let and be built out for any of the proposals for which it has received planning permission.

The application states that during the applicant's 18 year ownership of the site, extensive marketing campaigns have taken place to try to secure a B1 Office pre-let including the production of glossy brochures and approaching prospective occupiers. A large marketing board has been prominently positioned on the Thorpe Road frontage for the past 12 years.

Local agents have also carried out marketing campaigns including DTZ, Savills, Donaldsons, Dickens Watts and Dade and Barker Storey Matthews. The agents have also put the site forward for consideration by leads generated via Opportunity Peterborough. None of this activity has managed to attract and secure a pre-let.

Organisations including Mastercard, Bauer Emap, The Environment Agency and the Green Investment Bank although having office requirements have discounted the site.

The site has remained an allocated employment site within the development plan for a number of years. However, it is difficult to argue that the site is fundamental to the City Council's employment land strategy given that despite extensive marketing over many years, it has not been possible to secure a pre-let for an office building on this site. Other potential uses for the site have been discounted for example housing due to the nature of the site and its separation from other residential development and associated services and facilities. Hence it has remained an allocated employment site.

Notwithstanding the planning history to the site, the scheme as originally submitted proposed an office building to the south of the site. The building would have provided 1,616m² of office floor space. A Transport Assessment was submitted in support of the application. The Local Highways Authority raised concerns regarding the proposed office use particularly due to the capacity of junction 15 (Thorpe Wood/Nene Parkway) where currently at peak times this results in vehicles queuing back along Thorpe Wood/Nene Parkway. It is therefore considered that the office scheme would have had an impact on junctions within the vicinity of the site, the most critical being junction 15 which is currently the subject of a study by the Local Highways Authority to investigate potential capacity/safety improvements. This roundabout is already operating above capacity and this is predicted to worsen in the future.

The applicant would be required to implement mitigation measures to the junction to at least reduce the impact of their development to an acceptable level either by physical measures i.e. works to the public highway or a financial contribution.

The applicant advised that in order not to compromise the consent for the care home, the office would be removed from the current proposal and would be explored further at a later time.

The Local Highways Authority raises no objection to the care home scheme per se as it is considered that the impact of the vehicular traffic resulting from the care home would be negligible and therefore there are no mitigation measures required to address this aspect.

Furthermore, planning permission has recently been granted for a 50 bed care home on the adjoining land under planning consent ref. 15/01912/FUL. The site area is 0.47 ha. This is currently under construction and near to completion. A similar argument was put forward regarding the lack of take up of the employment allocation despite significant marketing. The application was also referred to planning committee as it represented a departure from planning policy. Members resolved to approve the application. It is therefore considered that the principle of a C2 use on this site is acceptable and the approval of the former scheme is a material planning consideration.

As with the former approved care home on the adjacent site, whilst the proposal is not for B1 office use and therefore contrary to planning policy, the scheme would provide 18 full time jobs and 20 part time jobs and would contribute to the creation of new jobs within the city. It is therefore considered that although the proposal would result in the loss of employment land it would provide care facilities and bring a site, which has been vacant for over 20 years, back into beneficial use as well as creating jobs.

It is not considered that the loss of 0.9ha of employment land would adversely impact on the economic growth of the city and the applicant has demonstrated that despite extensive attempts over a period of circa 20 years that the land has never been successfully marketed for employment use. The development is therefore considered acceptable in principle in accordance with Paragraph 22 of the National Planning Policy Framework as there is no reasonable prospect of the site coming forward for employment uses and the requirements of policy LP4 are met.

As with the former approval for the care home ref. 15/01912/FUL it is considered reasonable to append a condition to ensure that in the future the applicant could not invoke any permitted development rights for a change of use as other uses, even within use class C2, may not be considered appropriate for the site particularly in terms of traffic generation.

2) Highway Implications

A Transport Assessment (TA) has been undertaken and submitted in support of the application. The TA has been revised following the removal of the B1 Office from the scheme. There is some planning history to the site and as stated above planning permission was granted under re. 94/P0913 and approval of reserved matters under ref. 98/01014/REM. The applicant considers that there was a start on site made and therefore the consent has been implemented and that this should be a fall back position for any assessment of the proposal on levels of traffic and highway implications. However, the Local Planning Authority has previously advised that the conditions appended to the outline consent were not discharged and therefore this was not a lawful start on site. The TA should therefore start from scratch. The applicant has undertaken the TA accordingly.

As stated above there were concerns regarding the impact on the nearby junction 15 due to queuing, however the care home would not impact on the adjacent highway due to the different travel patterns outside the peak hours.

Should the office element come forward in the future the applicant would need to consider the provision of a pedestrian/cycle crossing over Thorpe Wood to link the developments on the west side of Thorpe Wood along the footway / cycle track to the footbridge over the Nene Parkway. It is accepted that a safe crossing point could be difficult to achieve due to substandard visibility caused by the alignment of Thorpe Wood. However this is due to vegetation encroachment and if its removal could be secured then the required forward visibility along this 40mph road could be achieved, allowing the provision of a cyclist-friendly parallel zebra crossing to be installed. The applicant would need to investigate this matter should a subsequent application be submitted for the B1 Office. As the application stands this crossing facility is not required for the care home.

The comments made by representation are noted regarding the existing impact on the road safety network, particularly queuing from the junction 15 roundabout. However, the Local Highways Authority are of the opinion that the revised application providing a care home would have a negligible impact on the local highway network as the vehicle trips associated with the care home are likely to be outside peak traffic times.

Therefore the deletion of the B1 office element from the original scheme and replacement with a care home would lessen the impact of the development on the nearby junctions at peak times mainly because the generation of traffic to and from care homes to not occur during peak times. The proposal therefore would not unduly impact on the adjacent road network and would accord with policy PP12 of the Adopted Peterborough Planning Policy DPD.

Access

The site would be accessed via a new private road off Thorpe Wood. This has already been constructed. A vehicle tracking plan has been provided which demonstrates that a large refuse vehicle of 10.5m could access the site, turn and leave in forward gear. It is not known at this stage, whether refuse collection would be undertaken by the City Council.

A direct access for cyclists and pedestrians from the public right of way to the south of the site. This is welcomed by the Cycle Forum as it would provide a convenient and traffic free route for cyclists arriving from areas to the south and west via Ferry Meadows Country Park, and from almost all other areas of Peterborough via the bridge across the A1260 Nene Parkway.

The Cycle Forum requested that the paths from this entrance, towards the care home be amended to provide a minimum width of 2 metres to ensure all users can pass each other safely users of wheelchairs or mobility scooters. The plans have been amended to provide a 2m wide path.

Parking

Policy PP13 of the Peterborough Local Plan requires parking provision for a C2 Residential Care Home use of one space per full time member of staff, plus one visitor space per three beds. These are maximum parking standards. The applicant has advised that there would be the equivalent of 25 full time equivalent members of staff. For this development 58 spaces would be required, 51 parking spaces would be provided including 3 disabled parking spaces. This is a slight shortfall in parking spaces however it is considered that this would be an acceptable provision.

Secure areas for bicycle parking/storage for visitors and staff will be provided. The Cycle Forum considers that the cycle parking for the care home is well positioned. It follows best practice in being located close to the staff entrance and in a position where it is subject to a high level of natural surveillance from the building and car park. The details would be secured by condition.

It is considered that appropriate provision has been made for car and cycle parking in accordance with policy PP13 of the Adopted Peterborough Planning Policies DPD.

3) Layout, Appearance and Scale

The care home would be a 2/3 storey building orientated in an 'L' shape providing two wings. The form of the building would capture the maximum amount of natural daylight and create a south facing secure courtyard for the residents which would be buffered by the footprint of the building. The main outlook would be towards Thorpe Wood Country Wildlife Site (CWS) and Bluebell Walk. As stated above a link is proposed to be provided from the right of way to Bluebell Walk from the development site.

The building would be set back from the 4 storey building at Thorpe Wood House and would be positioned some 80m back from Thorpe Wood, therefore whilst this would be a tall building it would be seen in the context of the neighbouring building and would not dominate the street scene. The building would have a 'stepped' building form with the higher 2/3 storey element to the north and the 2 storey element to the south relating to the development either side of the site.

The proposed materials are a combination of brick, timber cladding and render with a grey slate pitched roof giving a more residential character to the building. Samples of the materials are recommended to be secured by a planning condition.

The design would have gable features within the elevations and combined with the stepped form and variation in height of the building and use of materials the overall effect would reduce the bulk and mass of the building.

The building would be set within a spacious setting with sufficient space with the site for soft landscaping and pathways for the future residents.

It is considered that the building can be accommodated on the site without detriment to the surrounding character and therefore the proposal would accord with policy CS16 of the Peterborough Core Strategy and policy PP2 of the adopted Peterborough Planning Policies DPD.

4) Amenity

Due to the separation distance to the neighbouring property to the north at Thorpe Wood House and the newly constructed care home to the east, the proposal would not give rise to any adverse impact on the amenity of these properties in terms of overlooking, loss or privacy or overbearing impact.

It is considered that the proposal would provide a good level of amenity for the future occupiers of the development. Consideration has been given to noise from the adjacent road network however the noise pollution officer considers that no specific noise mitigation measures would be required.

The proposal therefore accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policies PP3 and PP4 of the Adopted Peterborough Planning Policies DPD.

5) Wildlife Implications

An Ecological Assessment has been submitted in support of the application. The Wildlife Officer has considered the assessment and has made the following recommendations.

There is mature hedgerow and trees to the south adjacent to the public right of way which are likely to support foraging/ commuting bats, particularly given that this landscape feature provides excellent habitat connectivity for bats travelling between the adjacent Thorpe Wood County Wildlife Site and Bluebell Wood CWS. It is therefore recommended that lighting is designed to be baffled downwards away from the hedgerow and that a range of bat roosting features are installed at suitable locations on the proposed building. These details should be secured by a planning condition.

As the proposal involves the removal of vegetation which may support nesting birds it is recommended that an informative is appended to the decision notice to ensure trees are surveyed for birds prior to removal. In addition it is requested that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift. These details should also be secured by planning condition.

The applicant's ecologist found no evidence of badgers within the application site, however there are clear large mammal tracks through the site. In addition, there are several nearby records of badgers and there is suitable badger habitat and potential for setts to be present in the land surrounding the site. The Wildlife Officer has therefore advised that as a precaution, all construction trenches shall be covered overnight or a means of escape provided for any badgers or other mammals that may have become trapped. It is recommended that this scheme of protection for badgers and mammals be secured by condition.

Due to the proximity of the site to the Thorpe Wood County Wildlife Site (CWS) and Bluebell Wood CWS which are connected via a wide hedgerow/tree belt to the south the Officer considers that it is important that this is retained and strengthened as a landscape/ habitat feature. In addition the western boundary hedgerow/ trees and boundary ditches should be retained and buffered from development. The reserved matter of landscaping is to be agreed at a later stage however the details should include a range of native tree, shrub and plant species.

It is therefore considered that subject to securing the further details outlined above by conditions the proposed development will not result in a significantly detrimental impact on the biodiversity of the site and its surroundings. The proposal is therefore in accordance with Policy CS21 of the Peterborough Core Strategy and Policy PP16 of the Peterborough Planning Policies DPD.

6) Landscape Implications

An Arboricultural Assessment supports the application and focuses on the hedgerow to the south of the site. There were concerns regarding the original scheme due to the proximity of the proposed office building adjacent to the hedgerow to the south east of the site. During the timeframe of the application the office building was moved away from the hedgerow. However, the building has now been deleted altogether.

Most of the other trees are off site and a landscaping scheme would be secured under a future reserved matters application. However, it is considered necessary to append a condition to ensure that a tree protection scheme is implemented to avoid damage to off site trees during the construction period.

The proposal would not result in the loss of trees which contributed positively to the visual amenity of the area and hence the proposal accords with policy PP16 of the Adopted Peterborough Planning Policies DPD

7) Flood Risk and Drainage

The site is not located within an area at risk of flooding and therefore a Flood Risk Assessment is not required to support the application.

A SuDs scheme supports the application. The proposed drainage of the site would comprise traditional drainage networks that will be supplemented to provide source control, water quality treatment and biodiversity enhancement prior to discharging surface water to the onsite watercourse. Surface water runoff will be attenuated on-site within an attenuation tank and permeable paving. The Drainage Team raised no objection to the proposed scheme subject to further details being secured by condition or within the reserved matters application.

It is not considered that the proposal would result in the risk of flooding to the site or to those neighbouring the site and therefore accords with policy CS22 of the Adopted Peterborough Core Strategy DPD and section 10 of the National Planning Policy Framework.

8) Contaminated Land

There is no known contamination on the site however, it is considered appropriate to append a condition requiring that the development ceases in the event that unsuspected contamination is discovered during the development phase, until an appropriate remediation scheme has been agreed with the Local Planning Authority in accordance with section 10 of the NPPF.

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 site is an allocated employment site within the development plan but the applicant has demonstrated that despite extensive marketing of the site the B1 office use of the site has not achieved interest from prospective occupiers. The proposed use of the site as a C2 Care Home is therefore acceptable in accordance with para. 22 of the National Planning Policy Framework which stipulates that planning policies should avoid the long term protection of employment use where there is no reasonable prospect of a site being used for that purpose.
- The loss of employment land is not considered detrimental to the likely long term supply of available employment land.
- The site can be satisfactorily accessed by vehicles, cyclists and pedestrians. The provision of car parking and cycle parking is considered to be acceptable therefore the proposal would not unduly impact upon the adjacent highway network.
- The appearance, layout and scale of the building is considered acceptable and will not result in a detrimental impact on the character of the area or neighbour amenity.
- The proposal would not result in the loss of trees which provide a positive contribution to the area and adequate tree protection measures would be secured.
- Suitable ecological enhancements and protection measures will be secured by condition hence the development will not result in an unacceptable impact on the biodiversity of the site.

The development is therefore in accordance with Sections 1 (paragraph 22), Section 7, Section 10 and Section 11 of the National Planning Policy Framework, Policies CS14, CS16, CS21, CS22 of the Peterborough Core Strategy, Policies PP1, PP2, PP3, PP4, PP12, PP13, PP16 of the Peterborough Planning Policies DPD and policy LP4 of the Proposed Submission version of the new Peterborough Local Plan.

7 Recommendation

The case officer recommends that Outline Planning Permission is **GRANTED** subject to the following conditions:

- C 1 Approval of details of the landscaping (hereinafter called 'the reserved matter') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 2 Plans and particulars of the reserved matter referred to in condition 1 above, relating to the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 3 Application for approval of the reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the reserved matter to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 The submission of the reserved matter for landscaping shall include a scheme for hard and soft landscaping. The scheme shall include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting. The planting scheme shall include varieties of native, tree, shrub and plant species.
- An implementation programme
- Details of the hard surfacing materials.
- Boundary treatments including the design, height, location and finish.

The approved hard landscaping scheme shall be carried out as part of the development and shall be completed prior to the first occupation of the development 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) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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 the enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.

C6 No development shall take place on the site until an arboricultural protection scheme has been submitted to and agreed in writing by the Local Planning Authority. The arboricultural protection scheme shall be in accordance with BS5837:2012 'Trees in relation to design demolition and construction - Recommendations methodology standards'. The protection scheme shall include:

- Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the site;
- Details of facilitation pruning;
- Location for access, material storage, site office, mixing of cement, welfare facilities etc.;
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees;
- Details of signage to be erected within the tree protection areas.

The approved scheme shall be implemented in full, strictly in accordance with the agreed details/plans and shall be retained as such for the lifetime of the demolition/construction of the development.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP14 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because it is necessary to demonstrate up front that the existing trees on the site can be adequately protected throughout the development phase.

C7 Notwithstanding the submitted information, no development shall take place above base course until details of the following materials have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing materials – samples shall be made available on site for inspection
- Windows and doors
- Rainwater goods
- Any externally visible sustainable technologies
- Any externally visible flues, vents, chimneys or similar features
- The finish of the electricity substation.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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

C8 Within 3 months of the commencement of the development a lighting scheme for the site including the following, shall be submitted to and approved in writing by the Local Planning Authority:

- design

- location
- levels of luminance
- LUX plan
- confirmation that lighting will be baffled downwards and away from the potential bat habitat along the southern boundary hedgerow.

The lighting scheme shall thereafter be implemented on site in accordance with the approved details prior to the first occupation of any part of the building and no other external lighting shall be erected. Reason: In the interests of highway safety, public amenity and biodiversity in accordance with Policies CS14, CS16 and CS21 of the Peterborough Core Strategy and Policies PP3 and PP16 of the Peterborough Planning Policies DPD.

- C9 Prior to first occupation of the development a scheme of nesting boxes for birds shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cater for a number of different species such as House Sparrow, Starling and Swift and shall include details of the number and design of boxes and their location. The boxes shall thereafter be implemented before the building is first occupied.

Reason: In the interests of the enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.

- C10 Prior to first occupation of the development a scheme for a range of bat roosting features shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of roosting feature and its location within the site. The approved roosting features shall thereafter be implemented before the building is first occupied and subsequently retained as such.

Reason: In the interests of the enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD

- C11 Prior to the commencement of development a scheme for the protection of badgers and other small mammals throughout the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to:

- details that demonstrate that all construction trenches will be covered overnight or that a means of escape will be provided for any badgers or other mammals that may have become trapped overnight.

The development shall not be carried out except in complete accordance with the approved details.

Reason: In the interests of safeguarding protected species and the biodiversity of the site in accordance with Policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Peterborough Planning Policies DPD. This is a pre-commencement condition because it is necessary to demonstrate that the development will put satisfactory measures in place throughout the development phase to prevent any undue harm to protected species or the biodiversity of the site.

- C12 Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

- Full and up to date drainage details such as, but not limited to;
 - An amended sustainable drainage strategy
 - Details of the proposed outfall
 - Amended storage requirements and locations
 - Construction details of all drainage assets
 - Up to date maintenance strategy

- Exceedance routes
- We would require the discharge rate to be kept at 3 l/s/ha for the whole site.
- Confirmation of;
 - A drainage strategy and landscaping strategy that can both be delivered onsite without conflicts
 - Where swales are to be included on site
 - Information on how surface water runoff from the site will be cleaned/treated
 - Boundary treatment used between the development and adjacent watercourse that allows access for maintenance to be retained.

The approved drainage scheme shall thereafter be implemented on site in accordance with the approved details.

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality in accordance with Policy CS22 of the adopted Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition because it is necessary to demonstrate that the development will not increase the risk of on or off site flooding before works commence.

- C13 No development shall commence on site until details of existing and proposed site levels, including finished floor levels of the building, together with its associated garden area, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. These details shall also include the levels of the adjoining land and any building within 15m of the boundary with the application site where access is reasonably possible. The development shall thereafter be carried out fully in accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as these details need to be approved prior to works commencing on site.

- C14 The application site shall be used only as a Care Home falling within either Class C2 Residential Institution or Class C2A Secure Residential Institution of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or the equivalent to that Class in any statutory instrument amending or replacing the 1987 Order or any other change of use permitted by the Town and Country Planning (General Permitted Development) Order 2015.

Reason: To ensure that any future change inland use is assessed by the Local Planning Authority, particularly with regard to car parking provision, landscaping and biodiversity implications in accordance with Policies CS14, CS16 and CS21 of the Peterborough Core Strategy and Policies PP12, PP13 and PP16 of the Peterborough Planning Policies DPD.

- C15 Prior to the commencement of the development a construction management plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall include:
- Haul routes to and from the site.
 - The location of parking, turning, loading and unloading areas for construction vehicles.
 - The location of storage compounds and welfare facilities.
 - Wheel washing facilities capable of cleaning the wheels and underside of the chassis.
 - Location of any temporary access points.
 - Construction delivery times

The information in the construction plan shall be adhered to throughout the entire construction period.

Reason: In the interests of highway safety in accordance with policy PP12 adopted Planning Policies DPD. This is a pre-commencement condition because it is necessary to demonstrate that the development can be constructed without resulting in a detrimental impact on the adjacent highway, Thorpe Wood.

- C16 Prior to the first occupation of the development the area shown for the purposes of purposes of parking/turning on drawing number AL0102 Rev F07 shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.

Reason: In the interests of highway safety in accordance with policy PP12 adopted Planning Policies DPD.

- C17 Notwithstanding the approved plans details of the proposed cycle stands shall be submitted to an approved in writing by the Local Planning Authority. The cycle parking shall be covered, secure and overlooked. No part of the development shall be occupied until space has been laid out within the site for bicycles to be parked in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In order to promote the use of sustainable modes of transport, Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

- C18 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority before installation and shall be installed before the use of the premises commences.

Reason: In the interests of amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

- C19 The development shall be implemented in accordance with the following approved plans:

- Location Plan drg. no. AL0103_P02
- Site Layout Plan drg. no. AL0102 F08
- Overall Site Layout drg. no. AL0202 F07
- Main building elevations drg. no. AB0801 P01
- East Wing elevations drg. no. AB0802 P01
- West Wing elevations drg. no. AB0803 P01
- Ground Floor Plan drg. no. AB0206 P01
- First Floor Plan drg. no. AB0207 P01
- Second Floor Plan drg. no. AB0208 P01

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

Copies to Cllrs Fitzgerald and Ayres

This page is intentionally left blank