

**08/01383/R3FUL:** PHASE 1: THE CREATION OF PUBLIC SPACE IN CATHEDRAL SQUARE, INCLUDING RESURFACING, CHANGE IN LEVELS AND ENGINEERING WORKS TO PROVIDE WATER FOUNTAINS.  
 PHASE 2: CREATION OF PUBLIC SPACE ON LAND TO THE WEST OF ST JOHN'S CHURCH, INCLUDING CHANGE IN LEVELS AND RESURFACING. CHANGE IN LEVELS TO THE SOUTH AND WEST OF ST JOHN'S CHURCH AND PROVISION OF ARCHITECTURAL LIGHTING AT LAND AT CHURCH STREET INCLUDING CORN EXCHANGE, ST JOHNS CHURCH, CATHEDRAL SQUARE AND AREA ADJACENT TO MISS PEARS CUMBERGATE

**VALID:** 11 NOVEMBER 2008  
**APPLICANT:** TRANSPORT & ENGINEERING SERVICES  
**AGENT:** LDA DESIGN  
**REFERRED BY:** HEAD OF PLANNING SERVICES  
**REASON:** PUBLIC INTEREST  
**DEPARTURE:** NO

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## **1 SUMMARY/OUTLINE OF THE MAIN ISSUES**

The main considerations are:

- Policy context and the principle of development;
- Whether the proposal enhance the public realm of the City Centre;
- Whether the proposal will enhance the character and appearance of the Conservation Area;
- Whether the proposal will preserve the setting of the surrounding Listed Buildings;
- Whether the proposal will provide safe and convenient access for all members of the community

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**

Key policies highlighted below.

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

- CBE1 Archaeological Remains of National Importance:** Planning permission will not be granted for development which may adversely affect the preservation or setting of scheduled or other nationally important archaeological remains.
- CBE2 Other Areas of Archaeological Potential or Importance:** Planning permission will only be granted for development that will affect areas of archaeological potential or importance if the need for the development outweighs the intrinsic importance of the remains and satisfactory arrangements can be made for the preservation or investigation and recording of the remains.

- CBE3 Development Affecting Conservation Areas:** Proposals for development which would affect a Conservation Area will be required to preserve or enhance the character or appearance of that area.
- CBE7 Development Affecting the Setting of a Listed Building:** Planning permission will not be granted for any new building which would be detrimental to the setting of the Listed Building – in such applications the design, size, height, location and orientation of proposals will be assessed.
- CC14 Pedestrian and Cycle Access:** All new city centre development should be accessible to pedestrians of all level of mobility and to cycles, providing safe, high quality links to ensure integration with the rest of the city centre and connection to adjacent areas.
- CC16 Cycle Parking:** New city centre development should provide secure, safe and convenient and high quality parking for cycles.
- CC17 Cathedral Views:** Planning permission will not be granted for development that would unacceptably detract from the views of the cathedral or its setting.
- CC18 Public Spaces:** The city council will require large scale development schemes in the city centre to include attractive outdoor spaces available for use by the general public.
- DA1 Townscape and Urban Design:** Planning permission will only be granted for development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.
- DA2 The effect of Development on the Amenities and character of an Area:** Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.
- DA7 Design of the Built Environment for Full Accessibility:** Planning permission will not be granted for development which is open to the public unless provision has been made to meet the needs of people with disabilities.
- DA11 Design for Security:** Planning permission will not be granted for development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.
- DA12 Light Pollution:** Planning permission will only be granted for lighting schemes if the level is at the minimum to achieve its purpose, the design will minimise glare and light spillage and the nature of light emitted does not adversely affect the amenity of the area.
- 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.
- T3 Accessibility to development – pedestrians and those with Mobility difficulties:** Planning permission will only be granted for new development which is safely and easily accessible by pedestrians and those with mobility difficulties – encourages improvements to pedestrian routes.
- T4 Development Affecting the Cycle way network:** Planning permission will not be granted for any development that would prejudice the safety or, or cause significant inconvenience to, cyclists using any element of the cycle route network.

## **Material Planning Considerations**

### **Planning Policy Statement (PPS) 1: Delivering Sustainable Development**

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

### **Planning Policy Statement (PPS)6: Planning for Town Centres**

The Government's key objective for town centres is to promote their vitality and viability by:

- planning for the growth and development of existing centres; and
- promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.

One of the Government's wider Policy objectives in PPS6 is stated to be; 'to promote high quality and inclusive design, improve the quality of the public realm and open spaces, protect and enhance the architectural and historic heritage of centres, provide a sense of place and a focus for the community and for civic activity and ensure that town centres provide an attractive, accessible and safe environment for businesses, shoppers and residents.'

It promotes high quality design and efficient use of land and states; 'It is essential that town centres provide a high-quality and safe environment if they are to remain attractive and competitive. Well-designed public spaces and buildings, which are fit for purpose, comfortable, safe, attractive, accessible and durable, are key elements that can improve the health, vitality and economic potential of a town centre. Policies for the design of development for main town centre uses, regardless of location, and for development in town centres, should promote high quality and inclusive design, in order to improve the character and quality of the area in which such development is located and the way it functions.'

### **Planning Policy Guidance (PPG) 15: Planning and the Historic Environment**

The PPG states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. The historic environment is also of immense importance for leisure and recreation.'

'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area.'

'the setting of a building may....often include land some distance from it. Even where a building has no ancillary land - for example in a crowded urban street - the setting may encompass a number of other properties. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration....Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building'.

'The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest'.

### **Regional Planning Guidance - East of England Plan 2008:**

- Policy PB1 Peterborough Key Centre for Development and Change: The strategy is for growth and regeneration to strengthen Peterborough's role as a major regional centre. 'Policies should....address 'the regeneration of the city centre and inner urban areas so as to realise the potential of the centre's historic heritage and promote quality in the built environment'.
- Policy SS5 Priority Areas for Regeneration - Identifies Peterborough as a Priority Area for regeneration.
- Policy SS6 City and Town Centres - States that 'Thriving, vibrant and attractive city and town centres are fundamental to the sustainable development of the East of England and should continue to be the focus for investment, environmental enhancement and regeneration.'
- Policy ENV6 The Historic Environment - 'In their plans, policies, programmes and proposals local planning authorities and other agencies should identify, protect, conserve and, where appropriate, enhance the historic environment of the region, its archaeology, historic buildings, places and landscapes, including historic parks and gardens and those features and sites (and their settings) especially significant in the East of England.'
- Policy ENV7 Quality in the Built Environment - 'Local Development Documents should require new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.'

### Material considerations

**Plan for Peterborough City Centre 2005** – sets the context for planned renewal of the city and identified major new development opportunities. The broad objective of the plan is to create a vibrant and sustainable city centre to serve an expanded Peterborough. Key to this is an invigorated public realm.

**Peterborough Public Realm Strategy 2008** – (renamed 'Streets, Squares and Spaces Strategy' was approved by Council on 8 October 2008. It is not part of the statutory Local Development Framework but can be regarded as a material consideration as an Approved Council Document).

'The vision is for a well-connected network of beautiful streets and spaces. These will be the lifeblood of a sustainable city centre where people live, work and play; a public realm which is alive during the day and in the evening. New pieces of city will be seamlessly knitted into the fabric of the existing city centre

forming clear, legible, active and attractive walking and cycling routes. The public realm will have a strong sense of it being 'distinctively Peterborough', stitching together all the key buildings and spaces that enrich its character and using materials and design languages that relate strongly to the place.'

**Peterborough Core Strategy 2008** - (At Preferred Options Stage so very little weight can be attached to it.)

**Preferred Option CS14** – The City Centre – 'Improvements to the public realm throughout the city centre will be promoted, with a particular focus on the pedestrian environment between the railway station and Cathedral Square and between Cowgate, Priestgate and Bridge Street; and between Cathedral Square and the Embankment, South Bank and Rivergate. Enhancement of the public realm, including better walking and cycling links will be supported with good quality and well designed street furniture, use of public art, tree planting and landscaping, and development constructed using high quality materials'.

**Preferred Option CS15** - Urban Design and the Public Realm – 'New development should improve the quality of the public realm with the creation of vehicular surface treatments, public art, street lighting, street furniture and landscaping which is appropriate for their location'.

**Preferred Option CS16** – The Historic Built Environment – The Council will protect, conserve and enhance the historic environment throughout Peterborough, through the special protection afforded to listed buildings, conservation areas and scheduled ancient monuments and through careful control of development that might adversely affect non-scheduled, nationally important archaeological remains; other areas of archaeological potential or importance; buildings of local importance; areas of historic landscape or parkland.....All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

### **3 DESCRIPTION OF PROPOSAL**

The application is set out as two phases; Phase 1 is the area to the east of St John the Baptist Church within Cathedral Square and includes the introduction of a water feature in the form of two grids comprising a series of jets. The jets will be set out on a grid at 3 metre spacings in a north-south orientation and 4 metre in an east-west orientation with a clear diagonal spacing of approximately 11 metres between the two grids allowing people to move between them. The square will be resurfaced with York Stone and Granite will be used around the water jets. Seating will be provided to the north and south of the fountains. The pumps and purification plant which are required for the operation of the jets will be housed in the disused public toilets beneath the square and a new structural slab will be built over the toilets level with the surface of the square.

Phase 2 is the area to the west and south of St John the Baptist Church. The area to the west of the Church is to become a public square, part of this area is currently occupied by the Corn Exchange Building. (Applications for the demolition of the Corn Exchange Building and the change of use to public open space (08/00721/R3FUL and 08/00722/CON) were approved by Members on October 2008. The proposal provides for an area of public open space comprising a paved area surfaced in York Stone slabs and a grassed area set within two terraces accessed via steps and a graded route within the lawns centred on the West front doors. The northern edge of the square will be bounded by a row of pleached trees to a height of approximately 5 metres with clear stems of approximately 2.5 metres. Double sided seating is proposed to the west of this space approximately 6 metres from the Queens Street buildings and three planters will define the southern edge. This area will hereafter be referred to as St John's Square. Railings to the west and south of the church will be removed and replaced with a combination of steps and graded routes to provide access to the lower level church. A small area within Cumbergate to the east of Miss Pears will be resurfaced in York Stone and is part of this application.

The proposal includes works within the public highway including resurfacing of the highway and the sub spaces at Queensgate-Cumbergate, Queensgate-Queens Street and the area to the front of St Nicholas Gate, re-location of the Signage and telephone kiosks, seating, street furniture, cycle racks, bins, bollards, finger posts and lighting columns. This information is presented for information and contextual purposes as the works do not require the benefit of planning permission.

A lighting scheme has been submitted as part of the application to provide safe and well light routes both functional and architectural.

#### 4 DESCRIPTION OF SITE AND SURROUNDINGS

The site area includes Cathedral Square, Church Street, Exchange Street, Queens Street and Cumbergate. The site boundary is indicated on plan ref (2729P/102A) is located within the Central Retail Area within the historic core of the city. The site is located within the City Centre Conservation Area and lies within close proximity to a number of Listed Buildings; notably 4-8 and 10 Queen Street, 37 and 39 and the Almsrooms and Miss Pears in Cumbergate, the Bell and Oak Hotel Cathedral Square, 37 and 41 Long Causeway (Starbucks), 1 & 3 Cathedral Square (Midland Bank), 7 & 8 Cathedral Square, 8, 8A and 9 Church Street. The property occupied by Dolland & Aitchison to the north of the site is a building of local importance and St Nicholas Gate to the east of the site is a scheduled ancient monument. St John the Baptist Church is within the site boundary and is a Grade I Listed Building and The Guild Hall which abuts the site is Grade II Listed. To the north of the site is the Queensgate Centre, the Cathedral lies approximately 200m to the east, Church Street to the south and Queens Street to the west. The area within the application site directly to the west of St John the Baptist is currently occupied by the Corn Exchange building; a 1960s, six storey building. There are currently two circular planters within Cathedral square with seating arranged around them. An electricity sub station is located to the east of St Johns Church which will be relocated. The surrounding character is predominantly retail (A1) with other customer-orientated uses i.e. A2, A3, A4 and A5. Vehicular access to Church Street is currently restricted. The carriageway is defined in a contrasting paving material and sloping kerb.

#### 5 PLANNING HISTORY

Application Number	Description	Date	Decision
07/01317/FUL	Temporary ice rink and associated wooden cabin	06.09.07	PER
08/00721/FUL	Demolition of existing building and change of use to public open space	21.10.08	
08/00722/CON	Demolition of existing building	21.10.08	

#### 6 CONSULTATIONS/REPRESENTATIONS

##### INTERNAL

**Head of Transport and Engineering** – The application follows on from a process of consultation/pre-application negotiations. The proposals for this site as set out in the application documentation and identified on Drawing 2729P/102A – GA are practicable and if implemented, would result in the enhancement of the public realm. Implementation of the development should be subject to conditions requiring the prior submission and written approval of details of certain elements within the proposal that, whilst acceptable in principle, are not fully specified in the application documentation. These include: the Water fountains, architectural lighting, street furniture including waste bins insofar as any will be located within the application site, surface water drainage systems and form of construction of the resurfaced areas. It is expected that when details are submitted in respect of the above matters, the potential for any element to be the subject of vandalism will be fully addressed and thereby minimised.

**Archaeological Officer** – The archaeological desk based assessment (DBA) submitted with the application provides an overview of the general archaeological potential of the area. However, the DBA does not adequately address important aspects of the proposed engineering works including excavations for the fountains, the extent of the engineering works. No archaeological evaluation test pits have yet been excavated in the other areas likely to be effected by the proposed engineering works. Construction excavation depths should be kept to a minimum. Prior to determination of this application, detailed specifications for the depth and extent of construction excavations are agreed and defined in consideration of the archaeological test pit and geotechnical evidence. The necessary archaeological excavations, watching brief, and preservation in situ measures, should be agreed in advance of determination and secured through the application of a PPG16-type condition, which allows for an adaptive and flexible archaeological response to the proposals. During and after archaeological excavation, etc, information should be made available to enhance the appreciation of the city and its heritage.

Historic character and built historic environment: The proposal to demolish the Corn Exchange and create a public open space and thereby re-open the setting of St John's Church is very welcome indeed. Reservations about the removal of historic fabric which itself makes a significant contribution to the setting of the church. The present railings and gate piers contribute significantly to the overall quality of the Grade I Listed Building and its setting and a compelling case has not been made for their removal within this application. Their removal is likely to leave the church vulnerable to vandalism and accidental damage. The proposals should be amended to include re-instatement of level paving on the site of the Corn Exchange and should exclude any other significant alterations to the public realm in the immediate vicinity of St Johns. Proposals for this area should be submitted in consideration of the newly enhanced setting of St John's provided by the loss of the Corn Exchange and after a thorough appraisal of the significance of all the external historic fabric. The area running west to east across the city centre has long been considered to be the 'stone axis'. The introduction of timber benches, inspired by the internal structure of the Cathedral roof (Design and Access Statement, para. 4.5.3) will reduce the legibility of the historic 'stone axis' and should be avoided here. Unpainted/natural metal finish stainless steel is not a feature of this part of the city centre. The introduction of grass terraces and a tree belt within the newly created St John's Square will reduce the legibility of the west-east 'stone axis'. The grass terraces in St John's Square will be difficult to manage and more vulnerable to wear and tear. The tree belt is principally intended to hide the poor façade to the east of the Queensgate entrance. It would be more appropriate to apply some built enhancements to this façade, perhaps using the planned public art projects for St John's Square.

#### **Access Officer:**

The City Council's statutory Disability Equality Duty must ensure that the scheme has been informed by the needs of people with disabilities. As this includes wheelchair users, ambulant disabled and those with impaired sight and hearing, the view could be taken that neither the Design and Access Statement nor the submitted plans provide enough detail to ensure that such needs have explicitly or demonstrably informed the proposition. The Planning and Compulsory Purchase Act 2004 requires that the Design and Access Statement should indicate the consultations that have taken place and how they have informed the scheme design. National campaigns supported by accredited studies have indicated that shared surface schemes constructed during the last two decades have not served the needs of people with disabilities. In light of this evidence it may not be appropriate to replicate current practice standards that have been employed on similar development in other locations.

#### **EXTERNAL**

**Senior Architectural Liaison Officer** – Has no objections to the principles of this proposal subject to the following issue being addressed:

**VEHICLE ACCESS:** A recent assessment has been conducted by the Police in relation to this proposal and in light of recent Government Advice concerning the safety of 'Crowded Places'. This assessment suggests that barriers and rising bollards, should be considered in any re-design of this area and the surrounding streets. These should provide the ability, if ever required, for safety / security reasons, and during any planned event, to 'totally prevent', ANY vehicle access to the Cathedral Square and surrounding area. Strongly advise that such a 'safety / security', scheme be fully considered by the Planning Authority and City Councillors, under this application.

**CCTV:** Would advise that the success of this application should be 'conditional', upon ensuring that the quality and coverage of all existing CCTV provision is maintained or enhanced. During any demolition or construction phase, I would advise by 'condition', that existing CCTV quality and coverage is maintained, to ensure the continued safety of our community. Proposed row of 'pleached trees' in St John's Square. appear to restrict the existing position of the CCTV view along Queensgate into the entrance of the shopping centre. This view is essential for safety and security. There appears to be two solutions to this problem. 1) Fitting of additional CCTV cameras to compensate for the restricted coverage or 2) Reduce the length of the proposed pleached trees to ensure unrestricted CCTV coverage from the existing camera. The repositioning of this camera may have a negative effect on other essential coverage. Likewise the 3 x column mounted lights proposed for this area, may, have a detrimental effect on the coverage from the current CCTV provision. Lighting appears to be suitable and it is noted that the intention is, that lighting levels, will be increased and assist CCTV operation.

**HARDWOOD SEATING:** There is the possibility that hardwood surfaces may attract damage or names being carved into them.

**RUBBISH BINS:** The design and position of rubbish bins in public spaces need to be given full consideration. The proposed location of the bins appear to be appropriate and away from any large glazed areas.

**FOUNTAINS:** The width of the walkway between the fountains appear appropriate. There is a likelihood that the fountains may attract an element of anti-social behaviour. The authority should be aware, of the apparent ease of access to anyone wishing to drive a vehicle inside the fountain zone intent on 'showing off' or causing 'anti-social behaviour'. However this risk should not detract from the many benefits the vast majority visitors to the area will experience.

**CCTV Manager:** Neither of the 3 cameras are shown on any of the plans and the only reference to CCTV in the Design and Access document comes under the street lighting and how this will benefit CCTV. There are still issues to be resolved with regard to the positioning of the existing cameras, changing the style of camera and column, whether an additional camera will be necessary if a camera is moved, their sight lines etc. Suggests the pleached trees should be shortened in order to not block the camera views into the Queen St. entrance of Queensgate. "Kiosks" sited in front of the trees – again these should be limited so as not to obstruct the entrance to Queensgate. Also concerns over the position of the line of 3 lighting columns extending from the Leeds BS to HG's pub. Depending on the final position of the camera currently outside the Post Office, these have the potential to obstruct the camera views. The level of CCTV coverage should, at the very least, be maintained at its present level or, if not, it should be improved.

**Peterborough Civic Society:** Broadly support the scheme. Raise questions regarding the extent of the application outline and is concerned to ensure that the scheme takes place in an integrated manner. Support the design proposals using quality surfacing materials and street furniture. No objection to the removal of the railings to the west and south of the church and consider the reordering of the steps and ramps to gain easier access to the Church will enhance the relationship the building has with the pedestrianised area. The Society has concerns regarding St Johns Square and the over design and complexity of Option 4 proposals for this space.

The north-west/south-east desire lines from the Queensgate entrance to Church Street is compromised by the inset grassed lawns which could become tracked and muddied due to people cutting the corner. The pleached trees will divide the space in two. Suggest that the properties bordering this space should be allowed to improve their image. Frontages should be enhanced rather than hidden from view. The seating along Queens Street will cut the street from the square. The view is that one single space would be more successful, allowing a wider variety of events. Service vehicles should be excluded from the space apart from the very early morning to preserve the pedestrian-friendly ambience of the area. With regards to the Guildhall a scheme for improvements to the paved area of Cathedral Square should ensure that a suitable 'pod' or additional structure can be added at a later date to enable the Guildhall to be put back into use. The lighting details as submitted do not show actual fittings proposed or luminance plots/visual renderings of the effect the lighting will have. Suggest condition for further lighting details. A maintenance code should be established to ensure that the scheme is well cared for in the future and repairs undertaken by the City Council or Public Utilities on a like for like basis. Suggest condition for the submission of further hard and soft landscaping details to be submitted for the St Johns Square area to that when the Corn Exchange building is demolished, all parties can appreciate the proportions and quality of this space.

**English Heritage:** Supportive of the principle behind this proposal, but has concerns over the loss of the railings around St John's Church. The currently layout of Cathedral Square adds little to the setting of the Grade I Listed Church and the Grade II\* Listed Guildhall. The good quality materials and subtle routing of traffic will be an enhancement. The removal of the Corn Exchange building and the replacement with a well designed public open space will enhance the setting of the Church and the Conservation Area. Concern raised regarding the loss of the 19C railings on the west and south side of the Church. The case for the removal of the railings to the east of the porch on the south side has not been made and English Heritage is unable to support this part of the scheme. It is understood that the application is to be revised to address these issues. It is understood that an access route is proposed

along the north side of the Church and there are no objections to this proposal. Currently the railings on the east side of the church step up to follow the raise in land over the toilet block. It would be appropriate to re-site the 1870s railings from the west side along the eastern boundary. Would wish to see the unsightly collection of bins removed from the area.

## **NEIGHBOURS**

No letters of objection have been received from neighbouring properties or members of the public.

1 letter of support from a neighbouring occupier has been received.

## **COUNCILLORS**

Councillor Peach has made a representation of support for the proposal.

## **7 REASONING**

### **a) Introduction**

All issues relating to the tenancy and the demolition of the Corn Exchange Building have no relevance to the consideration of this planning application.

### **b) Policy context and the principle of development**

The proposal is based on the Public Realm Strategy which received Council approval in October 2008. The implementation of the Peterborough Public Realm Strategy (May 2008) brings an opportunity to revitalise the appearance and enjoyment of the historic city centre and at the same time reduce clutter, co-ordinate design and reinforce local character through appropriate materials. Cathedral Square lies at the historic core of the city and is one of the key civic spaces in the city centre. The proposal seeks to enhance the character and appearance of this area by providing a high quality, inclusive, accessible and versatile space for use both day and night and in doing so to raise the profile of Peterborough's role as regional centre and promote the vitality and viability of the city centre. The proposal accords with one of the wider Government policy objectives to improve the quality of the public realm which are considered as key elements that improve the health, vitality and economic potential of a town centre. The proposal accords with the principles of PPS6, policies PB1, SS5 and SS6 of the East of England Plan and policy CC18 of the Adopted Peterborough Local Plan (First Replacement).

The Design and Access Statement submitted in support of the application illustrates that all stages of the proposal has been accompanied by consultations, workshops, questionnaires informed the development of the final design. There has been significant coverage of the proposal within the local media and Opportunity Peterborough staff have engaged with stakeholders and the public to respond to queries. Briefings have been held with local businesses and consultations have taken place with statutory agencies. There is a general consensus in support of the scheme and there have been no fundamental objections. The proposal therefore conforms with the objectives of PPS1.

### **c) Impact on the Character of the area**

The application site lies at the heart of the Conservation Area and essential to this proposal is its effect on the character and appearance of that area. It is considered that the design of the current streetscape does not respect the historic or spatial form nor the main pedestrian movement (large circular raised planters and changes in levels to west of the Guildhall). The proposed layout better defines this movement. The use of natural York Stone and Granite materials are considered appropriate and supported and will complement the palette of materials within this part of the city centre. The Conservation Officer has suggested that sample areas be laid prior to undertaking the works to establish their appropriateness in-situ.

Cathedral Square: It is considered that the water feature, although the introduction of a modern feature within this historic core, will provide a focal point for the city centre and will marry well with the surrounding character. Inherent to the creation of public spaces is the usability and versatility of the space. The water features can be switched off and this, combined with the removal of the large planters within Cathedral Square, the levelling of the toilet block and removal of clutter resulting from the current

seating will enable a usable space for markets, events and so on. The architectural lighting and lighting within the water feature will encourage the use of the public square after dark.

St John's Square: The removal of the Corn Exchange building will create a major new public space with great possibilities for flexible use of the area. The space will allow a much improved setting for St John's Church (Grade I listed) and views from the west along Cowgate and Cross Street. There are however, reservations to this element of the proposed scheme. The Public Realm Strategy proposed limited change to this newly created area. This gave an opportunity to allow an appreciation of the space and then consider if any further alterations are appropriate. This view is supported by the Conservation Officer, the Archaeological Officer and the Peterborough Civic Society. The 'preferred option 4' (Design & Access Statement p. 11) introduces a much more 'engineered' change. This layout is dictated by the provision of a level access to the west door of the church. Large terraced areas provide the transition in level from the square to the curtilage of the church. The various changes in levels at Church Street, at a point where the desire line to Queensgate is strong, introduces an ambiguity where a number of walking routes across 'the corner' from Church Street is likely to arise. It is considered that the terraces may be difficult to manage and vulnerable to wear and tear. This view is supported by the Conservation Officer, the Archaeological Officer and the Peterborough Civic Society.

The Archaeological Officer considers the introduction of grass terraces and a tree belt within the newly created St John's Square will reduce the legibility of the west-east 'stone axis' and the contrasting north-south 'green axis'. The tree belt is principally intended to hide the poor façade to the east of the Queensgate entrance which will become more exposed after the demolition of the Corn Exchange. It would be more appropriate to apply some built enhancements to this façade, perhaps using the planned public art projects for St John's Square. The Peterborough Civic Society considers the proposed pleached trees will divide the space in two and that it would be better to improve the façade of the Queensgate building rather than hiding it from view. The Conservation Officer suggests the provision of new shop frontages to the Queensgate elevation to enliven this bland elevation.

The Civic Society considers that the seating in Queens Street will have the same effect as the pleached trees by dividing up the space. The comments are noted however these elements are located outside of the application boundary.

It has been suggested that the change from the original paved surfacing of St John's Square to grassed areas was the result in public opinion, however, this information has not been submitted with the application for consideration. The maintenance of the grassed areas could prove difficult and costly to the 'public purse' and will only be usable space in certain months of the year, thereby reducing the adaptability and flexibility in use of the space. However, it is considered that the grassed lawns do not harm the overall character and appearance of the area, or that of the Conservation Area and therefore, regrettably, there is no justification for refusing the scheme on this element alone given the overall benefits of the proposal to the public realm.

The rationalisation of street furniture is welcomed. Street furniture should be appropriate to the historic setting. It is considered that stainless steel bollards in front of St Nicholas Gate are not appropriate. The Archaeological Officer considers that the introduction of timber benches will reduce the legibility of the historic 'stone axis' and that unpainted/natural metal finish stainless steel is not a feature of this part of the city centre. However, the majority of the seating and street furniture is located within the highway and not subject to this application. Given the sensitivity of the area the applicant is advised to consult with the Conservation Officer about the suitability of materials and design of the street furniture. An informative shall be appended to any grant of permission to this effect.

The space in front of St Nicholas' Gate provides an opportunity through variation in the laying of the paving to demarcate once again the passageway leading to the Precincts. This would reintroduce a visual and physical link between the square and the Precincts which has been missing since the pedestrianisation works carried out the early 1980's.

It is considered that while there is some disagreement over some of the details of the design of the scheme, overall both Phase 1 and Phase II elements of the scheme will enhance the character and appearance of the Conservation Area. The scheme will not detract from views of the Cathedral and will enhance the setting of the gateway. The proposal accords with policies ENV6 and ENV7 of the East of

England Plan and policies CBE3, CC17, DA1 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

#### **d) Impact on Listed Buildings**

The application site juxtaposes a number of listed buildings, buildings of local importance and 'St Nicholas Gate is a Scheduled Ancient Monument. These buildings define the character of the city centre. The demolition of the Corn Exchange Building will reveal the attractive west elevation of St John's Church. The Archaeological Officer has raised concern over the removal of the historic fabric considered to make a significant contribution to the setting of the church. The present railings and gate piers contribute significantly to the overall quality of the Grade I Listed Building and its setting. There is also concern that the removal of the railings and piers is likely to result in significantly increased threats to the historic fabric of the church by making it much more vulnerable to vandalism and accidental damage. The loss of the railings is also opposed to by English Heritage and the Conservation Officer. The railing on the south side of the Church date from the 1850s and those on the west from the 1870s. While there may be an argument to support the removal of the railings at the west end, and possibly those to the west of the porch on the south side as part of the public open space, the removal of those to the east of the porch is not supported. However, it is understood that the application is to be revised to address these concerns, thereby retaining the railings on the southern boundary to the east of the porch. English Heritage support this proposal.

It is opinion of the Case Officer that the opening up of the Church by the removal of the railings will provide considerable benefits. In any event, the removal of the railings and piers is part of the fabric of the Grade I Listed Church. Any works to the Church will require Faculty approval under the Ecclesiastical Exemption procedure and is not part of this planning application.

Part of the resurfacing work includes the area to the front of the North Gate which is located within the highway. However this part of the highway abuts an area of a scheduled monument. It has not been indicated that the works will result in any impact on the scheduled monument however, should any of the fabric of the scheduled monument be affected by the works Scheduled Monument consent will be required and an informative shall be appended to any grant of planning permission to this effect.

Overall it is considered that Phase II of the scheme will enhance the setting of the Grade I Listed Building of St John the Baptist Church and accords with PPG15 and policy CBE7 of the Adopted Peterborough Local Plan (First Replacement).

#### **e) Archaeological implications**

An archaeological desk based assessment (DBA) submitted as part of the application provides an overview of the general archaeological potential of the area. The Archaeological Officer has advised that the assessment lacks the information necessary to determine archaeological mitigation requirements in respect of this planning application. The DBA does not adequately represent the extent of the engineering works or the effects of general ground level reduction and re-paving across the entire application site. Test pits have recently been carried out within Cathedral Square and important archaeological remains associated with the development of the city centre and medieval market place, have been recorded within each of the evaluation test pits. The Archaeological Officer recommends that the construction excavation depths should be kept to a minimum and prior to the determination of this application, detailed specifications for the depth and extent of construction excavations are agreed and defined in consideration of the archaeological test pit and geotechnical evidence. A programme of archaeological excavation work should precede construction excavations. In areas where significant construction excavation is planned, a programme of thorough archaeological excavation should be implemented.

Whilst archaeological implications have been identified it is considered that these issues can be addressed by a suitable archaeology condition in accordance with the objectives of policy CBE2 of the Adopted Peterborough Local Plan (First Replacement).

#### **f) Highway implications**

The proposal seeks to minimise the impact of vehicles upon the space and to give priority to pedestrians and this is welcomed. The more restricted Traffic Reduction Order (TRO) and practical enforcement via a rising bollard to be introduced in January 2009 at Long Causeway / Midgate / Westgate junction will

reduce through traffic. Vehicular access is defined by the siting of cube bollards, seats and other street furniture with a single material and flush surface throughout. This is for information only and works outside the application site and not part of the planning proposal.

Cycling: There is a Sustrans cycle route through Long Causeway and Cathedral Square and cycle access is generally permitted along the existing Church Street and Cathedral Square carriageways. Cycle racks are to be provided to the south side of Church Street, Queens Street and Exchange Street and to the east side of the Church and are in the main positioned close to the lighting columns. Cycle access is allowed along the vehicle carriageway at all times. Again, this is for information only and works outside the application site and not part of the planning proposal.

The Local Highways Authority consider the proposal to be practicable and raise not objections to the proposal subject to conditions requiring certain elements of the scheme to be fully specified including water fountains, architectural lighting and any street furniture within the application site, surface water drainage and form of construction of the resurfaced areas. The proposal accords with policies CC14, T1 and T4 of the Adopted Peterborough Local Plan (First Replacement).

#### **g) Design for Security**

Concerns have been raised by the CCTV manager regarding the obstruction of camera views due to the length of the Pleached trees and the positioning of the lighting columns. These issues have been brought to the attention of the applicant, however the pleached trees are located within the public highway and not subject to planning consent.

#### **h) Lighting**

A complementary lighting scheme and lighting layout (drawing ref. 645-010) has been submitted and is welcomed. There is a good opportunity to highlight key focal point buildings and those identified for architectural lighting (P23 D&A Statement) are generally supported.

It is proposed to light the Guildhall, Starbucks (41 Long Causeway), Leeds & Holbeck Building Society and HSBC (1 & 3 Cathedral Square) by up-lighters attached to the buildings. Listed building consent will be required for works to the Guildhall (grade II\*) 41 Long Causeway (Grade II) and 1&3 Cathedral Square (Grade II). Opportunity Peterborough will be aware of discussions with English Heritage on the most appropriate method of lighting the Guildhall. This should be achieved by roof lights on adjacent buildings and up-lighters (if appropriate) to keep the façade of the building clear.

It is considered that the provision of additional lighting will provide a safer environment for pedestrians and the users of the public space and the proposal is in accordance with policy DA11 of the Adopted Peterborough Local Plan (First Replacement).

#### **i) Design of the Built Environment for Full Accessibility**

A public realm access audit of Cathedral Square produced by the Centre for Accessible Environments has been submitted as part of this application. The findings of that audit recommended issues to consider including; the prioritisation for pedestrians and a direct route and not diverted to accommodate vehicular traffic; the need to be better traffic management and parking arrangements; priority should be given to pedestrians and vulnerable road user movement; car parking in Queen St and Exchange Street is unregulated and impedes movement of vulnerable road users; there are areas with gradients up to 1:14 that are too steep for wheelchair users and mobility impaired people to negotiate without handrails; surfaces are largely good but the paving was uneven in places and cracked in some areas where there was car parking; seating on concrete planters and the steel benches provided was either too high, or uncomfortable and not easy for wheelchair users to transfer to; and the Square needs to have a variety of uses so that it becomes more family friendly and more welcoming to vulnerable and disabled people.

The removal of the level change and low walls and furniture to the west of the Guild Hall will allow greater permeability for pedestrians. The principal pedestrian routes through the space are retained as uncluttered thoroughfares. The demolition of the Corn Exchange Building will provide improved pedestrian access to Queensgate. The area immediately around St John's Church is at a lower level and new ramps and step will be introduced to improve access. The steps will have highlighting to the nosings and corduroy pattern hazard warning tactile paving along the upper landing area. Handrails are to be provided on each side of the ramp to the south of the Church. This ramp will have a gradient of

less than 1 in 20 and will be approximately 2.8m wide. A further ramp will be provided at the west of the church passing through the grassed areas with a gradient of less than 1 in 20.

The vehicle route will be level with the pavement. The Access Officer refers to research that has been undertaken and the risks posed by non-delineated surfaces. Kerbs have traditionally provided orientation and way finding for people who are blind or visually impaired. Whilst this view is not challenged it is considered that the provisions for identifying changes in levels and differentiating the vehicle carriageway for example corduroy slabs will be used at the top of all steps and tactile paving are acceptable.

Pedestrian access is also considered in relation to the water jets. These are set flush with the pavement. They are linked to an anemometer so that their height will vary in relation to the wind speed to ensure passers-by are not sprayed by the jet. The water jets will be arranged in a mat of granite paving with a bush-hammered finish so that the areas of this formal space that are frequently wet will not present slip hazard. Each of the two groups of jets is surrounded by a stainless steel drainage channel that will collect splash and recycle it.

Street furniture: It is proposed that the design of the street furniture will take account of the needs of everyone including those with disabilities. Street furniture is to be placed to respect pedestrian flows and define spaces and principles of visual contrast will be followed to ensure easy and safe use of the spaces by people with visual impairments. Bench type seating is proposed in Cathedral Square and at Queens Street. Seating will have suitable space adjacent to allow wheelchair users to sit alongside seated companions and some will be provided with arm and back rests to assist ambulant disabled people. Although most of the seating is outside the application site it will be useful for the design specifications of these features are considered by the Access Officer.

It is considered that the resurfacing and levelling of pavements, the increased permeability and the subordination of vehicular presence contributes to a sense of coherence and provides for good accessibility for pedestrians including those with disabilities and accords with policies CC14 and DA7 of the Adopted Peterborough Local Plan (First Replacement).

#### **j) Landscaping**

The Applicant has provided a detailed Arboricultural Assessment in accordance with BS5837: 2005. The report is considered to be an accurate assessment of the trees and the various management proposals are considered to be valid. The Landscape Officer is concerned about the grassed areas to the west of the church and whether the grass will withstand the level of wear anticipated, particularly in view of the level of shading by adjacent buildings and the anticipated pedestrian desire lines to the Queensgate Queen's Street entrance. It is unlikely that maintenance will overcome these problems and the longevity of this part of the scheme is questioned. There is concern that the area becomes a low-quality public area that will require attention and further resources within a relatively short timescale. The removal of the Birch Tree in Cumbergate is supported.

## **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:

For the reasons given above it is considered that the proposal will provide a well designed public open space which is accessible, permeable, versatile and gives priority to pedestrians and will add to the vitality and viability of the city centre. Through the use of high quality materials the scheme complements the surrounding architecture and historic built form and enhances the character and appearance of the Conservation Area. There are some elements of the scheme which could be improved, namely the deletion of the grassed areas and the pleached trees within St Johns Square, however, this space will allow a much improved setting for Grade I Listed St John the Baptist Church.

The proposal accords with PPS1, PPS6 and PPG15, policies PB1, SS5, SS6, ENV6, ENV7 of the East of England Plan and policies CBE1, CBE2, CBE3, CBE7, CC14, CC16, CC17, CC18, DA1, DA2, DA7, DA11, DA12, T1, T3 and T4 of the Adopted Peterborough Local Plan (First Replacement).

## 9 **RECOMMENDATION**

The Head of Planning Services recommends that this application is APPROVED for following conditions:

**C1 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).

**C2 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.**

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policy Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement). (The condition is to be re-worded and will be provided as an update to the Committee).

### Informatives

- 1 The applicant is advised that part of the resurfacing work includes the area to the front of the St Nicholas Gate, which is scheduled monument. Should any of the fabric of the scheduled monument be affected by the works Scheduled Monument consent will be required.
- 2 Listed building consent will be required for lighting to any Listed Building including The Guildhall (grade II\*) Opportunity Peterborough will be aware of discussions with English Heritage on the most appropriate method of lighting the Guildhall. This should be achieved by roof lights on adjacent buildings and up-lighters (if appropriate) to keep the façade of the building clear.

Copy to Councillors Hussain, Khan, Fazal