

## Planning and EP Committee – 23<sup>rd</sup> March 2021

<b>Application Ref:</b>	19/00347/FUL
<b>Proposal:</b>	Erection of Lakeside Activity Centre, which comprises an indoor climbing centre with climbing walls housed in a tower up to 34.25m high, indoor children's play area (D2), ancillary cafe (A3) and associated infrastructure, landscaping and car park
<b>Site:</b>	Ferry Meadows Country Park, Ham Lane, Orton Waterville, Peterborough
<b>Applicant:</b>	Nene Park Trust
<b>Agent:</b>	Ms Lynette Swinburne Savills (UK) Ltd
<b>Referred by:</b>	Head of Development and Construction
<b>Reason:</b>	The application is of wider public interest
<b>Site visit:</b>	19.03.2019
<b>Case officer:</b>	Mrs J MacLennan
<b>Telephone No.</b>	01733 4501733 454438
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<b>Recommendation:</b>	<b>GRANT</b> subject to relevant conditions

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

#### Site and Surroundings

The application site is located within the Ferry Meadows Country Park which is approximately 200 ha in size. Ferry Meadows Country Park is situated at the heart of Nene Park; an area around 1,000 ha which runs west-east across the district and is identified as an area of high amenity, landscape, ecological and heritage value. It is managed by Nene Park Trust (NTP).

Ferry Meadows lies within a loop of the River Nene on the southwest edge of the city and is made up of surrounding lakes which were the former Ferry Meadow gravel pits, which were used as borrow pits for the roads constructed around Peterborough and have since been flooded to form three lakes: Gunwade, Lynch and Overton. The Park is used for activities such as walking, picnics and barbecues, coarse fishing and bird watching. Ferry Meadows also includes a camping site and year-round Caravan Club site. It is a popular destination for thousands of visitors throughout the year.

The application site is approximately of 2.3 hectares and lies adjacent to Gunwade Lake to the north-west of the Park and next to the Lakeside Kitchen & Bar/Nene, Outdoor Watersports and Activities Centre and the Rutland cycle hire facility. The northern part of the site comprises a tarmacked car park which currently serves the Lakeside Centre/Watersports Centre. The car park is currently surrounded by soft landscaping, with trees to three sides, and it is accessed via a private road leading from Ham Lane. A landscaped ridge lies to the north of the site, separating it from the Gunwade Lake. To the north east is a children's play area. There is an existing toilet block to the south of the car park area.

The southern part of the site includes an area of grassland/meadow (Oak Meadow) which is part of the Lynch Farm Complex Scheduled Monument. There is an existing overspill car park to the south of the site.

There are also a number of heritage assets surrounding the site including the standing stones 'Robin Hood' and 'Little John' (Grade II listed), Ferry Bridge (Grade II\*) both of which are also Scheduled

Monuments, Milton Hall Park Registered Park and Garden (Grade II\*).

The site itself is subject to a non-statutory designation as Nene Park Local Wildlife Site. Castor Flood Meadows SSSI is approximately 2km from the site.

## **Proposal**

Planning permission is sought for the erection of an indoor Lakeside Activity Centre, hereafter referred to as a LAC, which would incorporate a one-storey activity centre approximately 14m in height with a 34.25m high tower to serve an Olympic standard climbing facility. The proposed building would have a footprint of 60m in length by 23m (max) in width. The building would have a total internal floor area of 1412m<sup>2</sup> (1,052 sqm ground with 360 sqm first floor) comprising 1261m<sup>2</sup> D2 (assembly and leisure) and 151m<sup>2</sup> (restaurant/Café) use.

The proposal would include the following:

### **Internal Lead Climbing:**

- The centre will contain c. 50 lines which is desirable for a National Performance Centre; circa 14 will form the competition lead wall, with 8m overhang.
- A 15m Speed Wall with 5 degree gradient and width of 6m.

The Canyon: Intermediate Lead Walls on both sides with viewing area on Level 1 mezzanine (utilising the building's 6m grid).

### **Bouldering:**

- 11m of Competition Standard Bouldering Wall which would extended to 30m for competitions.
- Beginner Bouldering behind the Competition Lead Wall.
- Bouldering Cave on Level 1 Mezzanine: c. 34m of Wall Space.

Clip 'n' Climb: Providing 25-30 pieces of equipment

Children's Play Area and cafe: 25-30 pieces of equipment could be housed.

Function Rooms, an office, training room, kitchen and changing rooms.

External Lead Climbing at the northern elevation of the building: ranging from 7-11m with c. 12 lines.

Viewing Area/Additional Cafe Seating: Located on the mezzanine; enables parents to view their children on the Clip 'n' Climb and climbers to view the 'The Canyon' Area.

Competition Viewing Area: An area for spectators to view competitions.

Access to the site would be via an existing access road leading from Ham Lane.

Car Parking: A new car park is proposed to the south of site directly adjacent to the existing overflow car park. It will provide 225 standard car parking bays, 6 mini-bus parking bays and 10 no. accessible parking bays. An additional 10 no. accessible parking bays have also been proposed to the rear of the proposed climbing centre, within 50 metres of the main entrance.

It is proposed that the climbing centre operate between the hours of 07:00 and 22:00 Monday to Friday, 08:30 and 22:00 Saturday, and 09:30 and 22:00 on Sundays or Bank Holidays.

## Consultation

Since the receipt of the initial application and consultation period further information including Flood Risk and Drainage, Transport Assessment, Travel Plan, Archaeology Report, External lighting, Tree Reports, LVIA and Sequential Test was submitted and re-consultation was undertaken in December 2019.

Further information including a Bat Activity Survey, Heritage Impact Assessment, Leisure Impact Assessment, External Lighting Report and Plan, Ecology Report, Statement on Security and revised Sequential Test was submitted in December 2020 and a further re-consultation was undertaken.

## 2 Planning History

Reference	Proposal	Decision	Date
19/01192/FUL	Engineering operations to create a third exit lane, to include the installation of barriers, kerbs and other ancillary infrastructure, at the primary vehicle access to Ferry Meadows Country Park	Permitted	01/11/2019
20/00670/FUL	The replacement and extension of an existing play area to include new structures, surfaces and furniture, and associated alterations to the landscaping	Permitted	22/07/2020
19/00001/SCREEN	Screening Opinion	Comments	13/05/2019
15/00936/FUL	Refurbishment of existing playground, including new structures, surfaces and furniture	Permitted	30/09/2015
13/00506/FUL	Construction of new flexible surfaced entrance way to an existing overflow car park plus new footpath from car park to junction with existing footway: re-construct existing footway	Permitted	12/06/2013
12/00643/FUL	Refurbishment and extension of existing water sports centre, including demolition of existing outbuildings and slip, erection of workshop, stores and bin store, extension to existing boat yard, creation of vehicular access, cycle route, boat slip, staff parking, external seating and covered seating area, and associated landscaping	Permitted	09/08/2012

## 3 Planning Policy

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

### Planning (Listed Building and Conservation Areas) Act 1990

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

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

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

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area or its setting.

**National Planning Policy Framework (February 2019)****Paragraph 80 - Building a strong, competitive economy**

Significant weight should be placed on the need to support economic growth and productivity.

**Paragraph 83 - Supporting a Prosperous Rural Economy**

Planning decisions should support sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings and well-designed new buildings, the development and diversification of agricultural and other land based rural businesses, enable sustainable rural tourism and leisure which respects of the character of the countryside and the retention and development of accessible local services and community facilities.

**Paragraphs 86/87 - Sequential Test**

A sequential test should be applied to applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available) should out of centre locations be considered. When considering edge of centre or out of centre locations preference should be given to accessible sites which are well connected to the town centre. Flexibility should be demonstrated on issues such as format and scale.

**Paragraph 89 - Impact Assessment**

An impact assessment should be applied to retail and leisure uses outside of town centres, which are not in accordance with an up to date Development Plan. The default threshold is 2500 sqm if no local threshold is set.

**Paragraph 91/92** - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

**Paragraph 102 – Sustainable Transport**

Opportunities to promote walking, cycling and public transport use are identified and pursued.

**Paragraph 108 - Transport Impacts**

Any significant impacts from development on the transport network (capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

**Paragraph 127 – Achieving well-designed places**

Decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and

disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**Paragraph 131 – Design**

Great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

**Paragraph 155 - Flood Risk**

Inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. Development should be subject to a sequential test and if appropriate an exceptions test.

**Paragraph 175 - Biodiversity Enhancement**

Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to incorporate biodiversity in and around developments should be encouraged.

**Section 16 - Impact on Designated Heritage Assets**

In summary Paragraphs 189-202 indicate that Local Planning Authorities should take account of the desirability of sustaining and enhance the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to or loss of the significance of a designated heritage asset (which can include non-designated heritage assets of archaeological interest) either from its alteration or destruction, or from development within its setting, should be “exceptional”, (or “wholly exceptional”, in certain cases, including those involving scheduled monuments, grade I and grade II\* listed buildings, or grade I and grade II\* registered parks and gardens) require clear and convincing justification. Where a proposed development will lead to substantial harm to the designated heritage assets permission should be refused unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Where harm is less than substantial this harm should be weighed against the public benefits including securing an optimum use of the asset.

**Peterborough Local Plan 2016 to 2036 (2019)**

**LP07 - Health and Wellbeing**

Development should promote, support and enhance the health and wellbeing of the community. Proposals for new health facilities should relate well to public transport services, walking/cycling routes and be accessible to all sectors of the community.

**LP11 - Development in the Countryside**

Part E: The Rural Economy- Development involving the expansion or conversion of an existing employment use/building or use for tourism/leisure will be supported provided it is an appropriate scale, would not adversely affect the local community/services and would not cause harm to the character of the area and would be accessible.

**LP12 - Retail and Other Town Centre Uses**

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate district and local centres. Retail development will be supported within the primary shopping area. Non retail uses in the primary shopping area will only be supported where the vitality and viability of the centre is not harmed. Only retail proposals within a designated centre, of an appropriate scale, will be supported. A sequential approach will be applied to retail

and leisure development outside of designated centres.

The loss of village shops will only be accepted subject to certain conditions being met. New shops or extensions will be supported in connection with planned growth and where it would create a more sustainable community subject to amenity and environmental considerations provided it is of an appropriate scale.

### **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.

### **LP19 - The Historic Environment**

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

### **LP23 - Local Green Space, Protected Green Space and Existing Open Space**

Local Green Space will be protected in line with the NPPF. Development will only be permitted if in addition to the requirements of the NPPF there would be no significant detrimental impact on the character and appearance of the surrounding areas, ecology and heritage assets.

### **LP24 - Nene Valley**

Within the Nene Valley area the council will support development that will safeguard and enhance

recreation and/or bring landscape, nature conservation, heritage, cultural or amenity benefits. The proposal would need to be appropriate in terms of use, scale and character. Development which would increase flood risk or compromise the performance of flood defences will not be permitted.

### **LP27 - Landscape Character**

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscaping setting, retaining and enhancing the landscape character.

### **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, over riding 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.

### **LP30 - Culture, Leisure, Tourism and Community Facilities**

LP30a) Development of new cultural, leisure and tourism facilities will be supported in the city centre. Facilities elsewhere may be supported in accordance with a sequential approach to site selection.

LP30b) Development proposals should recognise that community facilities are an integral component in achieving and maintaining sustainable development. Proposals for new community facilities will be supported in principle.

LP30c) The loss via redevelopment of an existing community, cultural, leisure or tourism facility will only be permitted if it is demonstrated that the facility is no longer fit for purpose, the service provided can be met by another facility or the proposal includes a new facility of a similar nature.

### **LP31 - Renewable and Low Carbon Energy**

Development proposals will be considered more favourably where they include measures to

reduce energy demand and consumption, incorporate sustainable materials, incorporate decentralised or renewable energy or carbon off setting. Proposals for non wind renewable energy will be considered taking account of the impact of the landscape including heritage assets, amenity, highways and aviation. Wind proposals will also only be considered if in addition to these factors the site is in an adoptable Neighbourhood Plan and the proposal has local support.

### **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.

## **4 Consultations/Representations**

**PCC Peterborough Highways Services** – No objections subject to conditions. Request were initially raised regarding the Transport Assessment (TA) to include more detail on size and layout of development, surveys of similar sites, sustainable modes of access, cycle and car parking and drop-off/pick up facilities and a Travel Plan to be provided.

Following receipt of a revised TA the LHA advised that Nene Park is well served and connected by a network of pedestrian and cycling routes. There are many options to access the site via cycle ways, roads and footpaths. Cycle parking will increase from 12 to 36 parking spaces. Parking provision for the new Activity Centre shall be provided in accordance with current parking standards.

Trip generation is discussed in depth as part of the TA using the trip rates of a similar Activity Centre in Milton Keynes which is an acceptable comparator site.

Junction modelling software was applied to the A605 Oundle Road/Ham Lane/Chisenhale roundabout to assess the possible junction capacity issues as a result of the new development. The report concluded that the PM vehicles trips exceed the threshold as stated in the local transport assessment guidance however, to mitigate against these events, competitions will not be organised during peak hours to minimise the impact on the local highway network.

Pedestrian crossing points: As 2 way traffic movements, both vehicle and pedestrian, shall increase along Ham Lane the LHA requests improvements to 2 of the 4 most used pedestrian crossing points along Ham Lane.

Parking provision: The level of parking provision is satisfactory. Request that the new parking and turning areas (vehicle and cycle) are constructed and in place prior to the removal of the existing parking and turning areas.

Location: The location of the new Activity Centre within Nene Park is in a remote location in relation to the nearby strategic highway network and the nearest highway maintainable at public expense.

Conclusion: The trip generation created and the increase in visitor numbers created by the new Lakeside Activity Building shall not create an unacceptable impact on the existing highway network.

**PCC Travel Choice** – Initial comments. No objection. A Travel Plan is not required to accompany this application as the sustainable travel links and facilities are of a high standard. A statement should be submitted to include details of current cycle parking and facilities such as showers, lockers, etc. Future cycle parking site should be identified as demand may increase. The TA should also contain additional information of the accessible routes to the site.

Second comments - The Travel Plan Coordinator should be an existing staff member. The Travel Plan should identify future cycle parking provision, which should be covered along with shower/changing facilities, action plans and survey results. Walking / cycling maps should be



displayed at the activity centre.

Within 3 months of occupation of the new centre, a full staff (both new and existing Nene Park staff across the whole of Ferry Meadows / Nene Park) travel survey should be completed so that realistic targets can be set and initiatives tailored to the needs of the staff. Also quarterly on-the spot travel surveys should be carried out with visitors to ascertain travel patterns, along with quarterly car park and cycle parking usage monitoring. The Travel Plan does not include provision for the charging of Electric Vehicles or designated parking bays for members of staff that car share.

The access road within Ferry Meadows should be reviewed and measures implemented to increase visibility so that people are encouraged to walk and cycle to the park.

**PCC Pollution Team** – No objection. Recommends a condition be appended to the decision notice requiring details of all mechanical ventilation and extraction equipment be submitted and approved to ensure there are no adverse impacts arising from cooking fumes/odour. In addition informatives should be appended regarding hours of construction, unexpected contamination and noise control measure to ensure that noise from the D2 use of the proposed development is contained within the premises.

**Archaeological Officer** – Initial comments- The site was the subject of an evaluation by trial trenching carried out in October 2018 within the current car park area and within part of Scheduled Monument. The current car park area revealed evidence of stratified natural alluvium sealing a possible early prehistoric buried horizon. This early horizon appeared to continue into the scheduled monument area. Here, the evaluation exposed linear ditch-type features, a pit, a possible palaeochannel/pond, and other natural/clearance features (tree throws) cut into it. All features revealed appeared to be sealed by an alluvial deposit derived from episodic early flooding by the River Nene. Pottery from the site included sherds dated to the Bronze Age, Roman period and post-medieval period, some of which may be intrusive and/or residual.

The current car park site, which will contain the proposed climbing centre, has been sufficiently characterised as containing deeply stratified alluvial layers above a possible buried horizon. The area within the scheduled monument has the potential to contain archaeological features and deposits, as identified during the evaluation. These features could not be dated and characterised with certainty. If present, they are expected to survive in good conditions of preservation, being sealed by an overlying alluvial layer between 250mm and 350mm below the extant surface. No evidence was found of destruction by former quarrying.

The construction method of the proposed car park within the scheduled monument should be informed by the results of the evaluation, in order to mitigate the impact upon potential buried remains. Further work in the form of archaeological monitoring of soil stripping and ground excavation may be required, in consultation with Historic England. For potential setting-related issues, Historic England should be consulted.

Second comments - The construction method of the proposed car park within the SM, including the depth of proposed groundwork, landscaping/soil stripping preparation, and drainage, has been discussed with the applicant and Historic England in advance of the submission of the current application.

Full excavation for the car park to a depth of 700 mm appears to be the preferred option by the applicant, Historic England and PCC Archaeologist, and should be supported by the Local planning Authority. This option requires the implementation of an archaeological mitigation strategy for 'strip, map and record' excavation. The excavation will afford the opportunity to examine the archaeological resource associated with the area of the SM to be impacted upon by development. The aim is to seek a better understanding, and compile a lasting record, of that resource, and to analyse interpret and disseminate the results of its investigation within a framework of defined research objectives. The excavation must comply with the ClfA *Standards and Guidance for an Archaeological Excavation* (2014). If applicable, remains that can be preserved in situ will be

recorded and prepared for re-burial. Therefore, steps will be taken to ensure construction and future maintenance do not threaten these remains.

All archaeological work must be carried out in accordance with a Written Scheme of Investigation (WSI) which is expected to fulfil the conditions specified in a brief issued by this office, unless otherwise agreed, and must be approved by the local planning authority.

**PCC Wildlife Officer** – Initial comments. The application is accompanied by an Extended Phase One Survey Report (June 2018). The proposed development is unlikely to have an impact upon the Nene Park County Wildlife Site.

Protected Species: Bats: No bat roosts are likely to be affected by the proposal, however the site is likely to support foraging and commuting bats. Recommends the provision of a range of bat boxes; and external lighting to be carefully designed to be baffled downwards away from the retained areas of woodland and trees. These details may be secured via a suitably worded condition.

Reptiles & Amphibians: The report identifies the possibility that reptiles and common amphibians may utilise areas of the site and a precautionary approach is recommended. Vegetation clearance works should be implemented in accordance with the non-licensed method statement set out in section 9.11 of the Report, to be secured by condition.

Nesting Birds: The proposal involves the removal of vegetation which may support nesting birds therefore a bird nesting informative is recommended. To mitigate for the loss of potential nesting habitat, recommends a range of nesting boxes are installed; the details to be secured by condition.

Mammals: Suitable habitat is present within the application site to support hedgehogs as well as foraging badgers. All construction trenches are to be covered overnight or a means of escape provided for any hedgehogs (and other mammals) that may have become trapped. To be secured by condition.

Landscaping: Details set out in the Landscape Masterplan appear acceptable, noting that an overall net increase in tree canopy cover is proposed. With regard to new tree and shrub planting. Recommends a range of native species; the details to be secured by condition.

Second comments – No objection to revised details – Landscaping and Lighting scheme. No bat roosts are likely to be affected by the proposal, however the surrounding habitats are likely to support foraging and commuting bats. Recommends external lighting is carefully designed to avoid impacts to bats. The details set out in the Site External Lighting Drawing and associated External Lighting Scheme Document appear acceptable, noting that light levels will be below 0.5 LUX at the lake edge and other potential bat foraging habitat features. The development may therefore be implemented in accordance with these documents which include the use of time switches to control lighting.

**Ecologist (Northamptonshire – acting for PCC):** Initial comments following the submission of the Updated Preliminary Ecological Appraisal (PEA) Report – July 2020. There is still concern regarding the lighting and the impact on Bats. It needs to be established how bats are using the site/zone of impact, for example where are any roosts, key flight paths etc. and of which species. The results of this should then dictate how to approach the external (and potentially internal, if relevant) lighting, bearing in mind security concerns. The exterior lighting design concept (dwg BSXX(63)4001) does not offer the level of detailed information required. Recommends a detailed bat survey be undertaken to identify the local species and how they are using the site. Provided the survey establishes that any lighting impacts can be mitigated, I think an ecological design strategy (EDS) would be an appropriate way to handle the lighting design. BS42020 describes the particulars of what an EDS should include, but essentially it would result in a lighting scheme which has been designed to meet the needs of both wildlife and security.

Recommends a construction environmental management plan be conditioned; this should include the range of precautionary measures and method statements recommended in the extended Phase I survey reports.

Further comments following submission of the Bat Activity Survey and Lighting Strategy: The Bat survey fills the data gap. The updated lighting scheme will involve reducing existing light impacts, which will in itself be an improvement for biodiversity. Nothing further is needed regarding bats or lighting.

**Lead Local Drainage Authority** – Initial comments. Confirmation is required of the proposed surface water management option. Option 2 would be the preferred option. As part of this, we require updated Drainage Strategy to reflect the chosen option, this should include but is not limited to - A full and detailed drainage layout in accordance with the chosen option that will include, but is not limited too; all proposed SuDS and drainage assets, with details of flow controls and attenuation storage, outfalls. We still require the overland flood flow routes both pre and post development. Design details / construction drawings for all drainage assets. - I note that the Flood Risk Assessment states that the groundwater level on the site is between 1.0 and 1.27m below the existing ground level. As such, the details of how all underground drainage structures will be protected / managed from groundwater seepage will be required.

Second comments: Recommends a condition seeking that no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme must encompass Surface Water Management Strategy Option 1 or Option 2 as described and shown in the Flood Risk Assessment - LAC-ARUPRP-C-0001.

**PCC Tree Officer** – Initial comments – The majority of the trees within group G.20, and all of the trees within G.23 should be retained, together with the greater part of the existing ditch associated with this natural feature across this part of the site. There are a number of significant and important trees within these groups not highlighted or appreciated in any real detail, within the submitted Arboricultural Impact Assessment.

There is an opportunity to redesign the layout of the car park within the limits of the application site and tree protection measures, retaining the number of parking spaces and without the need for an asphalt concrete road across the Meadow. The pedestrian/disabled access from the car park would be via the existing gap in G.20, across the ditch in the north-western corner of the proposed car park, where an entrance/exit is currently proposed.

Second comments – No objection. Further to my previous comments and in light of the Wildlife Officer's comments and those of the previous Tree Officer, combined with my re-evaluation of the visual amenity value of the trees within Group G20 and those to be removed within Group G23, I am prepared to accept the removal of the trees as a part of the overall proposals, including the mitigation planting. It is clear, there will be an overall net increase in tree canopy cover, over time with the proposed planting of approximately 72 trees; this is to be increased by condition to 124 trees, as there is opportunity to secure additional planting. There will be a net gain in biodiversity across the development site, in time given the additional cover afforded by the proposed hedge planting and other areas of landscaping.

Recommends a landscape plan with replacement tree planting, maintenance and management plan, tree protection plan and Arboricultural Method Statement be secured by condition.

**PCC Conservation Officer** – No objection. From a heritage consideration the proposed works can be supported.

Cathedral: Views from elements of the Cathedral would be limited to the top portion of the climbing wall and seen in conjunction with other structures to the west of the city. There are no historical relationships between the two sites. The climbing wall would not inappropriately compete in terms of scale with Peterborough's premier historic building.

Impact upon Conservation Areas: Castor, Longthorpe, Orton Waterville and Orton Longueville Conservation Areas have the potential to be impacted by the development. However, none will have a clear view of the proposed building

Impact upon Listed Buildings within the County Park: There are two Listed buildings within the park, Ferry Bridge (Grade II\*) and Robin Hood & Little John Stones (Grade II), both of which are also Scheduled Monuments. Both are utilitarian structures which relate to the previous pathways now not in full existence. The creation of the lakes and the loss of the historic routes to which the listed buildings formed part, has significantly changed their historic settings. The Climbing Centre will be visible from the bridge, however it will not impact on the how the bridge functions or is appreciated and although the proposal will have a material impact upon the setting of the bridge, this is not considered to have a material detrimental impact upon its significance and is considered less than substantial.

In terms of the Robin Hood and Little John stones, the proposal will be clearly visible within their setting. The insertion of the lakes with the sailing centre has significantly changed the supposed context for the stones, however, they no longer lie in any pathway of any historical relevance. As such although the insertion of the proposal will have a material impact upon the setting of the stones, this is not considered to impact upon their significance and is less than substantial.

Impact upon Listing Buildings within the setting: There are four listed buildings that have the potential to be impacted by the proposal. The most immediate are the three Grade II Listed buildings that form the Lynch Farm. This farm historically had a strong relationship with the proposed site presumably forming part of the farmed area and is adjacent to the access from Milton Hall to Alwalton Hall and is the reputed location of Alwalton Castle. It is possible that the proposed development will be visible over the intermediate trees, however this would be viewed in the context of the wider park development. As such it is not considered to materially change the contribution of the park to the Listed complex's setting.

The Grade I Listed Church of St Kyneburgha at Castor will have views of the proposal from the church tower. There is nothing significant about this view and the proposal would be seen against the backdrop of the City of Peterborough. As such, although the proposal may impact upon the setting of the church it would not be materially detrimental and not significant.

Impact of Milton Estate including Grade II\* Registered Park and Garden and Grade I, II\* and II Listed buildings: Milton Estate is located to the north across the A47. It should be noted that prior to various reorganisation within the late C20, the site lay across the county line, which was the river Nene, in Huntingdonshire. A setting assessment produced by Milton notes that the maps of the estate stop at either the river or the road and do not incorporate what is now the country park. The only relationship that it identifies to the south are with Alwalton Hall and Orton Hall, both of which would have been accessed along a path that ran from Ferry Bridge across the proposed site. Orton Hall has a weak relationship, that of vague association however Alwalton Hall was constructed for an Earl Fitzwilliam and the Lynch Wood which connects the two is still in existence. There are no direct views between the two, as such, the proposal should not detrimentally impact upon the relationship between the two heritage assets.

There are two Grade II Listed and one Grade II\* Listed buildings on the southern edge of the park. The Grade II Ferry House, is clearly visible from the park, albeit only within the winter months. Its historic setting is within Milton Park and there would have been good southern views. In addition it was on the access route to the main road to Peterborough and the southern path across Ferry Bridge. Ferry House has been impacted more severely in terms of its southern setting by the A47. As such the proposal is not considered to be materially detrimental to the setting of the building.

In terms of the Lodge to Milton Park and Lodge on Peterborough Drive, these are more screened from the proposal. In addition the Lodge to Milton Park has been moved to the west to make way for the A47 undermining its position of the Peterborough to Great North Road and the through route. As such its setting has been severely undermined and the proposed development is not considered to

impact upon the remaining significance of its setting.

Other views: No indicative overlays have been produced of views outside of the park of the proposal. These should be submitted to demonstrate the impact of the proposal on the wider landscape and how visible they would be from Milton Park. Specifically at least either view point 27 and/or 29 should be used to create an indicative view. I would like to reserve the right to amend the comments once the above information has been submitted.

It should be noted there although there is clearly a landscape impact upon Ferry Meadows Country Park, it is not a heritage asset in its own right. As such this impact of the proposed Climbing Centre upon the park has not been taken in to consideration in these comments.

**PCC Conservation Officer** – Final comments: The revised HIS has remedied the various deficiencies regarding the required assessment and the report is now considered to meet the minimum threshold required by para 189 of the NPPF. Other concerns regarding the production and attribution have also been remedied. In the first iteration of the comments there was concerns regarding the viewpoints from Mill Lane and Milton Park not being covered for wire frames. Subsequently these have been submitted and the information and context provided. After reviewing the pictures there is not a change in the overall assessment of the heritage impact.

**Police Architectural Liaison Officer (PALO)** – No objection. A condition should be appended to the decision to ensure that vulnerability to crime and anti-social behaviour is addressed across this development. I am aware that local residents are concerned in regards to vulnerability of this site and an increase in crime and anti-social behaviour. No further comments, objections or recommendations at this stage other than to help from this Office should the Client be undertaking BREEAM accreditation and we can supply a Security Needs Assessment.

Second comments - Should planning approval be obtained this office can work with the applicant to ensure users of the facility are safe and more importantly feel safe when there. There are still concerns whether the use of bollard lighting around the facility would work with CCTV due to not enough light at the right height to recognise facial features which does increase fear of crime. I support bulk head lighting with dusk to dawn functionality and I would like to see details of a lux plan and CCTV coverage. The details could be secured by condition.

Third comments: Following review of the security statement I consider that they take security on the site to a high level and already consider community safety and reducing vulnerability to crime.

In regards to the above planning application I welcome the opportunity for this team to work with them on security arrangements for the new site area to further enhance community safety and reduce opportunity for crime. I look forward to future discussions should planning approval be obtained. I would support a Condition in regards to security arrangements for the proposed new area that would ensure community safety and crime reduction is being considered.

Final comments: I have reviewed all recent documents and this office is supportive as consideration has been given to support community safety whilst reducing the opportunity for crime.

**Environment Agency** – Initial comments – Objection. The proposed development site lies partly within Flood Zone 3 defined by the Environment Agency Flood Map as having a high probability of flooding. Applying the Flood Risk Vulnerability Classification in Table 2 of the Flood Risk and Coastal Change chapter of the Planning Practice Guidance (PPG), the proposed development is classified as less vulnerable. Table 3 of the Flood Risk and Coastal Change chapter of the PPG states that such uses should only be permitted in Flood Zone 3 if the Sequential Test is passed.

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis. The FRA does not comply with the requirements set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice

guidance. In particular, the FRA fails to take the impacts of climate change into account; consider how the proposed building on stilts will allow for the free passage of water beneath it; and consider the requirement for floodplain compensation.

Second comments – The revised FRA complies with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. Accordingly, we remove our objection subject to a condition requiring the development to be carried out in accordance with the submitted flood risk assessment (ref ARUP LAC-ARUP-RP-C-0001 Issue 03 dated 25 July 2019) and the mitigation measures it details.

In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

**Historic England** – Initial comments - The proposal would have impacts on buried archaeological remains and would result in harm to the significance of both designated and undesignated assets. Scheduled monument consent for an archaeological evaluation was granted within that part of the scheduled monument which would be developed for a new car park. Although the report on the archaeological evaluation has been submitted in support of the application there has been no further discussion with us regarding the archaeological aspects of the scheme on the scheduled monument.

There is no consideration of the results of the evaluation set against the proposed ground works for the car park nor have construction detail for the car park been submitted. HE is not in a position to comment on the impact on the scheduled monument and nor does it include an archaeological mitigation strategy to offset the harm. As it stands the application does not meet the aims and objectives of the NPPF para 189 and paras 193-4 which concerns the great weight which should be given to the heritage asset and the need for clear and convincing justification where this involves and harm or loss of the significance of the Scheduled Monument.

Second comments – Whilst HE does not oppose, in principle, the redevelopment of the site, the development will impact on known areas of archaeological remains (both designated and undesignated). The current car park site which will hold the footings of the building has been sufficiently characterised as containing deeply stratified alluvial layers above a possible buried horizon. The area within the scheduled area has the potential to contain archaeological features and deposits sealed by an overlying alluvial layer of between 250mm and 350mm below the extant surface. The construction method has been discussed with the applicant and the Archaeologist and Option 1b was agreed to be the most pragmatic solution with the northern part of the car park excavated to a depth of 700mm and the southern portion excavated to 250mm-300mm. This will require an archaeological mitigation strategy for 'strip, map and record' in accordance with para 189 of the NPPF. The work will be undertaken in accordance with a WSI prepared in response to an archaeological brief issued by the LPA's Archaeologist. If applicable, remains that can be preserved in situ will be recorded and prepared for re-burial. Scheduled Ancient Monument Consent is required before any works commence.

**Natural England** - Natural England has no comments to make on this application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural

environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LP As to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones prior to consultation with Natural England.

**Red Kite Network Limited (RKN) - Landscape Consultant on behalf of PCC** – Initial comments following desk top review of the proposal. The materials submitted appears appropriate for an application falling outside the requirement for an EIA.

The LAC presents an exciting opportunity to be one of UK's first bespoke Olympic standard climbing centres potentially ensuring Ferry Meadows Country Park as a major destination attracting visitors, local and beyond in line with the overall landscape strategy for the 'Ferry Meadows Corridor' LCA Sub-Area. The LAC adjacent to the existing Nene Outdoor Watersports Activity Centre and Rutland Cycling Hire Facility, this reinforces the characteristic quality of the host NCA of representing "recreational assets of wetland sites" and is in line with Ferry Meadow Corridor' sub-area characteristic of "widespread recreational use".

The LVIA methodology is based on established guidance from GLVIA3 and has generally been followed. The Applicant has not indicated if LI Technical Guidance Note 02/17 'Visual representation of development proposals' has been followed. No cumulated landscape impact assessment has been undertaken.

The impact on certain receptors has been underrated, partly due to the "car park and meadow" being assessed together; RKN differ in opinion on the degree of material harm on the Lynch Farm Complex. In addition, assessment of the supporting highway infrastructure serving LAC should be assessed as a receptor.

The Applicant has assessed LAC will result in a 'Beneficial impact of Moderate/Minor significance' to the "recreational character". RKN feel this is subjective and divisive and differs in accordance to the type of recreational user. RKN has concerns about the perceived acceptability by the Applicant that the "proposed development is entirely in keeping with the recreational character" of the Country Park and "no adverse impacts are predicted". The LVIA assessment contradicts this as material harm has been demonstrated. With the existing Lakeside car park being displaced and rebuilt on the open recreational Ferry Meadow, mitigation measures have not been fully realised for offsetting this harm.

Substantial weight on the screening properties from existing trees within the setting of LAC has eased the level of judgements made in the LVIA. The LAC can be demonstrated to conflict with LCA guidance for the 'Nene Valley' for the setting of the Robin Hood and Little John Stones to "prevent development that could detract from local landmarks".

Although material harm will result, RKN agrees LAC is unlikely to exceed 'Moderate Adverse' significance of effect to the landscape character and visual baseline due to the physical and "visual containment" of the setting and presence of existing trees. This remains the situation even after elevating certain assessment scores.

As a degree of harm will result from LAC, innovative architecture design and supporting landscape mitigation proposals will be key to ensure this major recreational opportunity is assimilated into the Country Park environs. Although thought has been given to the proposed LAC landscape to connect with the existing Lakeside Activity Centre, through the continuation of existing paving lines across the proposed 'Arrival Plaza', the principle connecting access at the threshold of the existing steps is awkward and should be reconfigured.

Contrary to promoting active and healthy lifestyles and sustainability and there appears a complete absence of approach supporting cycling.

This application has been assessed on the basis the LAC falls outside the requirement of a formal EIA. A degree of harm on landscape character, visual and perceptual baseline receptors has been presented but is not at a degree to give rise to major “significant environmental effect”.

Recommends the decision of the application be deferred pending receipt of additional information, including a Traffic Impact Assessment with respect to impact on Landscape and Visual Effect; a Glint and Glare Analysis for moving and stationary cars; Assess ‘car park’ and ‘open meadow’ separately as landscape receptors; Assess an additional receptor - ‘highway infrastructure’; Submit proposals how offsetting the loss of the meadow will be achieved within the Site; a Cycle Strategy and include a provision for covered cycle parking and routes; a Glint and Glare analysis of the LAC building glazing and impact on visual receptors; a light impact assessment to determine effect on bat foraging routes; provide details of all external lighting; provide construction detail and methodology for works within the proposed car park including stripping of soil, surfacing, and drainage to understand impact on the Scheduled Monument; review of the architecture, massing and form of LAC; review of aesthetics of the cladding selected articulated through photo-visualisation of each elevation; demonstrate the tower will “blend with its setting in winter months”; supply method statements for the protection and management throughout the Site’s construction phases of any existing trees, tree groups, hedgerows and grass meadows; and provide details for tree route protection. Further conditions were also recommended.

Further comments following submission of revised LVIA: comments are made on the visual matters only regarding the impact of the proposed LAC in the wider landscape setting. These were based on Chapter 5 ‘Visual Baseline’ of Lockhart Garratt’s revised LVIA submitted by the Applicant for Re-consultation. This was accompanied by the supporting plans drawing 18-0202 ‘Baseline Information Plan’ and drawing 18-0083 ‘Zone of Theoretical Visibility (ZTV)’. No other areas of the LVIA have been re-appraised so previous comments regarding landscape and visual matters still stand.

RKN attended the proposed Site environs, and reviewed the wider landscape viewpoints (16 to 29) on 26<sup>th</sup> and 27<sup>th</sup> February 2020 to understand the validity of those selected. The weather was fine and clear, and at this time of the year there was limited leaf cover. On the 26<sup>th</sup> February RKN remained at the viewpoints west of the Site close to Castor till after darkness to experience the potential impact of night visibility of the proposed LAC when illuminated. RKN further carried out an exercise in the field to determine if there were other critical viewpoints that had not been considered by the Applicant which would change the visual envelope; and the nature of change to that view.

The comments regarding the Re-Consultation submission should be read with the Summary contained in the Landscape comments (25<sup>th</sup> April 2019) under Section 12.

The Applicant recognises the users will experience clear views of the proposed LAC but is there a detrimental loss of visual tranquillity caused which is a recognised characteristic eroding the Site’s host NCAs. Guidelines recommend to “restrict built development in the area and “safeguard and manage”, but this proposal “lends it a very strong recreational character” a further recognised characteristic.

As in the previous comments (25<sup>th</sup> April 2019) the LVIA demonstrates material harm judged Overall Adverse Moderate will be caused by the proposed LAC impacting on the visual and perceptual baseline of the Site and setting. In the wider landscape which is the focus of these comments there already exists a concentration of development at the lakeside of Ferry Meadows which eats into the perceived rurality of long-distance views key from the west along Mill Road near Castor. In daylight these could be of perceived visual interest against the tree backdrop for walkers along Landy Green Way, but at night the cumulative impact with the existing lighting of the lakeside building could be a prominent visual distraction. This could be being contrary to National Planning Policy Guidance (PPG) Para 001 of being a “risk of artificial lighting undermining the enjoyment of the night sky”.

There are various receptors surrounding the Site with views, but the majority from view- points in the wider landscape setting are obscured, transient or insignificant as other visual distractors interrupt the skyline or setting.



Due to the Site's "strong degree of visual containment" within the valley environs and presence of obscuring mature trees and woodland groups alongside the A47 and within the Milton Park Estate in the north, and built form and infrastructure to three sides of the Site the visual envelope is limited. Therefore RKN are generally in agreement of the viewpoints selected in the wider landscape setting, although views from Peterborough Business park in the south have not been scoped, also the road to Milton Golf Course parallel to the A47 in the north and to the east at Orton Lock and Sluice. The LAC would not be significantly visible beyond that indicated by the Applicant and influence the ZTV.

There is a potential for the associated vehicular glint and glare and building glazing to give rise to more harmful and significant visual effects than the proposed climbing chimney.

The proposed faceted climbing tower of 34.25m height will be tapered vertically. RKN consider from close-range view-points it will not deliver the key objective of assimilating into the sky where it pierces the tree line with the current cladding regime proposed. The Applicant could scope using mirrored cladding. From long distant viewpoints RKN agree the climbing tower would be "a marker on the skyline" amongst others already present.

Substantial weight on the screening properties from existing trees within the setting of the Site has eased the assessment level of judgement made in the LVIA. By reviewing the visual effects in February when the leaf cover is minimal inter-visibility was more apparent between close range viewpoints and key long distant views from the west at Mill Lane and at Orton Lock and Sluices.

No reference has been made to the Landscape Institute Advice LI Technical Guidance Note 06/19 'Visual representation of development proposals' published on 17 September 2019 for presenting the visuals from the selected view-points. Certain VPs lacked definition, which is to the detriment to the Applicant, where the perspective parameters of the photograph are perhaps not accurate. Field assessment was necessary to understand the variations.

In conclusion these comments should be read in conjunction with the Conclusion contained in the Landscape comments (25<sup>th</sup> April 2019) under Section 13.

Although material harm will result to the visual baseline, I agree the significance of Visual effect of the proposed LAC is unlikely to exceed 'Moderate Adverse' due to various factors restricting the inter-visibility between the wider environment and the Site. These include the physical and "visual containment" of the setting; the nature of the topography; intervening tree cover; and presence of elements in the built environment such as high-density housing and road infrastructure, including the highly trafficked routes of the A1260, A47 and A605. There is no significant inter-visibility between the Ferry Meadows and the city of Peterborough.

Please refer to my Landscape comments dated 25<sup>th</sup> April 2019, item 13.16, regarding Landscape matters as a whole and recommendations listed under Section 14.

With respect to long-distance views in the wider landscape setting presented in the reconsultation material, although it is agreed material harm will result, it is my opinion that the visual effect arising from the proposed LAC is acceptable, and should not prohibit a decision to be made for this Planning Application.

**Anglian Water Services Ltd** – No objection. The foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows.

From the details submitted the proposed method of surface water management does not relate to Anglian Water operated assets. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

**Peterborough Cycling Forum** – Initial comments - Objects to the application due to the lack of

suitable cycle parking and the need for cycle access to the site to be improved. There is no indication where the existing cycle stands are to be relocated. Cycle parking for the centre should be considered to be 'long stay' and should be covered. It should be located as close as possible to the main entrance to the building and in a position where it is overlooked. The level of occupancy should be regularly monitored and capacity increased whenever the level of occupancy frequently reaches 80%.

Cycle Access – the cycle route between Ham Lane and the new centre needs to be improved. Of the two alternative routes, the shared use paths between the visitor centre and the new centre carry a very high level of footfall and, in part, are less than 3m wide. This route is therefore not suited for cyclists travelling at speeds of 15mph or more.

The access road used by motor vehicles should be the preferred route for most cyclists. The road is narrow and in places, is in poor condition. The width and surface of this route should be improved to give cyclists a safe and convenient route between Ham Lane and the activity centre.

The application fails to include any measures that will encourage users to travel to the activity centre by cycle.

**Peterborough Civic society** – Objects. The Civic Society has previously commented on the application and have asked for the two previous comments to be disregarded.

The Peterborough Civic Society appreciates the benefits that this major recreational facility could bring to the City. Since our previous comments submitted on 8th April 2019 and 4th February 2020, additional information provided by the applicants and their agents together with comments by other, independent consultants and members of the public has guided the Civic Society committee towards this revised stance.

Location. There are reservations regarding the location in a country park and the site selected on the car park overlooking Gunwade Lake is unacceptable. The revised Sequential Test Report shows several sites that are more suitable for the proposal than the Ferry Meadows site, but have all been ruled out on the basis of 'availability or viability'. As none of them are owned by the NPT the presumption in the report is that the costs involved in buying the site would make the project financially unviable. We question whether this is a valid approach. The sequential test is on the basis of the availability of a site not on ownership. We therefore believe that more suitable sites exist which fulfil the requirements of the relevant Local Plan policy LP12. There is planning policy support for a central location for this type of development in the adopted Local Plan where, under Policy LP30.

Design & Scale. The proposed building may be thought of as having two main architectural components; a shed and a tower. The shed is a larger horizontal boxy element and at one end is attached a tall pyramidal tower, the whole thing not unlike a church in outline. Apart from the sweep of glazing to the shed wall facing the lake the remainder will be clad, including the tower, in metal profile flat panels with raised seams. Such a tall and large building cannot, perhaps should not, be hidden away. Most people who know Ferry Meadows well instantly feel that this building would be out of keeping in a country park. The common perception of the park is of a quiet recreation where the natural environment predominates. The landscape architects who prepared the assessment of impact have a different appreciation of the character of Ferry Meadows. They consider this part of the park to have a recreational character and thus all their judgements of visual impact from the numerous individual locations are made in that light. The Civic Society's earlier view that there had been a change in the character or atmosphere in this location over recent years has changed. The Covid pandemic has raised awareness of the value of the park as a place of quiet and essential recreation in the true sense of the words. It has acted as a 'release valve' for many people from the pressures of an abnormally constricted daily life. The pandemic crisis has reminded us of what the essential purpose of park was and still is; a haven, a refuge, a place to walk, stroll and ride, somewhere to recharge the batteries.

Traffic and Access. It is accepted that the increase in car based trips to Ferry Meadows generated

by the proposal would in general be relatively small. The Traffic Assessment does state that at the PM peak, capacity would be at threshold at the Oundle Road/Chisenhale roundabout. The Design & Access Statement does state that 'Lakeside Road' will be improved but not how this is to be done. More recently statements by NPT, reported in the local press, have indicated that there would be some more extensive widening to improve access to the Lakeside area car parks. This is believed to be a realisation that the proposed activity centre is likely to attract more visitors than was earlier envisaged. The traffic generation model used by the traffic consultants is largely based on the experience of a smaller climbing centre in Milton Keynes. Any significant increase in traffic would alter the character of the whole of the central part of Ferry Meadows to the detriment of the majority of the park's users. The traffic assessment should be revisited using research from facilities which are more closely similar to the proposal. It should be borne in mind that there is no realistic possibility of public transport provision to a point within a reasonable walking distance of the proposal and that no enhancements to the footpath and cycling access routes are proposed in the application. There are existing pinch-points for cars/pedestrians at locations near the Lakeside and main car park and between cyclists/pedestrians at a number of points close to Lakeside. These potential problems should be addressed in the application.

The proposed replacement car park for 250 cars is large and uses a corner of Oak Meadow. However the edge of the proposed car park is a straight line and could be better assimilated into the landscape with a more irregular edge. This edge is to be planted with a hedge and again this could be more varied in depth to improve its natural look and screen views of cars from the extensive open field to the south and east. Within the car park individual trees are shown on the layout but these may not be effective in relieving the picture of a large expanse of cars. The design of the original car park at the Information Centre shows how this could be done.

**RSPB** - No objection. There is no apparent impact upon our reserve network or a site with statutory protection. Recommends the development includes environmental and biodiversity enhancements, particularly to offset loss of habitat. Supports recommendations of the Extended Phase 1 survey report. Clearance and construction works should be scheduled outside of the main bird breeding season. Landscape planting should incorporate native species.

The development design has not considered the potential for bird collisions with the new structure. Critical areas are first 12 metres of built structures and any parts of the building near areas of biodiversity/ environmental enhancement. Recommends a design making window glass more visible and/or by reducing reflections, or the use of coloured panes rather than typical clear glass.

**PCC Property Services** - No comments received

**The Wildlife Trusts (Cambridgeshire)** - No comments received.

**Orton Waterville Parish Council** - Concerns have been raised that the design and size of the building is not in keeping with the surrounding area and environment and detracts from being a country park. There are concerns that it may dominate and overshadow the existing building at lakeside. There are concerns that the increase in the flow of traffic caused by increased visitor numbers will affect access to the park. It is not clear if any contingencies will be put in place should this become a problem.

There are currently no viable bus services to the park, and there do not appear to be any pledges or commitments to put a service in place in future. It does not appear that any enquiries have been made to Peterborough City Council to see if any service can be provided.

**Castor Parish Council** - Castor parish council had previously considered the above application and could see both the benefit of a climbing wall and the objections to the location and scale of this application. On receipt of the formal consultation letter the matter was again considered at the meeting. The meeting was attended by members of the public opposed to the application and parish council noted the volume of comments posted on the City Council Planning portal. Given the volume of observations, Parish council consider that you would probably refer the application to the Planning

& Environmental Protection committee and ask that it be so referred to that committee.

**Councillor K Aitken - Orton Waterville** – Objection for an Olympic sized climbing wall for the following reasons.

- Country Park or NOT - If you read the history of Ferry Meadows it states; “Ferry Meadows Country Park was planned as part of this expansion to give this growing population a green space for leisure and recreation.” Of course the word ‘Recreation’ can be interpreted in a number of ways but we cannot get away from the fact that Ferry Meadows was built as a Green Space Country Park and it is my fear that if this application is approved it will set a precedent for Nene Park to consider more sports buildings in the future.
- Traffic congestion - Oundle Road is the main link road between the Showground and Ferry Meadows. When the Showground have large events such as; Truckfest, Firework displays, Motorhome show and Horse Shows to name but a few, the Orton residents will have to contend with the high volume of traffic coming from the A1. If Nene Park then hold events at the climbing wall and these coincide on the same day I can guarantee the roads will grind to a halt putting pressure on every arterial road around Oundle Road including Fletton Parkway.
- Location of the building - The location of the climbing wall is the only place where cars can drive to and passengers can look over any of the lakes at Ferry Meadows. Access to Gunwade Lake is essential for those who are disabled, it allows them to enjoy the beauty of the park without having to either get out of the car or just walk to a nearby seating area. With the application this will disappear as the car park is being moved to the piece of land behind the building where you will only see trees and a brick wall.
- Olympic or Not - I cannot help but feel that if the climbing wall was of a smaller size it would not have created such passionate objection from the community in which I live and support. To have a building that tower’s over the tree height and shows the building in a colour which is not in keeping with its surroundings only helps make my decision easier. Therefore, I Object to this planning application and support all other residents who have also objected.
- Can you please invite me to the Planning Committee on the date this application is being discussed

**Councillor J Howell - Orton Waterville** - I have listened to many residents of Orton Waterville ward and have heard a mix of views. Some residents are excited about the project with no reservations. Others are firmly against it, believing the project to be completely out of step with the intentions of the Peterborough Development Corporation, which intended for Ferry Meadows to be a country park. And there is a range of views in between.

However, I would ask the Planning Dept to pay particular attention to comments submitted by residents of Orton Wistow (and Waterville village) in particular, as it is they who live closest to the proposed development and it is they who know the area best from the perspective of local residents' and, in many cases, it is they who have resided close to the park for decades and have both a personal and community interest in the park's development and the impact any development within the park may have on local surroundings and upon the park itself. In particular:

- Concerns have been raised over whether Ferry Meadows is the right location for this kind of facility (being as it is a country park).
- Concerns over the impact of additional traffic (including construction traffic) into the park and the impact on local roads. Is the existing transport infrastructure able to cope, for example?
- Concerns that there is no bus into the park, which means many more cars could potentially drive into the park, polluting the fresh air local people go there to enjoy.

I should be grateful if you would give these concerns serious consideration and ask NPT to account to residents as to how these and other concerns that have come to you from them will be addressed. I do not believe this is NIMBYism. Rather, these are genuine concerns from local residents who care a great deal about their local country park and who wish to protect it for the benefit of future generations.

## Local Residents/Interested Parties

Initial consultations: 394  
Total number of responses: 635  
Total number of objections: 457  
Total number in support: 166

A petition containing 1112 names against the proposal has been received.

A summary of representations received following all three consultation exercises is provided at Appendix A.

The Local Planning Authority has been informed of a petition that has been set up on CHANGE.ORG <https://www.change.org/p/oppose-nene-park-trusts-olympic-national-competition-climbing-wall>. At the time of writing this report there were 4517 names on the petition.

Chris Packham - Chris Packham has accepted Lynn Walton`s (lead objector) comments on his Face Book page protecting green space. Chris Packham stated on Facebook petition "Would you please sign this petition to PCC to help prevent more destruction to our wildlife. Tell them to reject plans to build a climbing wall at Ferry Meadows Country Park. And please share."  
Facebook Petition endorsed by Chris Packham Names. 2,848 names and rising as of 6<sup>th</sup> Feb 2020

Chris Packham comments: I am opposing the proposed setting for this indoor Climbing Wall that will be open at night and urbanise a precious area of green open space with mature trees, oak meadow and protected quality rich habitat for wildlife, including bats.

British wildlife is in serious decline due to disappearing habitats. Meadows and mature healthy trees need protecting - we don't have the luxury to be blasé about removing any (in this case 15 & a large area of vegetation) no matter how many saplings we have planted as there are no guarantees they will survive. Peterborough City Council rightly prides itself on declaring Climate Emergency and aiming to be First Environmental Capital yet is considering passing this proposal, opening nightly in such an environmentally sensitive area and attracting many hundreds of extra cars into one of the few unspoilt areas of fresh air in the city and low level light pollution. Ferry Meadows needs cherishing as a natural place for our children to learn to appreciate nature not an urban hub/ nature theme park destroying all it originally set to achieve. Please reconsider the setting for this climbing wall and leave the habitat the way it is for wildlife and humans alike to enjoy.

Milton Estates - Objection. This proposal will have a serious detrimental effect on landscape and heritage assets in and around Milton Park and these have not been fairly assessed by the applicant thus far.

We have commissioned and are in receipt of a review of the application by Michell Bolger, Expert Landscape Consultancy. We have shared this report with Nene Park Trust and are expecting to hold discussions with the applicant about the key issue, which from Milton's standpoint is the height of the tower and its impact on the landscape and the setting of heritage assets. In the context of the recently submitted screening opinion application to the requirement for an EIA we would draw your attention to Michelle Bolger's preliminary observations previously lodged in support of a holding objection to the planning application.

With a view to being able to hold constructive discussions with the applicant we propose to hold back on making the landscape consultant's report public at this stage. Should there be no change to the application then this report together with further comments would be submitted as a formal objection in time for it to be taken into account by the case officer before preparation.

Michelle Bolger on behalf of Milton Estates Briefing Note 1: Additional information is required to accurately assess the landscape and visual impacts of the proposal. Given the height of the building insufficient information has been provided within the LVIA as to how much of the development would

be visible at other locations and underestimates the visibility at other locations. This would allow an assessment of mitigation from a reduction in height. A blimp survey should be undertaken during winter/ early spring. If unwilling to undertake a blimp survey, the applicant should provide a refined ZTV analysis, provide high resolution versions of all photography, represent the photographs to give a more accurate sense of scale and distance and confirm whether or not the elevated views were taken using the same camera as the standard viewpoint photographs.

Michelle Bolger on behalf of Milton Estates - detailed Application Review: The LVIA does not provide sufficient information to be able to fully assess the impact of the proposal. It is not known how much of the tower would be visible above the tree line and how much of a reduction in the tower's height could mitigate some of the impacts.

The proposed climbing centre does not have any reason for a country park, lakeside location. The existing buildings are sympathetic to the horizontal character of Ferry Meadows. The proposed building would be highly visible and incongruous. The existing facilities in the Lakeside Area are well screened from most of Ferry Meadows to the south and where visible, the buildings sit well below the treed horizon. The tower will be visible from the wider area. Milton assets may be affected.

The proposal would result in an intensification of built development and a breaking of the currently unbroken treed skyline. Loss of the meadow to car parking will also have a significant landscape effect. The LVIA has not considered the night time effect, intensification of use, the uncharacteristic nature of the tower and the harm to the integrity of the meadow.

The Heritage Impact Assessment (HIA) is inadequate because it relies too heavily on the LVIA, it has not followed guidance set out by Historic England (HE), in particular it has not identified how the setting of the assets contributes to their significance, it has only considered views from the HAs and not views towards them or connections between them, it has not considered the effects on the setting of Ferry House at all, it has failed to identify the effects on the setting of Ferry Bridge, in particular the effect of the development on views towards the Bridge have not been considered and it has used the current modified landscape as a justification for further harmful modifications, contrary to the approach recommended HE, it has described as 'barely discernible' effects that will be clearly evident changes to the setting of the assets.

The site is partly located on the Lynch Farm Complex Scheduled Ancient Monument (SAM). HE state that the information submitted to date is insufficient and does not meet the aims and objectives of the NPPF.

Neither the LVIA nor the HIS appear to have drawn on a recent study commissioned by the Nene Park Trust which identifies the heritage value of Ferry Meadows, the historic associations with Milton, including Ferry Bridge and the old drive way to Milton Park, to Ferry Meadows; and that the creation of Ferry Meadows Country Park in the 1970s fits the definition of a landscape designed purely for aesthetic effect and pleasure.

Michelle Bolger on behalf of Milton Estates Briefing Note 2: Following review of the updated LVIA. No information has been provided as to which aspects of the assessment have been revised. It is noted that there is no change to the LVIA Executive Summary from which one can conclude that the authors considered none of the 'additional information or clarification' to be of significance. No additional information has been provided in the UpLVIA that addresses the reasons set out in the MBELC Review (paras 2.1-2.3) as to why the proposed building is appropriate within its setting.

It is agreed that a wireframe format is a suitable form of visualisation however, the visualisations are not consistent with most of the other recommendations in TGN 06/19, in particular with reference to their presentation, the lack of supporting information, the lack of a methodology; and the lack of winter photographs. The visualisations fail on a number of the guiding principles, in particular that baseline photographs 'should be presented at a size and relative position, on a corresponding sheet, to allow like-for-like comparison with the visualisation.' Visualisations should 'be accompanied by appropriate information, including a Technical Methodology and required data within page title

blocks.’ The producers of visualisations should ‘where reasonable within project timescales, include maximum effect scenario e.g. winter views.

As well as failing to meet the recommendations of there is no explanation for the choice of the four locations. The assessment of the new visualisations in the UpLVIA (paras 5.97-5.101) does not address any of the key issues identified in either of the MBELC reports.

Viewpoint 8 (Ferry Meadows Country Park). The visualisation confirms that in this view towards Ferry House the climbing centre tower will either obscure existing views of Ferry House or will be directly adjacent and significantly higher on the skyline. A key issue is the overall change to this view as a result of the introduction of the car park alongside views of the tower, currently there is no built development in this view. There is no indication on this visualisation of the extent of the proposed car park which will be in the foreground of the view. Even without detailed proposals it would have been simple to indicate the extent of the Meadow that would be lost to hard surfacing. As it stands this visualisation is misleading.

The UpLVIA has not provided a refined and legible Zone of Theoretical Visibility (ZTV); High resolution photographs; Winter photography; and additional information regarding the photography and the visualisations. In addition, no visualisations have been produced from due west along Mill Road/from the landscape to the north west; no night time assessment; no assessment of views from Nene Valley Railway; no assessment of the impact on the view toward Ferry House; no viewpoints from the old A47; no reference to the Ferry Meadows Heritage Value and Designed Landscape report; and no consideration of Ferry Meadows as a designed landscape.

The majority of omissions from the original LVIA, identified by MBELC, have not been addressed in the UpLVIA. MBELC remain of the opinion that the assessment of impacts by the applicant is inadequate and the usefulness of the additional visualisations provided is undermined by their failure to adhere to a number of TGN 06/19 guiding principles. Overall, the UpLVIA has not altered the conclusions set out in the previous MBELC reports that the proposed development would be harmful to the character and appearance of the Ferry Meadows Country Park, and would harm visual amenity both within the Park and from the wider landscape to the north and north west.

Michelle Bolger on behalf of Milton Estates Briefing Note 3 in response to comments provided by Red Kite Network Limited (RKN): The 2019 Landscape comments concluded that the LVIA had underestimated the sensitivity of most receptors (sections 7.3-7.5) and the magnitude of change in most circumstances (Section 11) and that the significance of the effects was greater than that assessed in the LVIA. In a number of instances concluding the effects should be moderate adverse rather than the moderate/minor adverse effects identified in the LVIA. The 2019 Landscape Statement describes these effects as ‘material harm.’ (13.9). The author did not accept the argument put forward in the LVIA that the proposed development was ‘entirely in keeping with the recreational character of the Country Park’ and consequently there would be no adverse impacts. (13.6). The author recommended that the decision on the application be deferred with regards to landscape and visual matters and made a number of recommendations.

The 2020 Landscape Comments state that it should be read alongside the 2019 Landscape Comments. It is a little confused at times as to what was within the 2019 Landscape Comments and what was within the original LVIA.

The author of the 2020 Landscape Comments does not review whether the recommendations in Section 14 of the 2019 Landscape Comments have been fulfilled by the UpLVIA. Only one has been fulfilled - the car park’ and ‘open meadow’ have been assessed separately as landscape receptors however this assessment has not fed into any subsequent changes in the conclusions.

There is no reference to landscape effects nor to the fact that the UpLVIA has neither undertaken the assessment of lighting effects nor revised the architecture/materials of the tower, both of which were considered essential in the 2019 Landscape Comments for an informed decision to be made.

It is not good practice for the landscape reviewer to say whether an application is acceptable or not. That is for the decision makers who must balance the benefits of the scheme (which are rarely landscape benefits) with the landscape harm. RKN concludes that there will be 'material harm' and this, along with other harms such as harm to heritage assets, should be balanced against the benefits of the scheme by the decision maker.

Michelle Bolger on behalf of Milton Estates Briefing Note 4 re non-technical summary for screening opinion: The Savill's Non-technical Summary states at paragraph 4.11 that 'In selecting the wireframe views as a suitable method for representing the likely impacts of the development, regard has been given to Landscape Institute Technical Guidance Note 06/19: Visual Representation of Development Proposals.' Whilst the choice of wireframes is in accordance with the guidance, the way in which they have been presented is not. Landscape Briefing Note 2 paragraphs 11-19 sets out in detail how the visualisations fail a number of the guiding principles set out in Section 2 of Landscape Institute Technical Guidance Note. None of the issues identified in that Briefing Note have subsequently been addressed.

The applicant's conclusion that there will be no significant landscape effects as a result of the development, is based on the LVIA's characterisation of the Ferry Meadows Country Park as having a strong formal recreational character which would not be harmed by the introduction of the climbing centre and tower. The LVIA does not give any consideration to the fact that the existing recreational facilities are water related and that the existing buildings are horizontal in character and only visible from the immediately surroundings. No consideration is given to the fact that the climbing tower will be visible from large parts of the Park which are currently characterised by informal recreational within a natural setting, with very little existing influence from buildings. Impacts on the character of the Park and the visual amenity of its users are dismissed on the basis that 'only the climbing tower itself is likely to be visible.

The non-technical summary refers to RKN's conclusion that the effects were acceptable, these are visual effects not landscape effects. The initial RKN review (2019) considered that an assessment of lighting effects and revisions to the architecture/materials of the tower were both considered essential for an informed decision to be made. Neither were undertaken.

Bidwells on behalf of Milton – Oct 2019: Objection. The proposal would be in conflict with the aims and objectives of Policy LP24, particularly with regards to its use, scale and character within the setting of the Nene Valley. It is not a low-impact informal activity for this rural area of the Nene Valley. It would be more appropriately located within the urban area of Peterborough.

The aim of creating an 'activity village' erodes away the rural nature of this area and will have a detrimental impact on the landscape, nature conservation and heritage values that contribute to the Nene Valley as a high amenity area.

The development is contrary to para 8 of the NPPF and does not constitute sustainable development and fails to demonstrate how it meets the environmental objective which is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land.

The proposed development is an intensification of built development and does not respect or enhance the special characteristics of Ferry Meadows Country Park and its significant landscape and heritage importance within the Nene Valley.

There is a lack of information regarding how much of the tower would be visible above the tree line and how lowering the tower's height could mitigate some of the impacts.

The 34.25m high tower would make the proposed building highly visible and incongruous. Limited visible built development is one of the characteristics that contribute to the sense of Ferry Meadows as a natural landscape with a high degree of tranquillity. The existing facilities in the Lakeside Area are well screened from most of Ferry Meadows to the south and where they are visible across Gunwade Lake, the buildings sit well below the treed horizon.



A Heritage Statement principally focusses on archaeology in the form of the scheduled ancient monuments. An assessment of the significance of the heritage assets surrounding the site has not been undertaken in accordance with NPPF paragraph 189. Likewise, the setting of the assets and the contribution that the site makes to those settings has not been defined.

The HIS largely relies on the conclusions LVIA as to whether the proposals will be visible from these assets. The concept of setting is not purely a visual connection and extends to the wider surroundings of an asset, as such this assessment of impacts is incomplete. It should also be noted that an LVIA focusses on publicly accessible viewpoints, whereas a Heritage Impact Assessment should also take into account private viewpoints. The requirements of policy LP19 have not been met.

Policy LP24 regarding development in the Nene Valley, we consider that the proposed development will result in an unsympathetic and incongruous development within the setting of a number of heritage assets, including the Grade II\* listed Ferry Bridge and the Grade II\* Registered Park and Garden of Milton Park, due to its excessive height.

Bidwells on behalf of Milton Estates February 2020– further comments – Objection. Conflict with Development Plan: The 34.25m climbing centre does not respond appropriately to the context of the site and surrounding area. An indoor climbing centre is a formal activity and should be located within the urban area. Proposals within Ferry Meadows are required to be of a low-impact /informal activity more suited to the rural area of the Nene Valley.

The proposals will also give rise to a significant increase in transport movements and reliance on motor vehicles. No measures are provided to encourage sustainable modes of transport.

In terms of the use, scale and character of the proposal does not respond appropriately to the context of the site and surrounding area. Ferry Meadows is a Country Park within an area of high amenity, landscape, ecological and heritage value. The design is unsympathetic and will have an adverse impact on the natural and surrounding built environment. As lighting will be required at night-time there will be significant light pollution causing unacceptable harm to the setting of this countryside location. The proposal is therefore contrary to policies LP11 (Development in the Countryside Part E: The Rural Economy) LP13 (Transport), LP16 (Design and the Public Realm) LP19 (Historic Environment) LP24 (Nene Valley) and LP27 (Landscape Character).

Impact on Heritage Assets: We have sought expert opinion with regards to the impact the proposed development will have on designated heritage assets. The proposal involves both a direct impact upon a scheduled monument and adverse effects upon its setting.

Development within a scheduled monument should be wholly exceptional. It is our opinion that insufficient evaluation has been carried out to inform the planning decision. For example, geophysical survey that has been shown to work well in the scheduled monument, and “enhance” our understanding of it, was not undertaken across the proposed development area (Pre Develop Archaeology Heritage Impact Statement [HIS], Page 10. As this is a nonintrusive technique, it is ideally suited for evaluating a site and allowing trenching to be targeted.

The trenching itself comprised two 50m trenches within the scheduled monument representing less than 2% of the scheduled area affected by the development. This small sample is insufficient to characterise the archaeology of the monument that could be affected. The nature of the trenches (long and linear) are best suited to pick up linear features (such as ditches) and not settlement remains typified by post-holes, for example.

The inadequacy of the evaluation is noted by your City Archaeologist in her consultation response of 6th January 2020: “These features are not characterised nor securely dated”: Notwithstanding the inadequacy of the evaluation, the conclusions drawn in the HIS (Table 3.3, page 21) confirm that direct, physical damage will be caused to the archaeology within the scheduled monument, and that

this will amount to a “medium adverse impact”. It states that “a programme of archaeological work would greatly mitigate the loss [of] archaeology’. We do not understand what “greatly” means in the context of mitigation, but, the fact that mitigation is required is a clear statement that damage will be caused to archaeology within a scheduled monument.

The City Archaeologist confirms that damage to archaeology will occur and recommends a strip map and sample approach to mitigation. As set out in NPPF, any harm to a scheduled monument must be wholly exceptional. We are surprised therefore that the City Archaeologist believes that direct, physical damage to the scheduled monument is ‘in compliance with’ both NPPF and your Local Plan.

Setting of the scheduled monument: The assessment of the impact of the proposed development upon the setting of the scheduled monument is wholly inadequate. The HIS notes at page 17 Historic England’s guidance (GPA3): Despite stating that discussions “are framed” by GPA3, there has been no attempt to follow the methodology contained within it to assess the effects upon setting. HE recommends a 5-stage approach leading to a conclusion on significance. The HIS simply states (page 18), with no explanation of how the conclusion was reached.

Given that a 32.45m high tower will be introduced into the immediate landscape of a scheduled monument, and given that it is accepted in the brief statement above that it will “change the setting of the scheduled monument”, the lack of a quantifiable assessment removes all credibility and confidence in the conclusion reached.

A 32.45m high tower is a very prominent intrusion into an historic landscape: it bears no resemblance to the “existing recreational facilities and a modern access road’.

The archaeological aspects of this planning application were poorly scoped, and the methodology employed wholly inadequate. Even taking into account these deficiencies, the conclusion reached in the Applicant’s HIS accepts that there will be harm to both below-ground archaeology and to the setting of the monument. The City Archaeologist’s consultation response reinforces the inadequacy of the evaluation through lack of characterisation and the damage that will be caused to archaeology. This is demonstrably contrary to NPPF paragraph 193 and Policy LP19 of the Local Plan. Planning Policy is clear on impact to a scheduled monument, borne out and tested at Inquiry. Any harm to a scheduled monument must be wholly exceptional.

Landscape Harm: MBELC remain of the opinion that the assessment of impacts by the applicant is inadequate and the usefulness of the additional visualisations provided is undermined by lack of rationale for the choice of viewpoints and their failure to adhere to a number of TGN 06/19 guiding principles. Overall, the updated LVIA has not altered the conclusions set out in the previous MBELC reports.

The proposed climbing centre does not have any reason for a country park, lakeside location. The need for the 34.25m high tower would make the proposed building highly visible and incongruous. There is limited visible built development and existing facilities are well screened and where they are visible, across Gunwade Lake, the buildings sit well below the treed horizon.

The development will be clearly visible in views across Gunwade Lake and the tower will be visible from a much wider area from within Ferry Meadows and from the wider landscape to the north west and west.

Flood Risk – Sequential Test and Exception Test: The proposed development is located within Flood Zone 3 – a Sequential Test and Exception Test in line with paragraphs 155 -160 of the NPPF is required. As the proposal is for an out of centre leisure use, the applicant is required to demonstrate that there are no other sequentially preferable sites within Peterborough City Centre and the edge of Peterborough.

The sites that have been assessed and discounted within the report do not confirm that there are no other reasonably available suitable sites in areas of lower flood risk. An informed assessment cannot

therefore be undertaken. Request that a sequential test and exception test is carried out in line with the NPPF and National Planning Practice Guidance.

Alternative Sites for Consideration: The development would be more appropriately located within the urban area of Peterborough. The former Whitworth Mill at Fletton Quays should be considered as a suitable alternative site and is available; and Alwalton Hill, Plot 302a formerly owned by Pressglass Ltd is also available and should be considered as part of the site assessment for the Sequential Test.

Bidwells on behalf of Milton Estates January 2021– further comments – Objection. The amended Heritage Impact Statement remains insufficient to fully identify, and draw conclusion upon, the heritage impacts of the proposed development. There is no reference to the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets the statutory duty in Section 66: In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The primary legislation should be referenced.

The Heritage Impact Statement (HIS) does not fully consider the impacts of the proposed development on the significance of the identified heritage assets. Instead it draws conclusions based on perceived impacts on setting. The setting of an asset is not a designation in itself, and it is the impact on an asset's significance which is most important to understand. Historic England's 2017 The Setting of Heritage Assets guidance document sets out a staged approach which can be used to assess setting and potential impacts of development.

The heritage assets are each briefly described in the HIS but there is no discussion of the contribution that their settings make to significance before section 3.2 of the HIS 'Assessment of the impact of the development proposals on heritage assets'. This section does include 'physical impact' and 'impact on setting' of the proposals on each identified asset, however there is no description of the setting and its contribution to the asset's significance.

Without a full understanding of the contribution setting makes to significance, it is not possible to fully assess what impact the proposed development will have on the significance of the asset (rather than only its setting). Indeed, the HIS assesses impact of the proposals on each asset's setting, but not on their significance.

In certain cases, the contribution of setting to the significance of the identified assets is very high and these settings are highly susceptible to effects within them. Thus, assessments based only on degrees of impact to setting will not be reliable where they are not then connected to the resultant impact on significance.

The two above points are, we consider, of high importance to the understanding of the impacts of the proposed development in this context and are highly relevant to the Local Planning Authority's decision making with regard to their statutory duties.

Bidwells on behalf of Milton Estates February 2021– further comments – Objection. The site is located in an area designated as Flood Risk 2 and Flood Risk 3 and therefore has a high risk of flooding. Flooding has occurred in the area on several occasions over the last 22 years. Furthermore, climate change is expected to increase flood risk and this must be considered as part of future development proposals. The plans as currently submitted do not sufficiently demonstrate that the significant risk from flooding, both to people and property, can be appropriately mitigated.

The existing adjoining Watersports Centre sits at the same level as the flood plain which is 6.0m OD. However, the rear elements of the building were set at 5.45m OD which did not meet the criteria set by the Environment Agency at the time and it has been flooded. The submitted Flood Risk Assessment (FRA) - 25 July 2019 advises the finished floor levels for the new Activity Centre shall

be set no lower than 6.70 metres above AOD. The requirement for 6.70 metres above AOD is 700mm higher than the existing Watersports building but the submitted elevation drawings (Ref: A-L-300 Rev A and Ref: A-L-203 Rev A) appear to show them both at the same level. The drawings are not clear and need to be updated. The drawings do not show site levels for the existing Watersports Centre. Without the detail on the plans it is not possible to ensure that the proposals will not increase floodrisk at the site or adjoining areas (para. 160 NPPF).

Finally, the submitted design and access statement states that the building will sit on a concrete plinth to protect from flooding but this is not shown clearly on any of the submitted planning drawings. Given the level of the flood plain at 6.0m OD, then the floor construction can only be 700mm thick – is this sufficient for such a heavy building with concrete walls? The detail of this concrete plinth below platform level is crucial given the high flood risk of the area and the need to ensure mitigation measures can be achieved in line with the requirements of the Environment Agency and national and local planning policy. Indeed, the NPPF confirms that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures (paragraph 150).

**Dr Robert Stebbings:** Initial comments - The Ecological Report omits any mention of the most significant adjacent quality ecological habitats, namely the lakes and wetlands. This is a serious omission. The Cambridgeshire Bat Group has undertaken observations for over 35 years and it seems they were not consulted about their results. The Nene valley and especially the Nene Park is an important area for bats and several hundred bats of five species feed in the area each appropriate night through the summer.

The principal problem would be increased lighting and extended hours into the night. Even tiny amounts of lighting exclude bats from foraging areas and will reduce the survival of individual bats as they are prevented to feed in key areas over the lakes and around trees and woodland. Lighting in the area is already too bright and extensive. Bat boxes as a wildlife enhancement measure are completely irrelevant to this scheme.

A full assessment should be made for both the development area and adjacent woodland, trees, scrub and especially the extensive wetlands and lakes. The Nene Park Trust area contains a regionally important foraging resource for bats which eat the insects which originate from the lakes, grasslands and surrounding trees and woodlands. A detailed lighting plan showing actual light levels throughout and without the proposed development must be included in any Planning Application.

Recommends a substantial series of observations on bats throughout the summer season from May to end of September.

Further comments: The Nene Park was conceived as a green lung for Peterborough. The Development Corporation considered that people needed a quiet countryside to re-energise themselves in their ever increasingly busy lives. This concept has been largely achieved with the wonderful interconnected open spaces along the river of meadows, woodlands and the fresh water bodies as well as the ever changing river. Indeed, this importance has been recently acknowledged by a Wildlife Trust and Northants Council initiative in protecting the nationally important wildlife habitats all along the Nene. The scheme called a Nature Improvement Area (NIAs) has received Government financial support for its importance for wildlife and us. One of the Nene Park Trusts guiding principles is to Conserve and Safeguard Wildlife.

The NPT's planning proposals are serving to negate one of the most important of the principles on which the Trust was established. Apart from an inappropriate development in the countryside, one major problem relates to lighting. The police advise that bright lighting is needed to help make the site safer for visitors. The proposed amount of light would constitute a considerable negative impact to the biodiversity of that area. Bats are some of the most highly protected animal species in Britain and Europe. Unless black-out blinds were installed, any windows in the proposed building will spill huge amounts of light over habitats currently used by bats for foraging.

A detailed appraisal of the lighting of highways in relation to bat foraging/usage of habitats/wildlife corridors on behalf of Highways and Caerphilly District Council, found, in general, bats were much more affected by even very low lighting. Light levels should be below 0.005lux (ie 100 times less than the Councils Wildlife Officer reported in his submission and far above what would be acceptable at lake edge levels as described by the developers.) Lighting should be addressed from sunset to dawn. Lighting should be only at ground level with no spillage into the lakes, meadows or woodland and hedgerows.

Bats need the scrub and treed areas on land around the lakes more than just over water. As insects emerge from water often they drift towards land where bats of many species forage. This river valley is important to bats. The valley habitats are a key wildlife corridor for all species of bats as well as for many other species.

**Peterborough & District Angling Association (P&DAA)** – Object. P&DAA retain the fishing rights to Overton/Gunwade lakes and the surrounding River Nene.

Disabled Access: There are currently 2 purpose-built fishing platforms on Gunwade Lake dedicated to angling for disabled members, in close proximity to the lakeside disabled parking facilities. The proposed disabled parking is limited at the rear of the LAC. This will create accessibility issues for disabled anglers. We are aware of an 'arrival plaza' that, it has been suggested, could be used as a 'drop off' point, but this is not a feasible solution for less-abled anglers with often large amounts of valuable equipment. Nor are we convinced that security concerns at this 'arrival plaza' for members of the public leaving their property unattended have been satisfactorily addressed.

General Angling Access: The proposed development will remove general angling access from the current lakeside car park to the new proposed 'main car park', a considerable increase in distance on what is already a large venue involving long walks to most areas with large amounts of equipment. Again, the proposed 'arrival plaza' is not a feasible solution for anglers to leave equipment of significant value possibly unattended whilst parking. A reduction in accessibility will, in our view, be detrimental to the angling viability of a venue currently considered to be one of the UK's foremost natural waters, and may, in turn, have a direct impact on the membership of the Association.

Aesthetics and Nene Park Usage: The management committee of P&DAA do not believe that the proposed Lakeside Activity Centre is in keeping with the nature of Nene Park, neither aesthetically nor philosophically. As previously mentioned, from an angling perspective, Ferry Meadows is known as and considered to be one of the foremost 'natural water' venues in the UK. The proposed 34.5m structure and adjoining developments could only be to the detriment of this. Angling is intrinsic to Ferry Meadows and the people of Peterborough and we, the P&DAA, believe that the proposed, in its current form, can only serve to negatively affect this.

Alternative considerations: Should the above considerations be addressed, in part or whole, and the Association further consulted regarding, primarily, accessibility issues, but also general impact on angling viability as a result of the proposed development, the management committee would reconsider its objection of the proposed developments.

Second comments: Any changes made to the application do not materially alter our concerns.

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

### **a) Background**

Nene Park Trust (NPT) is the registered charity which looks after Nene Park in its entirety. Nene Park was part of Peterborough's 1968 expansion masterplan. Originally within the control of the Peterborough Development Corporation, the management of the Park was transferred in 1988 to the NPT. The Trust was provided with a 999 year lease on the land and was endowed with

commercial properties and other assets which now generate some of the income required to maintain the Park.

The core purpose of the Trust is to provide facilities for recreation, education and leisure; establish parkland facilities; conserve and safeguard wildlife; preserve, restore and develop park features (infrastructure).

The proposed development is part of a masterplan to ensure the Trust delivers its fundamental charitable purposes alongside ensuring sustainability as the Trust's land is held in perpetuity for the benefit of the people of Peterborough. NPT consider the LAC to be a key part of the masterplan and it is envisaged that the LAC would be climbing focussed and unique in England, hosting the three Olympic climbing disciplines – speed, bouldering and lead (to be introduced at 2021 Olympics).

It is intended that the LAC would create an activity hub, influenced by the existing watersports facilities and recently introduced cycle hire offer alongside the other active outdoors attractions such as play areas and walking trails. Although the watersports and cycle hire are popular they are highly seasonal and the proposal would help meet the Trust's charitable objective of providing all year-round recreation for the people of Peterborough.

#### Pre-application enquiry

A pre-planning enquiry was made to the Local Planning Authority (LPA) in May 2018. The LPA was supportive of the proposal subject to a Sequential Test in terms of the site location, being passed and assessment of supporting information on material planning matters including a Visual Impact Assessment, Heritage Statement, Landscape Assessment, Ecology Statement, Transport Statement and Flood Risk Assessment/Drainage Strategy.

#### EIA Screening Opinion

Subsequent to the submission of the application a screening opinion was issued by the Local Planning Authority (ref. 19/00001/SCREEN). The Screening Opinion was based on a suite of documentation and technical reports submitted in support of the application for the LAC and on the responses received having consulted with relevant specialist consultees. The LPA considered that the development would not have significant environmental effects and as such an Environmental Impact Assessment was not required.

An independent screening opinion was sought by Milton Estates to the Secretary of State (ref. PCU/EIASC/R/JO540/3250843). The opinion of the Secretary of State was that the proposal is not likely to have significant effects on the environment and that the proposed development is not 'EIA development' within the meaning of the 2017 Regulations.

#### **b) The Principle of Development**

The site is located within Nene Valley as designated under policy LP24 of the Adopted Peterborough Local Plan (2019). The Nene Valley area is identified as having high amenity, landscape, ecological and heritage value. The supporting text to policy LP24 refers to facilities such as Ferry Meadows Country Park being within the Nene Valley and that 'there is still scope for further action to enhance the Nene Valley's role for recreation, whilst having due regard to enhancing the natural environment. It is envisaged that there will be a gradual transition from informal, dispersed activities in the rural area to more organised, formal activities in the urban area. The Nene Park Master Plan (2017) will provide a mechanism for addressing some of the above issues.'

Policy LP24 advises that the Council will support development that will safeguard and enhance recreation and/or bring landscape, nature conservation, heritage, cultural or amenity benefits provided the proposal is appropriate in terms of use, scale and character within its townscape or landscape setting.

Ferry Meadows provides a leisure and recreational facility serving the residents of Peterborough and beyond. Although located outside of the urban area boundary, it is within relatively close proximity to a densely populated area and is accessible via a number of footpaths and cycleways. It is accepted that the height of the building, particularly the 'tower' element would be undeniably high and certainly higher than the neighbouring Lakeside/Watersports building and indeed any of the existing development within the park. However, in terms of the character of the wider Nene Valley area, this location has more of an association with the nearby urban area. It is considered that this part of the Nene Valley has a less rural character compared with other areas of the Valley where the building would be very imposing. The proposal would form part of the wider city initiative to secure improvements along the river valley and therefore the principle of the development would be compliant with policy LP24.

A significant number of objections have been raised regarding the principle of the development with regard to the proposal not adhering to the original concept of the park and that the proposal has no relationship with the informal recreation opportunities at Ferry Meadows. It is not considered that the proposal would change the overall character of the park as it would occupy a relatively small area which is already an area of increased activity for example the Lakeside Centre, sailing centre and the playground, compared with quieter areas of the park. It is accepted that the objectors to the proposal are passionate about the park which for many is 'on their doorstep' and have a connection with it. However the purpose of the park is to provide a recreation and leisure facility that benefits all the residents of Peterborough and visitors.

The proposal would enhance the recreational offer at Ferry Meadows providing an Olympic-standard climbing centre. Climbing is growing in popularity with many climbing walls opening across the country. It is considered that the LAC will complement the services already provided in this part of the park including the Watersports Centre, cycle shop and associated facilities and improve the long term viability and sustainability of the services provided at Ferry Meadows. This development will help meet the Trust's charitable objective of providing 'all year-round' recreation for the people of Peterborough and beyond ensuring Ferry Meadows Country Park as a major destination attracting visitors and bringing benefits to the city. This is in line with the overall landscape strategy for the 'Ferry Meadows Corridor' LCA Sub-Area.

It is noted that a number of objectors have referred to the Park becoming more commercial and that this is against the original ethos and purpose of the park. However, for the Park to continue to be sustainable and offer benefits to the community and visitors it has to secure income. It is anticipated that the LAC would generate over £2 million/pa contributing to the local economy with around 112,000 visits to the facility; a significant amount of these would be by individuals outside of the area. This would also benefit the local economy with additional spending on accommodation and retail/catering outlets and so on. The proposal would also provide employment opportunities.

In addition, with Peterborough's projected housing growth and estimated expansion of population, along with the City's campus-based university with an undergraduate population of 12,500 students, the proposal will help meet the demands of a diverse and expanding population and would contribute to the vision for Peterborough to become a 'destination of choice....and providing a range of high quality attractions and facilities making it a distinctive place to live, work and visit'. The proposal would not only provide financial benefits to the Park it would also stimulate wider investment in the city.

The supporting information states that there is a gap in the market with no similar facilities within an hour's drive. The climbing wall at Bretton, although modest in size has now closed, however this facility has engaged well with schools and the LAC would build on this. The LAC would provide a range of climbing facilities including, the 'Clip 'n' Climb' which would be the only facility of its kind in Peterborough.

The LAC could also deliver a number of health benefits encouraging participation in physical activity. Para 91 of the NPPF advises that *'planning decisions should aim to achieve healthy, inclusive and safe places which..promote social interaction, including opportunities for meetings between people,*

*...enable and support healthy lifestyles, especially where this would address identified local health and well-being needs'; and para 92 advises 'to provide the social, recreational and cultural facilities and services, planning decisions should: ... support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community'.*

In addition, Policy LP7 of the Adopted Local Plan is supportive of development which facilitates "participation in sport and physical activity". The LAC would improve and promote healthy and active lifestyles for the local population offering a range of facilities which would have the incidental benefit of encouraging a greater use of the park facilities and the outdoor environment and the subsequent benefits to health.

The Sport England Strategy 'Uniting the Movement' advocates that 'although parks not usually designed exclusively for exercise, and certainly not for specific sports, do provide a vital resource.' The proposal may attract different audiences to active lifestyles who may never attend a sports club or a gym.

It should be noted that there have also been a significant number of representations received in support of the proposal, who believe it will be a great asset for the city, bringing benefits to the community. Supporters believe there is a growing interest for climbing and many places of similar size to Peterborough have climbing walls.

In conclusion it is considered that the LAC would enhance the recreational offer within the Nene Valley, bring recognisable benefits to the viability and sustainability of Ferry Meadows as well as the wider Peterborough economy, promote active and healthy lifestyles and would accord with policies LP7, LP11(e) and LP24 of the Adopted Peterborough Local Plan (2019) and paras. 91 and 92 of the NPPF.

The principle of development is considered to be acceptable subject to meeting the criteria of relevant planning policy and material planning considerations.

### **c) Location of the LAC Facility**

The proposal is for a leisure facility with the potential of attracting a large numbers of visitors from within the Peterborough area and beyond. Policy LP30 of the Local Plan advises that the preferred location for new facilities such as the climbing wall would be within the city centre which would accord with the overall spatial policy for the intensification and regeneration of the city centre. Policy LP30 supports such facilities, especially where they would help to improve the range, quality, and distinctiveness of facilities that the city and surrounding areas have to offer; it improves access by sustainable transport modes to such facilities; and it will help to promote the image of Peterborough and attract more visitors. Policy LP30 also goes on to say that in exceptional circumstances when there is not an appropriate city centre site, due to the nature and scale of the proposed development, other locations will be considered in accordance with a sequential approach to site selection as outlined in policy LP12.

The hierarchy of designated centres in Peterborough is the city centre as the first preference, followed by the consideration of edge of centre sites, sites within the District Centres of Bretton, Hampton, Millfield, Orton and Werrington and then, where appropriate, Local Centres. For sites outside of these designated areas a sequential approach should be applied to demonstrate that there are no suitable, available and viable sites higher in the search criteria.

The application, as initially submitted, was supported with a sequential test however, the document focussed on vacant industrial units which are mostly in out-of-centre locations and these locations are not sequentially more preferable than the proposed site.

An addendum to the sequential test was subsequently submitted however, again, not all vacant units or sites within the City Centre, District Centres and on the edge centre had been assessed. A further sequential test has been submitted.



It is acknowledged that this is a bespoke facility that has specific premises requirements. For example the building would need to be a minimum of 25m in height and would need a minimum floorspace of 500 sq.m over one or two floors. A minimum area of 1 Ha of land would be required to accommodate the building and sufficient car parking. Therefore a site is only suitable if it can accommodate these requirements.

The applicant refers to the Tesco Stores limited (Appellants) v Dundee City case, where the Supreme Court ruled that “suitable” means “suitable for the development proposed by the applicant”. The sequential test should be considered in the context of the exact development proposed by an applicant. There is no requirement in the NPPF to disaggregate a proposal to accommodate elements of a proposed development on smaller, sequentially preferable sites, recognising this may lead to an applicant seriously compromising their proposal.

A search was undertaken of all commercial premises available to buy or rent within Peterborough City Centre, District Centres and edge of Centre sites. ‘Edge of centre’ for the purposes of this search would include any premises within a 500 metre buffer of the city and district centres.

A search was also undertaken of allocations in the Peterborough Local Plan (2019). Consideration was also given to the sites suggested by the Peterborough Civic Society.

Whilst the first preference for LAC would be the city centre; given the height of the proposed scheme and the close proximity to the Peterborough Cathedral many city centre sites would not be suitable. Policy LP19 of the Adopted Peterborough Local Plan advises against development that would unacceptably detract from important views of Peterborough Cathedral by virtue of its height, location, bulk or design.

A number of comments made by objectors have referred to alternative sites which they consider should be reviewed by the applicant. Many suggestions are for industrial sites, however and as stated above, these are no more sequentially preferable than the application site. Comments on the suggested alternative sites are summarised below:

**Embankment:** This area lies within the Riverside North Policy Area (Policy LP50) states that ‘any built development will be confined to the northern part of the site and along the frontage to Bishops Road’. It also states that ‘views of the Cathedral from the south and south east and the settings of the Lido and Customs House should be preserved’. Planning permission has recently been granted for University (LP51.1) (ref. 20/01044/R4FUL). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. There are significant views of the cathedral from the Embankment and to the south and south east.

**Wellington Street car park:** This area lies within the Boongate Policy Area (Policy LP52). The site is allocated for mixed use site, including retail and leisure uses and car parking (LP52.2). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral.

**Dicken’s Street car park:** This area lies within the Boongate Policy Area (Policy LP52). The site is allocated for residential use (LP52.1). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral.

**Football club car park:** The site is located within the Riverside South Policy Area (LP50). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. NPT require min of 1 hectare of land would be required to accommodate the building and sufficient car parking. The site area is 0.37 hectares and therefore below the established operational requirements for Nene Park Trust.

**Fair Meadow car park:** The site is located within the Riverside South Policy Area (LP50). The site is allocated for mixed use (LP50.2). Including leisure and commercial LP50. The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. NPT require min

of 1 Ha of land would be required to accommodate the building and sufficient car parking. The site area is 0.83 hectares and therefore below the established operational requirements for Nene Park Trust.

Railworld car park: The site lies within the Riverside South Policy Area (LP50). The site is allocated for residential use (LP50.1). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. NPT require min of 1 Ha of land would be required to accommodate the building and sufficient car parking. The site area is 2.77 Ha and therefore could meet the established operational requirements for Nene Park Trust.

Railway station car park: The site lies within the Riverside South Policy Area (LP50). The site is allocated for residential use (LP50.1). The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. The site area is 2.4 Ha and therefore could meet the established operational requirements for Nene Park Trust.

Bourges: The site is designated by the adopted Local Plan as General Employment Area (GEA1). Policy LP4 states that 'within General Employment Areas planning permission will be granted for development within Use Classes B1, B2 and B8'. GEA1 is also a 'Transport Zone' and 'Transport Safeguarding Area'. The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. NPT require min of 1 Ha of land would be required to accommodate the building and sufficient car parking. The site are is 5 Ha and therefore could meet the established operational requirements for Nene Park Trust. The area identified as GEA1 is prioritised for Use Classes B1, B2 and B8.

Fengate south: LP37.27 allocated for housing up to 350 units. The height of the proposal would detract from critical views by virtue of its height, on the Cathedral. NPT require min of 1 Ha of land would be required to accommodate the building and sufficient car parking. The site are is 13.77 ha and therefore could meet the established operational requirements for Nene Park Trust.

East of England Showground: The site is designated within the adopted Local Plan under Policy LP36 which states 'facilities related to the function of shows, conference facilities (D2 and D2), employment related development and residential development of 650 new dwellings (indicative)' would be supported in principle. The site could meet the established operational requirements for NPT however the site is no more sequentially preferable than the application site.

Thorpe Wood Business Park: LP46.5 business use. The allocation is over 500 metres from a District Centre and therefore is not considered sequentially preferable.

Gateway Peterborough (GEA12): LP44.2. The allocation is over 500 metres from a District Centre and therefore is not considered sequentially preferable. In addition the majority of the plots have been developed or under construction and there is a maximum height limit for development between 15-20m excluding plot E2.1 which has an element at 35m.

Alwalton Hill, Plot 302a: The site has recently been granted planning permission for a parcel delivery operator ref. 20/01142/FUL

The Flour Mill site at Fletton Quays: There would be substantial objection from a heritage perspective for demolition. There would also be ecological issues.

To the east of the Former Mill: This would remove the view of the Cathedral from the Fletton Recreation Ground and would compete with other views of the Cathedral.

Orton Mere: This is not a sequentially preferable location. It is very near built up development and there would be possible impact upon the setting of the Orton Waterville Conservation Area.

Rowing Lake: There would be an impact on significant views of the Cathedral. This area is also in flood zone 3.

Thorpe Meadows pay and display car park: This is not a sequentially preferable location. There would also be an impact on the setting of Thorpe Hall/Parks and Gardens.

Sites a Hampton (lots of land): Unless located within the district centre other sites would not be sequentially preferable.

Woodlands, Castor: There would be impact on the heritage assets within Castor and it is not a sequentially preferable location. Woodlands has planning permission for a care facility and development is currently under construction.

Thorpe Wood Business Park: This area is allocated for employment use and is not within a sequentially preferable location.

Either side of The Pearl Centre building: The area is allocated for employment use and is not within a sequentially preferable location. The Pearl Centre is a listed building and there is potential for impact on the Alwalton Conservation Area.

The 'Toys are Us' site: This site has recently become occupied with two retail units.

#### Sites within Ferry Meadows

One of the fields near the Visitors Centre/top car park: This would be within the Scheduled Monument.

Camping Field/area south of Overton Lake: This area is used as a camping site. It is doubtful there would be space to accommodate the facility in this area and the proposed location has context with existing facilities.

Area to the north west of Lynch Farm bridge: Most of this area is within the Schedule Monument and there would also be an impact on the setting of the Listed Building.

Adjacent to the overflow car park: This would be within the Scheduled Monument.

It is noted that a number of objectors have referred to reasons stated within the sequential approach for a particular site not be viable in terms of cost to the applicant of acquiring land not within their ownership. This is not a material consideration when assessing the suitability of sites.

It is considered that the applicant has followed due process in terms of the sequential test which has demonstrated there are no sequentially preferable sites that could accommodate the proposal. Due to the scale and nature of the proposal there are few locations where the facility could be accommodated, for example, without impacting on visual or neighbouring amenity and this is recognised under policy LP30 and also within National Planning Policy Guidance (para 012) which refers to specific locational requirements.

The sequential approach has been reviewed by the Policy Officer who is satisfied with the report. The sequential test is therefore passed.

Although the application site is located outside of a designated centre it is within an established country park which functions as a recreational and leisure facility serving the wider community. The LAC would be relative to the context of this part of the park and would complement and enhance existing facilities, particularly at times when visitor numbers are low, such as in the winter. The principle of enhancing the recreational offer is supported under policy LP24 of the adopted Peterborough Local Plan.

#### Impact Assessment

Policy LP12 requires that proposals for leisure developments outside of centres with a gross external

floor space over 280 sq metres be accompanied by an impact assessment, which includes a robust assessment of impact on nearby centres. A Leisure Impact Assessment has been submitted. The Assessment demonstrates that the proposal does not result in a significant adverse impact on any defined centre in the City. Guidance is given under para 015 of the NPPG advising that impact should be assessed on a like-for-like basis in respect of that particular sector. The Assessment states that in this instance the assessment of impact can only relate to the impact that the proposal would have on existing climbing facilities.

The assessment concludes that the only climbing facility in Peterborough is the outdoor climbing wall located at Nene Park where the application site is located. This is not located within a centre; the applicant is not aware of any proposals for existing, committed or planned investment within a centre that includes provision for a climbing facilities; and there are no existing climbing facilities located within centres in Peterborough. Therefore the proposal would not have an impact on defined centre locations in the City and the proposal does not represent a challenge to the vitality and viability of centres.

The policy officer has assessed the impact assessment. The Officer notes that there is an existing indoor climbing facility in the City which has been in operation for several years. Due to the current COVID, it closed in March 2020, but it is unlikely to reopen. If this wall had been in a centre, then it would be a material planning consideration.

Having assessed the sequential approach to site selection and the impact assessment the proposal accords with policies LP12, LP24 and LP30 of the Adopted Peterborough Local Plan (2019) and paras 86, 87 and 89 of the NPPF (2019).

#### **d) Flood Risk and Drainage**

##### Sequential Test

The site lies within Flood Zone 2 and 3 as defined on the Environment Agency's Flood Maps. Policy LP32 of the Adopted Local Plan advises that in areas known to be at risk of flooding development will only be permitted following the successful completion of a sequential test and an exception test; the submission of a site specific Flood Risk Assessment (FRA) (setting out flood risk management and demonstrating no increased risk of flooding to the site or existing properties and where possible seek to reduce flood risk; and consideration of maintenance and management and incorporation of Sustainable Drainage Systems.

The NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere (para 155). The aim of the sequential test is to steer new development to areas with a lower risk of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding (para. 158). If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance (para. 159). For the exception test to be passed it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall (para 160). Both elements of the exception test should be satisfied for development to be allocated or permitted (para. 161).

A Flood Risk Assessment supports the application. This has been revised following comments made by the Environment Agency which will be discussed below.

As discussed in section c) above and in accordance with policy LP30, the preferred sites for Leisure uses, such as the proposal, are within the city centre or designated centres in accordance with the search hierarchy. A detailed Sequential Test considering the suitability of all potential development sites in and around Peterborough was completed by the applicant. It did not identify any sequentially preferable sites within a 10-mile radius of Peterborough, including the city centre, district centres edge of centre, which could accommodate the proposal.

The FRA states that the applicant has considered alternative sites within Ferry Meadows which could accommodate the development. However, although the Ferry Meadows site is significant in area, approximately 200 ha, 60 ha, is covered by water and a further 43 ha is part of the Lynch Farm Complex (SM); other areas of the park have ancient trees or are occupied by other uses. Therefore the options for locating the LAC within other areas of Ferry Meadows are significantly limited.

Although not a consideration for applying the sequential test, the part of the site for the location of the LAC is an existing car park and therefore the location would prevent the loss of further green space within the park.

### Exception Test

The proposed land use (assembly and leisure) is categorised as 'less vulnerable' as defined under Table 2 of NPPF-Technical Guidance and as such is assessed to be appropriate development for both Flood Zone 3 and Flood Zone 2 as defined by Table 3 of the same guidance. As the site functions as a flood plain it is considered that the Exception Test is required.

#### *Sustainability benefits:*

The proposed LAC intends to create a wider activity hub to complement the existing Watersports centre, cycle hire facility alongside other active outdoors attractions such as play areas and walking trails within the Ferry Meadows Country Park. The proximity to the existing facilities is considered to be fundamental to the success of the proposal and where the LAC would have context and contribution in terms of visitor offer as an all year round facility and benefit by existing access routes.

In addition, the Olympic standard climbing centre would have significant economic benefits to the park and the wider local economy as well as promoting active and healthy lifestyles for residents and visitors to the City.

In conclusion it is considered that the LAC would enhance recreational offer within the Nene Valley bring recognisable benefits to the viability and sustainability of Ferry Meadows as well as the wider Peterborough economy as well as promoting active and healthy lifestyles and would accord with policies LP7 and LP24 of the Adopted Peterborough Local Plan (2019) and paras. 91 and 92 of the NPPF.

#### *Mitigation/Flood risk:*

The proposed LAC will utilise a piled foundation that will raise the building above the flood level. The finished floor level of the building would be the same as the existing Watersports Centre (approximately 6.700 mAOD). The floodplain displacement will therefore be negligible. The proposal would also reduce the impermeable area by removing the existing hard standing covering the car park. This also increases the flood plain storage by c. 1,000m<sup>3</sup>.

The area beneath the building would be screened, to prevent it being used as a storage area and impacting on flood storage. The screening will be designed to allow for the free passage of water across the site.

The Environment Agency (EA) raised objections to the initial FRA as it did not address the impacts of climate change; did not consider how the building on stilts would allow for the free passage of water beneath it; and did not consider the requirement for floodplain compensation. The revised

FRA now complies with all requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance and the EA has no objection subject to imposition of a planning condition to set the minimum floor level no lower than 6.70 metres above Ordnance Datum (AOD) and the screening underneath the building should be cleared of debris regularly.

A number of concerns have been raised regarding the adjoining Watersports Centre, where it is stated that this lies at the same level as the flood plain at 6.0m OD with rear elements set at 5.45m; against the criteria set by the EA and the building has flooded. It was suggested that the elevation drawings were therefore incorrect as they showed both the LAC and the Watersports Centre to be at the same level and these should be amended. Also that reference is made to the building sitting on a concrete plinth to protect from flooding but this is not shown clearly on any of the submitted planning drawings.

In response, the applicant has advised that the Lakeside Kitchen & Bar (Water Sports Centre) currently sits at +6.60 AOD not +6.00 AOD (600mm higher) as suggested with the rear elements sitting at +5.55 AOD. A drawing has also been submitted to demonstrate this. Furthermore, an application to discharge a condition regarding levels show the floor level of the Lakeside/Watersports at 6.60mm (ref. 13/00436/DISCHG). The proposed LAC will be located within the 100 -year floodplain. The results of the modelling have been used to determine flood levels and subsequent freeboard. Flood depths across the proposed development site for four key return period events, and climate change allowances, have been presented in Table 8 of the FRA. Additional detail regarding the modelling approach and data have been included in Appendix D of the FRA.

The height of the Lakeside Activity Centre has therefore been designed to these principles with the FFL in the building at +6.770 AOD as shown on application drawing (2259-A-L-101: Ground Floor General Arrangement) and the concrete plinth is clearly described on the elevations, plans and sections provided with the application.

Several mitigation options have been considered in relation to the fluvial flood risk. The applicant will produce a Flood Plan, including signing up to the EA Flood Alert/Warning system and the addition of wooden bollards, or similar, would be provided around the perimeter of the car park to will prevent buoyant vehicles from becoming an additional hazard away from the site. These details would be secured by condition.

In addition, a proposed project to increase biodiversity, wetland habitats and provide additional flood attenuation is currently being undertaken by NPT in the east of the Ferry Meadows Country Park.

The proposal has demonstrated that there are no sequentially preferable sites available at a lesser risk of flooding and that the development would be safe for its lifetime and would not increase the risk of flooding elsewhere. In applying the exception test the proposal has demonstrated that the proposal would provide wider sustainability benefit to the community and the development would be safe for its lifetime and would not increase flood risk elsewhere and accords with policy LP32 of the Adopted Peterborough Local Plan and paras 155, 159, 160 and 161 of the NPPF (2019).

The proposal would not increase flood risk or compromise the performance of flood defences in accordance with policy LP24 of the Adopted Peterborough Local Plan (2019).

### Drainage

It is proposed that the drainage strategy will be aligned with the drainage strategy of the Watersports Centre where surface water from the roof is taken via rainwater pipes through a Rain Water Harvesting (RWH) tank with surplus discharging into Gunwade Lake via buried pipes.

The proposed development involves the removal of the existing tarmacked car park. The proposed impermeable area associated with the development is smaller, with proposals to make use of rainwater harvesting to further reduce runoff. This will reduce the runoff from existing levels.

RWH has been considered and included for the development in order to reuse rainwater for non-potable uses such as flushing toilets. It is not possible to infiltrate on site and so the surface water management strategy focuses on delaying surface water flows through the use of attenuation and flow controls restricting the flow rate at the outfalls to acceptable levels before discharging into Gunwade Lake.

Hydro-brake manholes will be provided at all proposed outfall locations prior to discharging the water into the lake in order to control the flow in accordance with the required greenfield runoff rates. Non-return / anti-flood valves will be provided on any head walls at the discharge points in order to stop the system from surcharging.

SuDS will be adopted on site where feasible and the implementation of SuDS which integrate into the landscape will be considered in collaboration with the landscape architect during the next stage of the project design.

Two options are considered. Both are based on the surface water ultimately discharging into the Gunwade Lake to the north and west of the site. Both propose rainwater harvesting to collect and reuse rainwater from the proposed LAC roof. High level estimates have indicated that a storage volume of approximately 20m<sup>3</sup> would be appropriate for the RWH system design. Runoff exceeding the RWH storage capacity will be collected into an attenuation tank, before discharging into the lake. Based on the proposed and existing impermeable area adjacent to the building of approximately 5,000m<sup>2</sup>, a preliminary estimate indicates that an attenuation volume of around 270m<sup>3</sup> will be sufficient to contain the 100-year return period rainfall event+ 20% climate change.

Both Options will utilise permeable pavement and shallow storage beneath the car parks to manage surface water runoff, providing water treatment before discharging to the Gunwade Lake. Suggested options for the permeable pavement include; plastic crates, or a granular fill. This shallow storage area will be underlain with an impermeable membrane, due to the expected high-water levels in the ground.

Essentially, the difference between the options is whether the whole site drainage is managed in its entirety within one system, with a single discharge point, or if the building and car park are managed independently, resulting in two discharge points.

The proposed surface water drainage strategy has been reviewed by PCC Drainage Team and there are no objections in principle subject to a pre-commencement condition being appended to the decision requiring the submission of a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods to incorporate either option 1 or 2 as detailed within the FRA.

Comments have been made regarding the removal of the tarmac car park and that the statement that there will be an 85% reduction in impermeable area is misleading. The applicant has responded advising that the reduction of impermeable area between the existing and proposed will be approximately 25% (existing 3350m<sup>2</sup> to the proposed 2500m<sup>2</sup>). There is an existing gully on site which appears to be draining the car park. The pre-development surface water runoff has been determined following the methodology of calculating the existing brownfield runoff rates of the existing impermeable area (car park area which is 100% impermeable). The 85% betterment results by comparing the proposed greenfield runoff rates (5 l/s) vs the equivalent brownfield runoff resulting from the existing impermeable area (32.6 l/s).

The Drainage Officer has advised that the issue of surface water ponding would be redundant with the proposals to the redevelop the car park, as the construction of the car park will incorporate permeable paving and any issues with levels that have historically resulted in ponding would be designed out as the car park would be reliant on the levels allowing surface water to drain to areas of permeable paving.

Further questions have been raised regarding the proposed surface water runoff rate of 10 l/s, (two outfalls, each at 5 l/s) which is far in excess of the equivalent Greenfield runoff rate (estimated to be 0.33 l/s in the FRA), thereby increasing the risk of downstream flooding. The applicant has responded that the outfalls are proposed to be discharging at 5 l/s each, as the minimum reasonably practical to avoid blockages. Since there will be an 85% betterment in flowrates the LLFA have previously accepted these flowrates in principle.

The Drainage Officer has referred to section 6.7.6 of the Flood and Water Management Supplementary Document (FWMSPD) which states, *'For riverside sites, slowing down the discharge of water to the River Nene through the normally required attenuation measures might not always be the preferred approach for wider flood risk management. There is a time lag between heavy rainfall and high water levels in Northampton and the peak water levels being reached in the Nene in Peterborough. For some storm situations it could therefore be better if Peterborough's rainfall and surface water were removed from the system before the high flows arrive from upstream'*. Although, the site does not propose to discharge surface water to the River Nene directly, Gunwade Lake is connected to the River Nene and would be impacted by high river levels.

It should also be noted that within Appendix B of the FRA, an 85% betterment of surface water discharge rates were proposed which is line with S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems, *'For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event'*.

The UKSuDS Tool Report provided by the design engineer in Appendix E of the FRA does state that the QBAR greenfield runoff rate for the site would be 0.33 l/s. Based on the total site area provided this would mean that the QBAR rate in l/s/ha would be calculated as 0.127 l/s (rounded up), taking into account that the site will be positively drained, low rates such as the above are often not reasonably practical or achievable within drainage design for positively drained sites.

Additionally, within the UKSuDS Tool Report, firstly Note (1) specifies that *'normally limiting discharge rates which are less than 2.0 l/s/ha are set at 2.0 l/s/ha'*, which based on the site would be calculated at 5.2 l/s. Secondly, Note (2) states that *'where flow rates are less than 5.0 l/s consents are usually set at 5.0 l/s if blockage from vegetation and other materials is possible'* which is line with the reasons provided in Appendix B of the FRA.

The site is proposed to be built with sustainable drainage systems such as permeable paving, rainwater harvesting, and swales and the drainage system is be designed to hold surface water for up to and including the 1 in 100-year critical rainfall event including the 20% climate change allowance with a restricted discharge to Gunwade Lake. This is an improvement from the existing surface water drainage arrangements on site and as such, it is not considered that the site would increase the risk of downstream flooding.

Questions have also been raised regarding the indicative stormwater attenuation calculations using a climate change factor of +20%. Elsewhere in the FRA, a design life of 50 years is stated. According to the current GOV .UK climate change recommendations, the applicable Upper End climate change rainfall allowance for facilities with a design live in the years 2070 to 2115 should be +40%.

The applicant's response is that the design life of the building has been below 2070 based on the date of submitting the Planning application. The 20% of Climate Change uplift has been used following consultation and agreement with the LLFA based on the site's region (Refer in Appendix B of the FRA report for correspondence with LLFA).

Comments are also made regarding the means of surface water attenuation storage under the car park and whether this is viable without impact upon the Scheduled Monument.



The applicant's response refers to the details provided within the Archaeology Addendum report. The proposal has been considered by Historic England and PCC's Archaeologist and no issues have been raised. Should there be any restrictions on excavations meaning that the proposed strategy cannot be completed in accordance with the FRA then an amended surface water drainage strategy that takes these restrictions into account would be required.

There is also concern that consideration has not been given to the effect of submerged outfalls to the surface water drainage to the proposed building and car park.

The Drainage Officer refers to section 8.2.1 of the FRA states that non-return / anti-flood valves will be provided on any head walls at the discharge points in order to stop the system from surcharging from Gunwade Lake. In addition, the proposed surface water drainage system is to be designed to hold surface water for up to and including the 1 in 100-year critical rainfall event including the 20% climate change allowance. Section 4.2 of the FRA also states that methods to manage potential exceedance of the above storage capacity need to be provided. As this is reliant on proposed finished levels and additional detail that isn't available at this stage; these details would be secured by condition.

Concerns have been raised regarding the degradation in surface water quality and potential effects on the Caster Flood Meadows SSSI, it should be noted that the SSSI is upstream of the development proposal. Effects on the SSSI would not be likely.

#### Foul Drainage:

The site is served by a series of pumping mains before it ultimately discharges to the public sewer approximately 900m away from the onsite discharge point. Capacity issues have however been identified on the existing pumping station and therefore, a solution is required to ensure that the system can perform adequately when the new development foul rates are discharged into it. There are two possible solutions - reduce the amount of flow that will be discharged into the pump via storage tank and flow control or to upgrade the pumps.

The foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre and Anglian Water advises there is available capacity.

The proposal has demonstrated that the site can be suitably drained, will incorporate SuDS into the proposal to reduce surface water run-off and adequate foul water treatment and disposal can be achieved. The proposal therefore accords with policy LP32 of the Adopted Peterborough Local Plan (2019) and paras. 163 and 165 of the NPPF (2019).

#### **e) Impact on Heritage Assets**

There are a number of heritage assets within close proximity to the site. The Lynch Farm Complex Scheduled Monument (SM) forms part of the southern part of the site.

The proposal is assessed against policy LP19 of the Local Plan and section 16 of the NPPF, primarily paras. 189 and 193-196. In summary, policy LP19 places emphasis on the protection of designated heritage assets and their settings. All proposals that would directly affect any heritage asset should be accompanied by a Heritage Statement.

Para 189 of the NPPF requires that applications 'should not only describe the significance of any heritage assets affected, but also any contribution made by their setting.' The glossary to the NPPF describes the setting of a heritage asset as '*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*'

Para 193 of the NPPF advises that *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation,*

*irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*Para 194 of the NPPF states 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...assets of the highest significance, notably scheduled monuments.. should be wholly exceptional.*

*Para 195 of the NPPF advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or a number of stated criteria are all satisfied.*

*Para 196 advises 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The Local Planning Authority has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66(1) to have a special regard to the desirability of preserving listed buildings, their special features and their setting.

Section 72 of the Town and Country Planning Act 1990 places a duty on the LPA to pay 'special regard' to the desirability of preserving or enhancing the special character or appearance of conservation areas.

Considerable weight and importance should be given to (a) the need to avoid harm to conservation areas and (b) the duty to have special regard to the desirability of preserving a listed building and its setting. The presumption against the avoidance of harm is a statutory one, (which has been subject to interpretation by the Courts) and can only be outweighed if there are material considerations strong enough to do so, and which involve some advantage or benefit which outweighs the harm.

A Heritage Impact Statement (HIS) supports the application. There have been two revisions to the HIS following comments made by the Conservation Officer and those made on behalf of Milton Estates. The first revision gives particular regard to the setting and significance of Ferry House, Ferry Bridge and Robin Hood and Little John Stones. The second revision makes reference to the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66(1), previously omitted; further consideration given to the impact of the development on the significance of the heritage asset, providing an independent assessment as required by para. 189 of the NPPF and provides a discussion of the significance of the heritage assets with regard their association and relationship with the proposed site.

#### The Lynch Farm Complex SM

The proposed LAC is located close to the Lynch Farm SM and the car park would be within the SM. The application site was the subject of an evaluation by trial trenching carried out in October 2018 within the current car park area and within part of SM. An Archaeology report supported the application and the PCC Archaeologist and Historic England were consulted. The PCC Archaeologist advised that the current car park where the building would be located had been sufficiently characterised as containing deeply stratified alluvial layers above a possible buried horizon. However the area within the scheduled monument, where the car park will be relocated, has the potential to contain archaeological features and deposits, as identified during the evaluation. These features could not be dated and characterised with certainty. If present, they are expected to survive in good conditions of preservation, being sealed by an overlying alluvial layer between 250mm and 350mm below the extant surface. No evidence was found of destruction by former quarrying.

Discussions have taken place with Historic England. Scheduled monument consent for an archaeological evaluation was granted within that part of the scheduled monument which would be developed for a new car park. The Archaeology report as initially submitted had not considered the results of the evaluation set against the proposed ground works for the car park and no construction details for the car park being provided. Whilst Historic England did not oppose the principle of the proposal the initial report did not meet the requirements of para 189 and paras 193-4 of the NPPF in terms of the weight given to the SM and justification where it involves harm or loss of the significance of the SM.

Further information has since been submitted in the form of an Addendum to the previous Archaeology report which provides details of the specification and excavation depths for the car park.

There are two constraints with the proposed car park on the meadow area. Firstly the car park would be located within the SM and secondly the area is located within flood zone 3, which is the functional flood plain of the river Nene, preventing any build up above existing levels. The design of the car park needs to be robust enough to withstand traffic and the need to address surface water flooding.

The applicant has considered several engineering options for the car park construction. Following discussion with Historic England and PCC Archaeologist, the most pragmatic solution was considered to be Option 1b; whereby a portion of the car park will be the full 700mm excavation, and the remainder limited to a 250-300mm excavation. The proportions of these are based on the locations of the archaeological features revealed during the 2018 evaluation excavation, as well as the predicted visitor use patterns to ensure sufficient supply of robust parking is available year-round.

A mitigation strategy for a programme of archaeological works comprising a 'strip, map and record' excavation is proposed. The excavation will afford the opportunity to examine the archaeological resource associated with the area of the SM to be impacted upon by development. The aim is to seek a better understanding, and compile a lasting record, of that resource, and to analyse, interpret and disseminate the results of its investigation within a framework of defined research objectives. The remains that can be preserved in situ will be recorded and prepared for re-burial. Steps will be taken to ensure construction and future maintenance do not threaten these remains.

The proposed mitigation strategy is acceptable to Historic England and PCC Archaeologist; the details would be secured by condition.

A letter of objection from Bidwells on behalf of Milton Estates argues that insufficient evaluation has been carried out to inform the planning decision. Bidwells consider that the geophysical survey was not undertaken across the proposed development area and as this is a nonintrusive technique, it is ideally suited for evaluating a site and allowing trenching to be targeted. Furthermore, the trenching represent less than 2% of the scheduled area affected by the development and is insufficient to characterise the archaeology and the nature of the trenches are best suited linear features and not settlement remains.

Bidwells go on to state that the conclusions drawn from the HIS confirm that direct, physical damage will be caused to the archaeology within the scheduled monument, and that this will amount to a "medium adverse impact". It states that "a programme of archaeological work would greatly mitigate the loss [of] archaeology'. We do not understand what "greatly" means in the context of mitigation, but, the fact that mitigation is required is a clear statement that damage will be caused to archaeology within a scheduled monument.

The City Council's Archaeologist considers that strip, map and record (or sample) is a method of investigation which offers the flexibility of stripping a whole area of proposed development/change of land-use, and allows to make further decisions and inform a mitigation strategy based on what is actually found, rather than having to extrapolate information from limited trial trenching, even allowing for further trenching to be carried beforehand.

If applicable remains that can be preserved in situ would be recorded and prepared for re-burial. Therefore, steps would be taken to ensure construction and future maintenance do not threaten these remains.

Strip, map and record also offers the opportunity to select features/deposits which need to be further investigated to obtain the maximum information to enhance the current understanding of the character and degree of preservation of the scheduled remains. The completed archaeological programme of works was closely monitored by Historic England. The proposed strip-map-record was recommended by Historic England on the basis of the preferred method of construction of the car-park.

It is considered that although there would be impact on the SM the area and proportion of the monument impacted upon is very small and with the appropriate mitigation strategy employed, the impacts would not be significant. The applicant has assessed the significance of the heritage asset and an evaluation has been undertaken in accordance with para 189 of the NPPF.

### The Setting of the SM

The proposed development would introduce the relocated car park within the boundary of the SM, and the proposed building within its immediate setting to the north. Both the high tower and the new car park would change the setting of the SM particularly when viewed from the south. However the HIS considers this to be relatively minor given the existing recreational facilities and the modern access road to the west of the SM. It is also stated that part of the SM is already used as an overflow car park and so in terms of the setting the proposed car park would not introduce an entirely new intrusion. The degree of change to the setting is deemed to be low: adverse.

Further discussion regarding the setting of the SM has been provided within the Landscape Visual Impact Assessment submitted in support of the application. Reference is made to the extensive development that has taken place within the SM including the creation of the existing car park, visitor centre and associated facilities in the east of Ferry Meadows Country Park and the character of the SM is therefore recreational across its entire area and immediate setting, and therefore the susceptibility of its character to the type of change proposed is judged to be Low. The LVA concludes the magnitude of change upon the SM is therefore Low, with the overall impact judged to be an adverse one of Moderate/Minor significance.

Ferry Bridge: There would be no physical impact. The impact on setting is considered to be negligible due to the number of mature trees to the south of the bridge there would be no views of the climbing tower. In addition, the bridge now stands divorced from much of its historic setting and context, due to the construction of the A47 dual carriageway to the north, and the gravel extraction lakes to the south. The impact on the setting of the bridge will be negligible.

The Conservation Officer is of the view that the climbing centre will be visible from the bridge it will not impact on the how the bridge functions or is appreciated. The creation of the park and the insertion of the lakes and associated facilities has already significantly undermined the clear purpose of the bridge, however, this has in effect been refashioned as an entrance to the park from the north, which is considered to be positive. As such although the insertion of the proposal will have a material impact upon the setting of the bridge, this is not considered to have a material detrimental impact upon its significance and is considered less than substantial.

Ferry House: There would be no physical impact. There would be some intervisibility between the dormer windows of Ferry House and the climbing tower, although they are 1km apart. The top of the tower would be a small feature, and would not be visible at night. Other views between the two are screened by dense planting on the bund to the south of Ferry House. Comments received from Milton Estates states that the trees may not remain. However it was the Conservation Officer's view that they are currently present and that it was not considered reasonable to take into consideration what the Milton Estate 'may' do in the future. The setting of Ferry House to the south is already hugely compromised by the A47, which has effectively severed its historic visual and functional link

with Ferry Bridge and the River Nene. The impact on setting is considered to be negligible. The historical functional relationship between Ferry House and the proposed site has been severely undermined due to the insertion of the A47 and Gunwade Lake and the LAC would not materially degrade what remains of the existing relationship.

Ferry Lodge: There would be no physical impact. The Lodge's principal relationships were with Milton Hall, and Ferry Bridge. These have been much reduced by the movement of the lodge, and especially by its separation from the bridge by tree screening and the busy A47. There is some very limited glimpsed intervisibility with the proposed development site through trees in the winter months, but again the A47 and Gunwade Lake have radically altered the historic setting and its relationship with the site and the insertion of the tower will not alter this fact any further.

Robin Hood and Little John Stones: There would be no physical impact. The LVIA concludes that the proposed development will be clearly present within the setting of these scheduled standing stones. Thought to have been way-markers for vehicles hauling stone from Barnack quarries to the ferry point on the Nene. What is now Nene Park was merely the hinterland of the site rather than being integral to the stone's journey. As such there is only a weak relationship, in term of function and significance, between the proposed development site and the scheduled monument. The setting has changes dramatically with the present lakes and recreational facilities. In conclusion, as the relationship between the sites is weak, the stones are utilitarian in nature, and Nene Park is undeniably read as a man-made landscape with some development, the impact upon the significance of the scheduled monument is considered limited.

It is the Conservation Officer's view is that although the insertion of the proposal will have a material impact upon the setting of the stones, this is not considered to impact upon their significance and is less than substantial.

Milton Park: The development would have no physical impact on Milton Park. The LVIA did not assess the impact on the registered park and listed buildings within it. However, the view south from high ground within the park, a kilometre and more from the proposed development site, is already over the highly developed modern cityscape of Peterborough, furthermore with the park being bounded to the south by the bust A47. The original landscape relationship to the pastoral flood plain has changed to one of leisure including the presence of the gravel pits which have undermined this relationship, particularly to the development site. The insertion of the tower, unlikely to be visible from the park, does not further change this relationship. The HIS concludes that the proposed development will have a negligible detrimental impact on setting of the registered park and its buildings.

The Conservation Officer notes that prior to various reorganisation within the late C20, the site lay across the county line, which was the river Nene, in Huntingdonshire. This resulted in a natural barrier which reduced the direct relationship between estate and the land to the south, although it should be noted that the Ferry Bridge did, and still does, provide a crossing at the historic southern access to the Milton Estate along the road that connects Peterborough with the Great North Road. The duelling of this connecting road (now the A47) has exacerbated this disconnect.

Milton Estates have previously produced a setting assessment describing the many varied relationships the estate has with its surroundings. It is noted that the maps of the estate stop at either the river or the road and do not incorporate what is now the county park. The only relationship that it identifies to the south are with Alwalton Hall and Orton Hall, both of which would have been accessed along a path that ran from Ferry Bridge across the proposed site.

Orton Hall has a weak relationship that of vague association however Alwalton Hall was constructed for an Earl Fitzwilliam and the Lynch Wood which connects the two is still in existence. There are no direct views between the two, while the historic pathway has already been diverted in the creation of the lakes. As such the proposed construction of the Climbing Centre should not detrimentally impact upon the relationship between the two heritage assets.

Lynch Farmhouse and associated farm buildings: The LVIA assessment did not formally assess the impact of the proposed development on the setting of the listed buildings at Lynch Farm. This stands c.800m south of the proposed development immediately south of the line carrying the Nene Valley Railway. The top of the climbing tower may conceivably be visible from Lynch Farm, above the tree line around the Lakeside Centre however the HIS concludes that the proposed development will have a negligible detrimental impact on the setting of Lynch Farm, in terms of views northward from the listed buildings. The original agricultural setting has been lost and modern housing already closes off views to the east and south.

Water Newton and Durobrivae: Impact on setting: The LVIA did not formally assess the impact of the proposed development on the scheduled areas and the conservation area. There is currently no material relationship between the development site and these heritage assets. The top of the climbing tower may be glimpsed at a distance, but against the busy backdrop of modern Peterborough. Given this, PDA concludes that the proposed development will have negligible impact on the setting of these assets and no change to the heritage relationship between them.

Castor: The LVIA did not formally assess the impact of the proposed development on Castor's heritage assets. Although it is slightly nearer the proposed development site, PDA draws the same conclusions it does in terms of the sites associated with Water Newton, namely that given the busy backdrop of modern Peterborough, the proposed development will have negligible detrimental impact on Castor's SMs, listed buildings and conservation area.

The Conservation Officer considers that the Grade I Listed Church of St Kyneburgha at Castor will have views of the proposal from the church tower, as demonstrated by the Landscape and Visual Impact Assessment. There is nothing significant about this view and the proposal would be seen against the backdrop of the City of Peterborough. As such, although the proposal may impact upon the setting of the church it would not be materially detrimental and not significant.

Windmill near Castor Mill: The development would have no physical impact on the Windmill and the LVIA assesses that that the majority of the proposed development will be screened by the existing Lakeside area structures, although it will introduce the proposed tall climbing tower into view above these structures. The existing structures set a precedent within this view for recreational structures and the view is distant, therefore the magnitude of change is judged to be Low. It concludes the overall impact upon this receptor is therefore judged to be an adverse impact of Moderate/Minor significance. The windmill stands c.1.5km south-west of the scheduled monument and that there are no material heritage relationships between the site and this heritage asset and its setting. Accordingly, PDA believes the LVIA if anything over-states the impact the development would have on the listed building, which it reckons to be negligible.

Longthorpe: The development would have no physical impact and while the LVIA did not formally assess the impact of the proposed development on the Longthorpe SM, a Roman fort. The top of the climbing tower will be visible, but as an adjunct to the Lakeside complex of 2014, and over the modern infilled gravel pits now occupied by Overton and Lynch lakes. To the east the monument is bounded by the busy A1260, with the modern built-up area of Longthorpe immediately beyond. The HIS concludes that the proposed development will have negligible increased detrimental impact on the setting of this monument.

It is the Conservation Officers view that there would be no clear views of the climbing centre from Castor, Longthorpe, Orton Waterville and Orton Longueville Conservation Areas. The Conservation Officer accepts there may be some glimpsed views from select parts of the conservation areas with some slightly better views from non-public parts (such as upper floors of some buildings) however these are not considered significant.

Views with regard to the Cathedral: Although these views do not form part of the HIS the Conservation Officer considers that if views of the climbing centre were visible from elements of the Cathedral these would be limited to the top portion of the climbing wall and seen in conjunction with other structures to the west of the city, which reduces the impact substantially. The Cathedral does

have a significant relationship with Longthorpe Tower, however due to the alignment of the three buildings, the proposed climbing tower would not lie within Longthorpe Towers backdrop. The Officers view is that due to the distance between the two, the climbing wall would not inappropriately compete in terms of scale with the Cathedral.

The Conservation Officer has assessed the revised HIS and considers the various deficiencies regarding the required assessment and the report meet the minimum threshold required.

In addition, the Conservation Officer's concerns regarding the viewpoints from Mill Lane and Milton Park not being covered for wire frames have been addressed and there is no change in the over assessment of the heritage impact.

The Conservation Officer's view is that from a heritage consideration the proposal can be supported; and that if there is an impact on the heritage significance of the various assets then this may be less than substantial and this should be balanced against the public benefit for the proposal.

### Conclusion

The HIS concludes that the proposal would have a negligible impact on the Listed Buildings and Conservation Areas identified, however due to the physical impact on the Lynch Farm complex 'less than substantial harm will be caused'. In accordance with para 196 of the NPPF it is considered that public benefits provided by the proposed LAC with its Olympic-standard climbing walls would be a significant enhancement to the range of recreational facilities provided in Ferry Meadows which provides a major recreation and leisure resource to the Peterborough Community, would outweigh the less than substantial harm to the SM. In addition, the archaeological programme associated with the development will provide a broader understanding of the heritage value of the area, recording evidence and compiling a lasting record of the past hence sustaining or enhancing the significance of a heritage asset and the contribution of its setting.

The proposal therefore accords with policy LP19 of the Adopted Peterborough Local Plan (2019) and paras. 189, 190, 193, 194 and 196 of the NPPF (2019).

### **f) Landscape Visual Impact**

The site is located within the Nene Valley Landscape Character Area (LCA) which is divided into three sub areas; Nene Valley Floodplain; Ferry Meadows Corridor; and Ailsworth and Castor Valley Slopes. The site lies within the Ferry Meadows Corridor Sub-Area and occupies the stretch of the Nene Valley from Ferry Meadows Country Park in the west to the city centre. Within this sub area there is more emphasis on recreational uses closer to the urban area although it is recognised it is likely to share a relationship with the sub areas to the west. The strength of character of this area is described as 'Strong' due to the effective combination of high recreational use with valuable wildlife habitats on land formerly used for mineral extraction. The overall landscape strategy for the Sub-Area is to 'safeguard and manage'. One of the guidelines to achieve this strategy include the '*identification of facilities to upgrade in Ferry Meadows Country Park to maintain its position as a major facility for local and visiting populations*'. (Landscape Character Assessment - 2007).

Policy LP27 of the Adopted Peterborough Local Plan advises of the importance to ensure the diverse character of an area's landscape is respected, maintained and, where possible, enhanced and that the distinct landscape setting of the area is integral to protecting the identity of Peterborough. Policy LP27 goes on to say that 'planning permission will be granted if the development would amongst other things, recognise and where possible, enhance the character and special qualities of the local landscape through appropriate design and management. Where a proposal may result in significant harm, it may be permitted in exceptional circumstances, if the overriding benefits of the development demonstrably outweigh the harm'... and so on.

Para. 127 of the NPPF advises that decisions should ensure that development is sympathetic to

local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

### Landscape Visual Impact Assessment

A Landscape Visual Impact Assessment (LVIA) supports the application. The LVIA assesses the baseline landscape and visual characteristics of the application site, identifies and assesses the potential landscape and visual impacts of the proposed development upon the established baseline; and proposes mitigation measures to reduce adverse impacts of the development.

The LVIA has been revised following comments on the initial LVIA from PCC Landscape Consultants – Red Kite. On the initial LVIA Red Kite concluded that the impact on certain receptors had been underrated, partly due to the “car park and meadow” being assessed together; that there was a difference in opinion on the degree of material harm on the Lynch Farm Complex; and the supporting highway infrastructure serving LAC should be assessed as a receptor. A number of recommendations were also suggested which will be discussed below in the report.

Red Kite made a number of recommendations to elevate the assessment of significance of the impact caused from LAC on various receptors. Some of these recommendations have been adopted, however the applicant argues that none of the impact scores recommended by Red Kite would, in any case, represent ‘significant impact’ (Major/Moderate or higher), according to the LVIA methodology. Indeed, following review of the initial LVIA, Red Kite concluded that although material harm will result, it was agreed the LAC is unlikely to exceed ‘Moderate Adverse’.

The baseline assessment has been compiled through a desktop search of information and a Zone of Theoretical Visibility (ZTV) was prepared. The extent of the visual envelope was then tested through field investigation of the site and publically available routes. A mobile elevated work platform was used to take a 360-degree set of photographs from the top height of the proposed building to understand its visual envelope and relationship with the surrounding landscape. The revised LVIA also includes wireframe views and visualisations from selected points within the surrounding landscape to illustrate the potential effects from these locations. The area of study had a radius of 3km from the site. The site sits at around 8m AOD above the floor level of the River Nene. Love’s Hill, west of the Site acts as the local promontory rising 30m AOD. To the north and south, the land rises steadily with the slopes of the Nene Valley, to 30m to the north and 25m to the south.

A number of listed buildings, Castor Conservation Area within the study area and approximately half of the overall site area includes an area within the Lynch Farm Complex SM. These are covered above within the Heritage Impact section.

Milton Hall Park Grade II\* Registered Park and Garden was considered but not taken forward in the assessment because visibility with Milton Park is restricted by the presence of trees to the south of the park to the extent that there is unlikely to be a relationship between the park and any part of the proposed building, even in winter months.

Castor Conservation Area designation is within the Study Area however there is no relationship between the Site and Castor village, and therefore is not considered to be a relevant receptor.

14 public rights of way were identified as having the potential to be directly affected by the proposed development particularly Nene Way Long Distance Recreational Route, Hereward Way Long Distance Recreational Route, Public Bridleway Orton Waterville 11 and Public Bridleway Castor 26.

7no. physical and perceptual elements have been considered relevant receptors in terms of landscape character - Recreational character associated with Ferry Meadows Country Park; Surfaced car park land use; Open meadow land use; Road infrastructure; Large recreational water bodies and water meadows form immediate setting to the north, west and east; Limited relationship with wider valley landscape; Limited influence from adjacent city of Peterborough; Overall character



of the Site; and Overall character of the setting of the Site and then assesses the susceptibility of each receptor to the type of development proposed and the landscape value of each receptor.

The Site's visual environment is influenced by the topography of the Nene Valley, and the vegetation surrounding Ferry Meadows Country Park. The main receptors of the proposed development are people Lakeside Activity Centre engaged in recreational activities, within Ferry Meadows Country Park and the Public Rights of Way in the countryside to the west of Peterborough, including the Nene Way, Hereward Way and Torpel Way Long Distance Recreational Routes.

The LVIA sets out detailed findings with respect to effects on character elements and areas. The greatest effects identified are Moderate/Minor and relate to Ferry Meadows Country Park (including some elements thereof) and its relationship with the wider valley landscape.

With respect to visual effects, the LVIA considers effects on individual routes and areas with public access, identifying Moderate effects on the Nene Way and Hereford Way; Moderate/minor effects on views from within the country park and from routes through it; and localised Moderate/Minor effects on paths within 0.3km to 2.5km. Minor effects would be experienced by users of Mill Road, Castor and employees within the Travelex building.

The LVIA concludes that the site has a strong formal recreational character within the Lakeside area of Ferry Meadows Country Park. Because of the strong tree cover surrounding Ferry Meadows Country Park, the Site has a limited relationship with its surrounding landscape. It is likely that the majority of the proposed building and external works will only be visible to receptors in the immediate vicinity, although the climbing tower itself is likely to be visible from a range of receptors within the surrounding landscape. However, the tapered nature of the tower is such that the effects of the small proportion that is likely to be visible above the tree cover will be limited. The assessment concludes that no visual receptor would experience significant adverse effects as a result of the proposed development.

In addition, the LVIA concludes that the tree cover also prevents any substantial relationship with the adjacent city of Peterborough. The development is in keeping with the formal recreational setting, and that it would result in no significant adverse landscape impacts upon the character of the Site, its setting, or the character of the settings of designated heritage assets within the study area.

#### Review of the LVIA

Red Kite had provided detailed comments on the initial LVIA and made a number of recommendations which will be discussed further in the report. However in reviewing the revised LVIA Red Kite was asked to focus on the wider landscape impact resulting from the development. Red Kite considered the study area to be appropriate and the methodology used is robust for a project falling outside requirement for an EIA and sufficient information has been provided for conclusions to be drawn.

As discussed above the LVIA has been revised to assess the 'car park' and 'Open Meadow' individually as they are different landscape character types and the 'road infrastructure' has also been included.

Red Kite undertook site visits to review the wider landscape viewpoints (16 to 29) on 26<sup>th</sup> and 27<sup>th</sup> February 2020; at this time of the year there was limited leaf cover. On the 26<sup>th</sup> February the Officer remained at the viewpoints west of the Site close to Castor until after darkness to experience the potential impact of night visibility of the proposed LAC when illuminated.

Red Kite commented that in the wider landscape there already exists a concentration of development at the lakeside of Ferry Meadows which eats into the perceived rurality of long-distance views key from the west along Mill Road near Castor. In daylight these could be of perceived visual interest against the tree backdrop for walkers along Landy Green Way, but at night the cumulative impact

with the existing lighting of the lakeside building could be a prominent visual distraction, contrary to para 001 of the National Planning Policy Guidance of being a “risk of artificial lighting undermining the enjoyment of the night sky”.

The majority of view points in the wider landscape setting are considered to be obscured, transient or insignificant as other visual distractors interrupt the skyline or setting.

Due to the Site’s “strong degree of visual containment” within the valley environs and presence of obscuring mature trees and woodland groups alongside the A47 and within the Milton Park Estate in the north, and built form and infrastructure to three sides of the Site the visual envelope is limited. The Officer is therefore generally in agreement of the viewpoints selected in the wider landscape setting, although views from Peterborough Business park in the south have not been scoped, also the road to Milton Golf Course parallel to the A47 in the north and to the east at Orton Lock and Sluice. However, the LAC would not be significantly visible beyond that indicated by the Applicant and influence the ZTV.

There is a potential for the associated vehicular glint and glare and building glazing to give rise to more harmful and significant visual effects than the proposed climbing chimney.

The proposed faceted climbing tower of 34.25m height will be tapered vertically, however Red Kite consider that from close-range view-points it will not deliver the key objective of assimilating into the sky where it pierces the tree line with the current cladding regime proposed. It is suggested the applicant could scope using mirrored cladding. From long distant viewpoints Red Kite agree the climbing tower would be “a marker on the skyline” amongst others already present.

Substantial weight on the screening properties from existing trees within the setting of the Site has eased the assessment level of judgement made in the LVIA. By reviewing the visual effects in February when the leaf cover is minimal inter-visibility was more apparent between close range viewpoints and key long distant views from the west at Mill Lane and at Orton Lock and Sluices.

Red Kite conclude the significance of visual effect of the proposed LAC is unlikely to exceed ‘Moderate Adverse’ due to various factors restricting the inter-visibility between the wider environment and the Site. These include the physical and “visual containment” of the setting; the nature of the topography; intervening tree cover; and presence of elements in the built environment such as high-density housing and road infrastructure, including the highly trafficked routes of the A1260, A47 and A605. There is no significant inter-visibility between the Ferry Meadows and the city of Peterborough.

With respect to long-distance views in the wider landscape setting presented in the Reconsultation material, although it is agreed material harm will result, it is Red Kite’s opinion that the visual effect arising from the proposed LAC is acceptable, and should not prohibit a decision to be made for this Planning Application.

Red Kite made a number of recommendations following review of the initial LVIA; some of these are covered in the relevant sections of this report for example, covered cycle parking, construction methodology for the proposed car park within the SM, tree protection and biodiversity enhancements and will not be repeated here.

Red Kite referred to the palette of cladding materials and questions the ‘reddish’ colour proposed and also questions whether there is scope for the town to be mirrored to assist assimilation in to the skyline. Further consideration would be given to the finishing colour and mock ups along with a glint and glare assessment would be secured by condition.

Red Kite, in the initial assessment of the LVIA, suggested the applicant undertook a ‘Glint and Glare Analysis for moving and stationary cars. The applicant has not provided this information. As this is an existing access to the Lakeside Centre which, at times in used during the evenings, it is considered unreasonable to insist on this assessment. The existing car park and number of car

parking spaces has the potential to emit a significant level of light particularly visible from views to the west. The proposed scheme has significantly less cars in this area. Furthermore the proposed parking area is set behind the Water Sports Centre and would be substantially screened by hedgerow and trees.

Red Kite advised that a low impact lighting strategy would be key to minimise light spill and intrusion into the surrounding natural landscape. Para 180 of the NPPF advises that development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The level of existing lighting is to be reviewed by the applicant improving on the existing lighting levels at the Lakeside area. The lighting strategy proposed is to reduce lighting in the interests of ecology, reducing light spill within the site and particularly along the lakeside edge. As this area is already used during the hours of darkness it is not considered that the level in lighting would substantially increase and the impact of light pollution from artificial light would be limited.

### Conclusion

It is accepted that whilst the proposal would not have significant visual effect on the wider landscape setting, primarily due to the site's visual containment and surrounding tree cover, the proposal would have an impact on the visual amenity of the area and the building would inevitably impact on views particularly from the west and across the lake due to the physical presence of the building. However, this harm (moderately adverse) is outweighed by the enhancement of the recreational and leisure benefits the proposal LAC would provide ensuring Ferry Meadows Country Park as a major destination in line with the overall landscape strategy for the 'Ferry Meadows Corridor' LCA Sub-Area. The proposal therefore accords with policy LP27 of the Adopted Peterborough Local Plan (2019).

### **g) Wildlife Implications**

An Extended Phase 1 Survey Report (June 2018) was submitted in support of the application. This has been updated as there has been a two year time lapse since the original report was undertaken. The updated Preliminary Ecological Appraisal (July 2020) found that the condition of the original habitats within the site had not significantly changed. The updated Appraisal covered a wider survey area including the access road and immediately adjacent habitats to the site.

Designated Sites: The Castor Flood Meadows SSSI is located approximately 1.9km south-west of the application site. Due to the distance from the site it is considered unlikely that the proposal would result in any adverse impact on the SSSI. Natural England have developed Impact Risk Zones (IRZs) which are a tool to provide an initial assessment of the potential risks to SSSIs. The site falls within IRZs for the Castor Flood Meadows SSSI, Castor Hanglands SSSI and Orton Pits SSSI, however the assessment of recreational pressure is not required for this type of development. The identified categories of concern relate to industrial, commercial uses, energy, waste and quarry developments. Only new housing is identified as a category that will require an assessment of recreational pressure. It is considered that the country park is already an area of recreation and that the development would not significantly change the existing character of the park.

The application site is within the Nene Park County Wildlife Site (CWS) (a non-statutory designation), and within a site of Local Nature Conservation Importance. Policy LP28 of the Local Plan advises that development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact and appropriate mitigation or compensation will be required. There is of the duty to promote and protect species and habitats.

The report advises that the proposed development will not have a significant negative impact on the CWS. However, the report acknowledges that some species such as birds and bats utilising the CWS for foraging and shelter will be impacted by the proposed development. There is potential impact from artificial lighting and increased night time traffic along the access road which could be disruptive to nocturnal species such as bats and barn owls; and increased noise and human

disturbance across the site in general. The report concluded that there were no habitats within the site considered to be of regional or national ecological value.

A number of objections have been received regarding the impact on nature and wildlife and the loss of habitat resulting from the development. However the building would be located on an existing tarmacked area, there are limited loss of trees on this part of the site and those trees identified for removal have no suitable roosting features for bats.

Concerns have been raised regarding the loss of part of Oak Meadow and its contribution to wildlife. The proposal would lead to the loss of an area of grassland. The report advised that this habitat was of low ecological value.

Amphibians and Reptiles: although the site is of low value to amphibians and reptiles, the report recommended the fallen deadwood, grass cuttings and rubble piles should remain in situ; if this is not possible, moving these habitats should be completed by hand and recreated within similar habitat on site. Should any great crested newt or reptile be encountered, works must stop immediately and a member of the Lockhart Garratt ecology team contacted for advice. The report recommends a method statement be implemented.

Badgers: No evidence of badger activity was found within or immediately adjacent to the site however, should there be evidence found on site during construction, a member of the ecology team contacted for advice. All trenches or deep pits within the site that are to be left open overnight will be provided with a means of escape should an animal enter.

Bats: The site has the potential for roosting and foraging for bats. The Assessment recommended that existing habitat should be retained, where possible and where it was not possible existing habitat should be enhanced with native planting and the planting of new hedgerows is recommended as a tool to offset this loss in biodiversity.

The current proposal will lead to the loss of an area of scrub and several scattered trees. None of the trees to be lost have suitable roosting features for bats. However the Proposed Development will lead to additional lighting and disturbance close to the trees identified. Foraging and commuting habitats will also be subject to some disturbance from the change of use. Should it be necessary to remove any tree with bat potential, additional dusk emergence and dawn re-entry surveys will be required.

A number of objections have been received due to the concern the development would have on Bats. Dr Stebbings, a bat expert, has concerns about the lighting during the evening, including light spill from the building. Dr Stebbings advises that lighting levels should be below 0.005lux (i.e. 100 times less than the Councils Wildlife Officer reported in his submission and far above what would be acceptable at lake edge levels as described by the developers.). Only minimal lighting should be provided to the car parking areas and paths to the facility should be contemplated. Lighting where needed should be only at ground level with no spillage into the lakes, meadows or woodland and hedgerows.

A Bat Activity Survey has been undertaken to assess the bat activity on the site and the surrounding area. Remote bat detectors were deployed monthly between June and October 2020 for five consecutive nights for each month, which is recognised by the Bat Conservation Trust as the optimal period to undertake bat activity surveys. Four areas on site and within the surrounding area were surveyed: the Site, the waterfront adjacent to the Site, south of the Site near the access road and the waterfront to the east of the Site away from already existing infrastructure and lighting.

Eight species were identified as part of the data collected from the remote detector surveys. The majority of the calls recorded were identified as common pipistrelle or soprano pipistrelle which made up 97% of the total calls recorded during the monitoring period. Brown long-eared, another common species were also recorded. Some rarer species were identified included Daubenton's, Myotis species, Leisler's, Serotine and Nathusius' pipistrelle.

The Site itself was found to be used by a low number of bats, averaging hundreds of calls less than all other areas recorded. This indicates that the site itself is of low value for foraging and commuting bats, which correlates with the dominant habitats on Site being hardstanding and amenity grassland.

The waterfront was found to be the area most used by bats. This indicates that the water and shoreline habitats are of good value for bats and provide an important foraging and commuting habitat. This area will not be directly impacted as part of the proposed development it is advised that it should be protected from indirect impacts, particularly light spill.

The waterfront location to the east, located away from the existing infrastructure, had a significantly higher nightly average suggesting that the existing infrastructure around the site may already be impacting bats in the area. The survey suggested reducing the lighting levels of the existing infrastructure should be considered as part of the proposed development.

The site and surrounding area is considered to be of local level importance for commuting and of district level importance for foraging according to the Wray et al. (2010) assessment. The Survey makes a number of recommendations. Whilst the majority of the habitat on the site is sub-optimal for bats it is recommended that the boundary features including hedgerows, scrub and scattered trees are retained where possible to ensure the connectivity through the site for these species is maintained.

Several trees were marked in the Preliminary Ecological Appraisal (Ref 20-3256) as having bat roosting potential. These trees should be retained and protected. Should any scattered trees considered to have bat potential during the Preliminary Ecological Appraisal need to be removed, further assessment in association with these trees will be required to ensure they are not being used as a bat roost.

Buffers should be designed into the Site Masterplan. A 3-5m buffer should be kept from all retained hedgerows. Replacement hedgerows should be planted where boundary features cannot be retained. Any replacement planting should comprise of native species. Where possible, commuting corridors should be retained.

The waterfront, found to be the main area of bat activity, should be protected from indirect impacts of the proposed development, particularly regarding lighting. Lighting should be designed so that is at 0.5 lux (maximum) at the shoreline as indicated in the lighting design scheme (1016836-RPT-E-001 f). The survey recommends reducing the lighting output of certain fixtures and using hoods and cowls to direct the light away from sensitive areas and avoid uplighting. PIR sensors are also recommended for areas where lighting at a certain level is required to provide sufficient security lighting given known antisocial behaviour in the area.

It is recommended that reduced lighting is designed into the areas of the car park further away from the proposed building. These areas are less likely to be used during the night and only need to be lit for health and safety purposes when in use. PIR sensors are recommended to ensure lighting is only on when required. This will help to reduce indirect impacts on habitat to the south, particularly a number of mature oak trees along the southern boundary.

The access track should remain unlit as it is currently to avoid additional impacts on bats commuting and foraging in the wider park. Night time use is considered unlikely to significantly increase, as there is already cars presence at night, as to cause significant disturbance to bats through car headlights.

In addition, window glazing to prevent internal light spill should also be considered. There is a possibility to tie this in with the decals/glazing suggested to prevent bird strike within the PEA report.

A lighting scheme supports the application. The scheme also considers the lighting at the Lakeside Centre and nearby boat yard and shed which will minimise the environmental impact of current

installation.

External luminaires are to be provided with a light source which has colour temperature of 3000K or less to minimise the installation effect on local wildlife. All external lighting will be designed to support CCTV coverage of external areas where present. The lighting will be controlled through a time switch and daylight sensor to prevent operation during daylight hours configured for photocell on/time clock off control. Lights to be switched on when the luminance levels received at photocell drop below the pre-set on/off lux level. Time clock control is used to control different zones on site.

A maximum light level of 3 lux to be achieved along features likely to be used by foraging and commuting bats (i.e. hedgerows, trees, lakes). A dark corridor effect (<0.5lux) is achieved through minimising the amount of lighting on walkway paths taking into consideration that some bats species are known to be more sensitive to light.

Improvements to the lighting at the Boat yard will implemented including the existing floodlights to be replaced with spotlights supplied with direction flaps as to control the direction of light and reduce any spillage light and lighting close to the waterfront edge will be programmed to turn off when sunsets.

The Ecologist is satisfied with the lighting scheme and advises that the updated lighting scheme will involve reducing existing light impacts, which will in itself be an improvement for biodiversity.

In addition, the Police Architectural Liaison Officer is supportive of the lighting details and raises no objection.

The report recommends the installation of four bat boxes on scattered trees to increase bat roosting potential.

It is considered that the potential impact on Bats resulting from the development has been adequately assessed. The Bat Survey has identified how the site is used by Bats and has identified where improvements can be made at the neighbouring Lakeside Café and Boat yard by replacing existing lighting. Therefore the proposed lighting scheme would result in significant enhancements to the existing environment.

Birds: The report recommends due to the considerable area of glazed wall on the ground floor of the proposed LAC there is the potential for 'bird strike' and therefore consideration should be given to the type of glazing installed, for example it should be either UV coated or with visible decals. The RSPB has also raised this as a concern. These details would be secured by condition.

Comments have been made regarding an Owl resident in one of the large oak trees within Oak Meadow. This is referred to within the Ecology Report. The tree would be unaffected by the development.

Comments have been made regarding the loss of an area of shrubs which is a particular haven for over-wintering and winter visitor songbirds.

As the scattered trees, scrub and hedgerows may potentially offer breeding opportunities for birds, works affecting these habitats should take place outside the bird breeding season (March to August inclusive). If in the event works need to proceed within this period then specialist advice from a suitably qualified ecologist should be sought.

The report recommends the enhancement of hedgerows/shrub within the site.

Comments have been made regarding the need for an Environmental Impact Assessment not being carried out to assess the impact on wildlife, including protected species. The Local Planning Authority issued a screening opinion which concluded that there would not be a significant impact on wildlife. A separate screening opinion has been issued by the Planning Inspectorate with the

same conclusion.

Comments have been made regarding how wildlife and nature in the park has flourished during the covid crisis 2020. It is acknowledged that with less people within the park more sightings of wildlife have been experienced. However, the purpose of the park is for the enjoyment of residents and visitors...one of the objectives of NPT is to increase visitors to the park to ensure its sustainability both for the present and future generations.

Comments have been made regarding the potential for bird nesting at a height where cleaning will be impossible. Pigeon infestation is known to have effect on human health (zoonosis). However, the park is full of birds and this would be the case with any tall building and does not make the proposal unacceptable.

The Wildlife Officer is satisfied that no bat roosts are likely to be affected by the proposal, however the surrounding habitats are likely to support foraging and commuting bats. The officer therefore recommends that any external lighting is carefully designed to avoid impacts to bats.

In addition it is advised that a range of bat roost boxes are installed, full details of which may be secured by condition.

Enhancements in the form of bird and bat boxes are also recommended.

Otters: A statement has been provided by the applicant regarding otter sightings. The habitats present on site; hardstanding and amenity grassland with dense scrub, hedgerow, introduced shrub, scattered trees and a building also present, are not considered suitable for otters and are regularly disturbed as a result of recreational use by the general public. It is therefore considered that otters are absent from the site itself and will not be directly impacted as a result of the proposed LAC. There is also a footpath located between the site and the lake edge which is regularly used and is considered to act as a physical barrier for any holt creation beyond this point. Measures would be put in place during the construction phase to prevent pollution of the watercourses and associated wildlife.

The statement has been reviewed by the Ecologist who is satisfied that the precautionary measures will all be in a CEMP so nothing more is required in respect of otters.

Concerns have been raised regarding the impact on wildlife and the natural environment of the park during construction. A CEMP would be secured by condition. Construction practices should follow best practice in terms of dust and noise and control. It is not considered that the construction of the building would unduly impact on the wildlife within the park.

Comments have been made regarding the increase in pollution resulting from additional vehicles in the park. Whilst it is accepted that there would be an increase in pollution entering the park, it is not considered that this would make the proposal unacceptable.

It is considered that due regard has been given the presence or potential precedence of protected species within the site and the proposal would avoid any adverse impact on the biodiversity within the site in accordance with policy LP28 of the Adopted Peterborough Local Plan (2019) and para 175 of the NPPF (2019).

## **h) Design and Appearance**

Local Plan policy LP16 advises that development proposals are expected to positively contribute to the character and local distinctiveness of the area and create a sense of place. The supporting text to the policy advises that '*design should evolve from an understanding of the site, its context and surroundings rather than unimaginative standards which could apply to any location*'.

Policy LP16 goes on to say that, where applicable, proposals will be required to demonstrate that they, inter alia, respect the context of the site and surrounding area and respond appropriately to building form..., existing natural, historic and built assets and features that contribute positively to local, character and distinctiveness;.... existing landmarks and focal points; existing views into, out of or through the site;...use appropriate, high quality materials which reinforce or enhance local distinctiveness, maximise permeability and legibility for pedestrians and cyclists, and avoid barriers to movement; are safe and designed to minimise crime and antisocial behaviour, and ensure public spaces are accessible to all.

Para 124 of the NPPF advises that *'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*.

Para. 127 advises that *'decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'*.

Para 131 advises *'that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings'*.

## LAC

The proposal is for a purpose built climbing centre which will house an Olympic Standard facility. There are two elements to the building – the 'Shed' and the 'Tower' due to different heights required for the different climbing activities. The applicant has tested different forms and iterations considering various options and the requirements have been explored with climbing specialists. The form and massing of the building has been influenced by how the building needs to function.

The shed element of the building would have a maximum ridge height of 14 metres this element would be constructed in part with glass exterior curtain walls, with the exception of an external concrete climbing wall on its north-eastern elevation. The tower element would have a maximum height of 34.25 metres and would be tapered vertically, reducing its mass. The roof would be constructed using the standing seam method, using aluminium as the external material and would be finished in a bronze shade. This is chosen due to the durability of the material and ease of construction.

The building would have glazing to the north-west elevation providing views of the lake.

The Civic Society, in previous comments, questioned whether a colour close to Barnack stone may be of more relevance and suggest the spire (tower) be finished in golden buff and the shed in red/bronze which would break up the monumentality. The Civic Society noted that the external materials are important to the impact and suggest a mock up on site rather than just submitting samples.

Red Kite also suggests whether there is an opportunity to scope the tower to be mirrored to assist assimilation into the skyline.

It is acknowledged there have been a number of objections to the design, height and form of the building. Objectors consider the design and size of the building is not in keeping with the surrounding area and it detracts from the character and appearance of the county park – *'it will be an eyesore', 'the structure is horrid as it will look horrendous'* while others consider it would *'positively contribute to a city that has been lacking in architectural ambition'*. It is acknowledged that good design is emotive and subjective and whilst some will welcome the proposal others will not. The building is undeniably large particularly the tower element. It is not possible to compare the design of the building with any other building as it will be 'one of its kind' and not replicated anywhere else in the City and indeed not anywhere in the UK. Whilst the design of the building is ambitious and very



different to the Peterborough context it is considered that good architectural design should be welcomed and the building has the potential to enhance the setting of the Park and 'act as a marker on the skyline' providing identity and a sense of place while at the same time promoting the profile of Peterborough.

It is accepted that the building would have an impact on the character and appearance of the area and particularly views across the lake, the most prominent aspect being the tower which would sit above the tree line. However as stated above due to the topography of the site and its position within the valley it would be relatively contained by surrounding trees and the visual impact would not be substantial; depending on your point of view.

It will be appropriate to consider examples of finishing material and colour and photo-visualisation of each elevation of the building and a mock up on site as suggested by the Civic Society, in their previous comments and Red Kite to ensure the building assimilates within the setting and these would be secured by condition.

Comments have been received regarding the concrete floor and whether it is sufficient for such a heavy building. It would be assumed that the applicant has carried out research to establish that this provision would be suitable.

Overshadowing: There are concerns that the LAC may dominate and overshadow the existing building at lakeside. The building would be to the north-east of the Lakeside Building and therefore it is not considered that it would cause unacceptable overshadowing.

Concerns have also been raised regarding the disabled fishing bays being in shade. It is considered that the building would cause shadowing over the lake in the morning in winter, however this does not make the proposal unacceptable.

Disabled users: The LAC has been designed with Approved Document M. Provision has been made for disabled access to the site and a platform lift would be provided for mezzanine access. 3 disabled toilets have been provided as well as a disabled changing room for people participating in the building's activities.

Renewable energy: The supporting information advises that the standing seam cladding will provide a very low embodied CO2 material finish, natural cross ventilation and stack ventilation will be utilised where possible as a passive sustainable design approach and minimise heat loads and the building fabric capable of energy storage to actively limit internal summertime temperatures.

Where possible locally sourced and reclaimed materials will be used to reduce CO2 emissions in the transport of materials and to make the building of its locality.

Low energy lighting (LED's) will be used throughout to minimise energy use.

Security: There have been a number of concerns raised regarding the security of the site, particularly as the LAC will be operational during the evenings. The applicant has provided a security statement. There are already a number of systems in place for example Automatic Number Plate Recognition (ANPR), a barrier car parking system, CCTV coverage and the Lakeside Centre has a monitored alarm and security attend the building if there are any issues.

Whilst antisocial activity is fairly low in the park it has been noted via CCTV that there are still a significant number of people in the park during the night for recreation this includes, for example, people fishing or playing virtual reality games on their mobile phones, late night or early joggers amongst other activities. This presence is broadly mundane and contributes to security on site.

There were concerns regarding the low level lighting required due to the impact on ecology, and the effective operation of CCTV. As stated above a lighting strategy has been provided which will satisfy

this requirement. The applicant welcomes the offer of support from the Cambs Police Architectural Liaison Officer to work on detailed solutions.

It is considered the proposal would be of innovative and contemporary design and interest and although it would impact on the character and appearance of the site and the surrounding area this would not be to a harmful degree.

### Car Park

The car park will be constructed from permeable surfacing; most likely, gravel filled recycled plastic Golpla geo-grid. Comments have been made on the durability of this surfacing and whether it is robust enough for vehicle movements. There is a balance of achieving permeability and protection of the SM, protecting the character of the open meadow. Further consideration will need to be given to the surfacing in consultation with the drainage team, the PCC Archaeologist and Historic England. The surfacing has been chosen to limit the impact of the car parking area on the character of the meadow.

### Conclusion

It is accepted that the LAC would introduce a prominent building into the lakeside setting and although located within a relatively contained location, views of the site would inevitably change. However this is weighed against the benefits of providing a building of high quality, innovative design which would be sympathetic to the surrounding context and which has the potential to enhance the setting of the park, add to the local distinctiveness of the area and create a sense of place.

In addition the building would be of inclusive design, would incorporate measures to reduce carbon emissions and would be designed to minimise crime and antisocial behaviour.

Hence the proposal accords with policies LP16 and LP31 of the Adopted Peterborough Local Plan (2019) and paras 124, 127 and 131 of the NPPF.

### **i) Landscape Implications**

An Arboricultural Impact Assessment supports the application and gives an assessment of the potential impact on the existing trees within the site resulting from the development. The survey identified a total of 25 trees, and 18 groups of trees. An addendum to the assessment has been submitted as a tree (T44 – Oak) had not been recorded individually.

The development would require the loss of 6 trees, (T3 , T7, T10, T14, T13, T42) 3 groups of trees, and part of 4 tree groups (Part of G11, Part of G12, Part of G19, G20, Part of G23, T42, G32).

T3 (Maple) and T10 (Hawthorn) are recommended for removal due to poor physiological and structural condition and would be recommended for removal irrespective of this proposal.

T7 (Ash), Part of G11 (Mixed), Part of G12 (Mixed), T14 (Maple), Part of G19 (Mixed), Part of G23 (Mixed) are of moderate quality. T13 (Maple), G20 (Mixed), T42 (Prunus) **These** trees are proposed for removal because they are located within the footprint of the proposed new building, access road and car parking. These trees are of low and moderate quality. The impact of their removal is reduced by the retention of existing trees in close proximity. The removal of these trees will not have a significant negative impact on the wider community due to being located internally to the site and their removal will be mitigated by replacement planting. G32 (Elder) Low quality trees to be removed to allow replacement with better quality trees.

The remaining trees and groups of trees will be retained and protected throughout the construction process.

### Arboricultural Impacts

No dig construction will be required for proposed footpaths within the RPA of trees G8 (Mixed), T16 (Maple), G19 (Mixed) and G31 (Oak) which are moderate to high quality trees.

There will be an encroachment into the RPA of trees T37 (Ash) and T38 (Birch) to provide a drop off point adjacent to the existing access road. The encroachment is between 3-15% and it is considered that the trees can successfully be retained.

A Landscaping scheme has been submitted with the application including replacement tree planting is proposed. The majority of proposed tree planting will be native in keeping with surrounding tree species already existing on the site e.g. Alder, Field Maple, Hawthorn, Oak and Rowan but with a few additional flowering species to create interest e.g. Prunus avium 'Plena' and Sorbus aria 'Lutescens' and Betula pendula to provide winter interest.

Proposed hedging will comprise double staggered Hornbeam for formal areas nearer to the building, with mixed native hedging along the proposed car park edge including Dogwood, Elder, Hawthorn, Holly, and Hazel.

Planting within the arrival plaza area and surrounding the proposed new building will complement the existing mix of ornamental shrubs, herbaceous and grasses surrounding the Lakeside Centre

Initial comments from the tree officer requested that the majority of the trees within group G.20, and all of the trees within G.23 are retained, together with the greater part of the existing ditch associated with this natural feature across this part of the site. As an existing natural feature, the officer considered this important in terms of visual amenity of the area and the contribution of biodiversity within the site. The Officer believed there was an opportunity to redesign the layout of the car park within the limits of the application site and tree protection measures, retaining the number of parking spaces and without the need for an asphalt concrete road across the Meadow. The pedestrian/disabled access from the car park would be via the existing gap in G.20, across the ditch in the north-western corner of the proposed car park, where an entrance/exit is currently proposed.

Following a site visit and the re-evaluation of the visual amenity value of the trees within Group G20 and those to be removed within Group G23, the Tree Officer is happy to accept the removal of the trees as a part of the overall proposals, including the proposed mitigation planting as over time there will be an overall net increase in tree canopy cover with the proposed planting. The Officer is of the view that there is an opportunity to secure additional planting in several areas across the application site.

The officer also considers that over time there will be a net gain in biodiversity across the development site, given the additional cover afforded by the proposed hedge planting and other areas of landscaping. These details would be secured by condition.

A detailed revised Tree Protection Plan and Arboricultural Method Statement shall be required to be submitted and would also be secured by condition. This will also ensure that there is no impact on trees within close proximity of the site.

Letter from objector with request to placing a Tree Protection Order on trees. The tree officer considers that there is not any immediate threat of the trees being removed, given that the trees are an integral part of an ongoing current planning application, under public consultation, also the Nene Park Trust have no desire to remove any trees the subject of this process.

There have been a number of objections to the loss of trees and shrubs within the site however the loss of trees has been limited where possible and there would be substantial replacement planting of species which would enhance the biodiversity of the site.

There are no ancient trees affected by the development.

## Conclusion

It is considered that appropriate consideration has been given to the tree stock within the site and the impact of the development on existing trees around the site and where trees are to be removed a significant number of new tree planted would be secured. Hence the proposal accords with policy LP29 of the Adopted Peterborough Local Plan (2019).

### **j) Loss of open space**

The proposal would result in the loss of part of the open meadow due to the location of the car park. There has been significant objection to this loss. Policy LP17 (b) of the Local Plan states that new development should not result in an unacceptable impact on the amenity including the loss of public green space and/or amenity space. Para. 97 of the NPPF promotes the importance of access to high quality open spaces and opportunities for sport and physical activity for health and well-being. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In addition to meeting the requirements of the NPPF policy LP23 of the Local Plan states that the proposal must demonstrate that the open space does not make an important contribution to the green infrastructure network/connectivity of habitats, and the development would not result in landscape or habitat fragmentation or incremental loss; and the development can be accommodated without causing significant detrimental impact on the character and appearance of the area, ecology or any heritage assets.

It is accepted that an area of the meadow would be lost as a result of the development, however the area is small relative to the open space provision within the Park. The proposal would enhance the recreational facilities within the park which would bring recognisable benefits promoting active healthy lifestyles to the Peterborough community and visitors to the park.

The proposal would result in the loss of trees within the site however a significant number of new tree planted would be secured. Therefore the proposal would result in an enhancement to the biodiversity within the site.

As discussed in the above report the proposal would not have a significant impact on the visual amenity of the area and less than substantial harm would be caused to the Scheduled Monument.

## Conclusion

It is considered that the benefits of the proposal and the provision enhanced facilities serving the community would outweigh the loss of the open space in accordance with policy LP23 of the Adopted Peterborough Local Plan and para 97 of the NPPF (2019).

### Amenity of users of the Park

Wind Shadow: A number of comments have been made regarding the impact of wind shadow that would result from the LAC building and the detrimental effect on sailing on the lake. This has been raised with the application and it is not considered that this would be a concern. It would not be in the applicant's interest to compromise existing facilities provided within the park.

Users of the Meadow: Concerns have been raised regarding the activities that currently take place within the meadow being displaced. The area for the car parking is a relatively small area of the meadow and it is not considered that activities would be compromised.

View of the lake: Objectors consider the building would remove the possibility of people sitting in their cars having views across the lake. Whilst it is accepted that views would be lost this does not make the proposal unacceptable.

Lakeside area: Comments have been raised regarding the impact the development would have on users of the lakeside area, for example walkers, dog walkers, families using the area for barbecues, playing football, the height of the building will put the children play area in shade. It is considered that whilst the area will change the proposal would not result in an adverse impact on the users of the park.

## **k) Highway Implications**

### Transport Assessment (TA):

A TA has been submitted in support of the application. The aim of the TA is to assess the impact of the new development and, if necessary to mitigate the impact and identify measures to ensure that the trip generation created by the increase in visitor numbers to the park does not create an unacceptable impact on the highway network. Para. 108 of the NPPF advises that proposals should ensure opportunities to promote sustainable transport modes, safe and suitable access to the site can be achieved for all users; and any significant impacts on the transport network can be mitigated.

Policy LP13 of the Adopted Peterborough Local Plan advises that development would not result in an unacceptable impact on any element of the highway network including highway safety.

The Local Highways Authority (LHA) requested amendments to the initial TA and a revised TA has been submitted.

Trip generation: A comparison with a similar climbing wall centre in Milton Keynes with a GFA of 1,309 sqm has been undertaken to determine the trip rates associated with the LAC. This is considered to be an acceptable comparator.

The trip generation for the proposed development has estimated development-related vehicle trips entering and leaving Ham Lane in the AM peak hour (08:00 – 09:00) as 14 and PM peak (16:30 – 17:30) as 57. In the future period and by 2029 the total number of trips estimated entering and exiting Ham Lane in the AM peak (08:00 – 09:00) is 190 and PM peak (16:30 – 17:30) as 312.

Junction Modelling: Junction modelling software was applied to the A605 Oundle Road/Ham Lane/Chisenhale roundabout to assess the possible junction capacity issues as a result of the new development. The report concluded that the PM vehicles trips exceed the threshold as stated in the local transport assessment guidance however, to mitigate against these events, competitions will not be organised during peak hours to minimise the impact on the local highway network.

It is the view of the Local Highways Authority that the transport impacts as a result of the development shall be minimal and there shall be no issues on the local highway network as a result of the proposals.

A number of concerns have been raised regarding the TA and the limited assessment given to the existing traffic conditions along Oundle Road and the impact that future planned development will bring. Residents carried out their own traffic count on a junction along Oundle Road a few hundred yards away from the Skanska junction recording traffic numbers over a 10 hr period, over 2 days.

The TA scope was agreed with the LHA and produced in line with the Council's guidance for assessing developments. The junction modelling includes future traffic growth and the TA explains how a growth factor has been calculated using the national forecasting model TEMPro. TEMPro calculates future traffic growth based upon information from published Local Plans, and although

this doesn't model the impact of specific developments, it does represent the expected growth across the Local Authority area as quantified in the Local Plan.

The LHA do have a wealth of historic and real-time data along the Oundle Road corridor and there are plans to undertake transport studies (not related to the Nene Park Climbing Wall) in this part of the City Centre, subject to funding being available.

Access:

The LAC would be accessed from the existing access Ham Lane via Oundle Road (A605), a major arterial road linking the A1 to Peterborough City Centre.

Ferry Meadows is considered to be well connected with footways and cycleways to the rest of Peterborough. Many of these routes are off-road footpaths and cycleways built as part of the New Town phase of development in Peterborough. There is also an east-west on-road cycle route along the A605 Oundle Road that provides the most direct access to and from the city centre.

It is therefore considered that the site is adequately served by pedestrian and cycle routes from the surrounding residential areas.

As 2 way traffic movements, both vehicle and pedestrian, shall increase along Ham Lane as a result of the proposals the Local Highways Authority has requested that amendments, in the form of tactile paving on both sides of each crossing point, to 2 of the 4 most used pedestrian crossing points along Ham Lane.

This would enhance the safety of the pedestrian route along Ham Lane for the visually impaired and as tactile paving is slip resistant it would also benefit pedestrians with a wide range of other disabilities including wheelchair users and pushchair users and people with walking disabilities. The upgrading of the 2 crossing points would also increase the attractiveness of walking to Nene Park, reduce the need of travelling by car and encourage alternative modes of transport such as walking to the site.

The TA advises that the nearest bus stops to Ferry Meadows are located along the A605 Oundle Road between the A605 Oundle Road / Ham Lane / Chisenhale roundabout and the A605 Oundle Road / Cherry Orton Road junction. These bus stops are currently served by the Stagecoach X4, 23 and 24 bus services, operating up to every hour all day in both directions on Mondays to Fridays (excluding bank holidays). There are no Saturday or Sunday Stagecoach 23 and 24 bus services along this route.

Alternatively visitors could use the Stagecoach Citi 1 Service which operates between Werrington and Orton Wistow, via the City Centre on a 10 minute frequency between 06:00-18:30, and then 20 minutes between 18:30 and 20:30, and hourly until 23:30. Saturday services run every 10 minutes between 09:00 and 19:00 with services either side operating on a 30 minute frequency. A 30 minute frequency operates on a Sunday between 09:00 and 17:30, with an hourly service until 23:30. The bus stop close to Linnet/Kingfishers is the nearest bus stop, access to Ferry Meadows would be via a route of off-road footpaths linking to Ham Lane.

Comments have been made regarding the site's location in terms of distance to bus stops and this is accepted. Ferry Meadows is not well served with public transport and the site is at the heart of the park which increases the length walking distance from nearby bus stops. It is likely that public transport is unlikely to be the main choice of transport for visitors to the LAC however as stated above the site is well served by a network of footpath and cycle paths and given that this is an existing recreational and leisure facility the distance from bus stops does not make the scheme unacceptable.

Para 102 of the NPPF states that 'opportunities to promote walking, cycling and public transport use are identified and pursued'. NPT have commented that 'they are committed to encouraging visitors coming to the site through as many modes of transport as possible, and are keen to encourage more

people to cycle. The Lakeside Activity Centre is located within close proximity of National Cycle Route 63 and Local Cycle Route 21 and served by many access points suitable for cycle travel. The Nene Park Masterplan acknowledges that the key barriers to cycle access to the site are those of signage and wayfinding rather than a lack of facilities. These are barriers highlighted in the Nene Park Masterplan and are being improved independent of this application.

The National Travel Survey (NTS) 2017 considers a trip as being suitable for a bicycle when between 1km and 8km in length with the average being around 5.5km. The NTS also cites 42% of the population as having access to a bicycle. As Ferry Meadows and the proposed site of the activity centre are within a 6km traffic free route of the city centre, cycling is a key mode of transport for users to the park and this facility, and is central to the Trust's sustainable travel plans. Cycle routes to the centre and park will be actively promoted and incentivised to encourage increased use of this method of transport.'

The comments made by the PCC Travel Team and the Cycle Forum regarding the access road leading to the development are noted. There are no proposals to improve the access road as part of this application. Changes to the access road have to be balanced with the desire to improve safety for cyclists with the need to maintain the character of the Park. The Park has a significant offering for cycle routes and the access road is just one of those routes. There is a cycle path from the main entrance which lead to the Lakeside area and there are alternative route to the LAC for cyclists. It is not considered that condition of the existing access road would make the proposal unacceptable.

A number of objectors consider the increase in traffic along the access road to the lakeside area compromise the safety of pedestrians, young families with toddlers, dog walkers, horse riders and disabled people entering the Park at Lynch Farm. It is considered that pedestrian access to this part of the site would not be affected by the proposal.

Comments have been made regarding the front cover of the TA shows a photo of a lady on a bike which is not on Oundle Road or an access to the park. This is the Skanska logo/photograph and not related to the site.

#### Car Parking:

There are currently 467 car parking spaces available for visitors at Ferry Meadows, of which 130 are provided in the existing car park next to the Lakeside Centre. In addition Oak Meadow is used for informal overflow car parking, with capacity for around 600 cars within the designated area.

A new one-way system car park is proposed to the south of the site and adjacent to the existing overflow car park, providing an additional 90 standard car parking bays, 6 mini-bus parking bays and 10 accessible parking bays for disabled users. There are no parking standards for this type of use and such proposals are considered on a case by case basis, however the LHA considers the level of provision is satisfactory.

The existing parking and turning serving the existing Lakeside Centre shall be retained until the new car park area has been completed. The new Activity Centre shall not be occupied until the new car park has been completed and the development shall not commence until provision has been made to replace the existing car park. This would be secured by condition.

In accordance with policy LP13 a condition would be appended to the decision requiring that 10% of the car parking spaces be provided with electric vehicle charging points.

#### Disabled provision:

A number of objections have been raised regarding the loss of the existing car park which provides for less mobile people views across the lake etc; and the loss of the parking for disabled fishermen and those attending the Sailability facility. The scheme proposes 10 no. disabled parking spaces close to the LAC building and an additional 10 disabled parking spaces in the new parking area which is close to the Lakeside Centre. Whilst it is appreciated that parking would be lost from the

existing site suitable provision has been made for disabled parking as part of the proposed development.

NPT has responded that 'the use of Ferry Meadows by as many members of the community as possible is at the heart of NPT's aspirations. The new Lakeside Activity Centre would enable access to its facilities for all, including those who are less mobile or use a wheelchair. It is anticipated that when operational, the LAC would have sessions which target groups who may be harder to reach or with a range of disabilities and needs.

Beyond the new LAC, Nene Park itself will retain its existing range of spaces where less mobile people are able to drive and enjoy the environment. These include Orton Mere and Thorpe Meadows, in addition other projects are in development to provide improved opportunities for accessing views by the lake edge in Ferry Meadows.'

#### Cycle Parking:

The existing stainless steel cycle parking stands will be relocated to the front of the proposed LAC close to the 'Arrival Plaza'. 15 stands shown on the plan and further cycle parking would be provided if demand increases. The cycle parking shall be provided prior to the occupation of the LAC and the development shall not commence until provision has been made to replace the existing cycle parking.

The comments made by the Cycle Forum and the Travel Choice Officer and others are noted with regard to covered cycle parking and this would be secured by condition.

It is not considered that the proposal would unduly impact on the surrounding highway network. The site is accessible by a choice of means of transport the proposal would ensure that a safe and convenient access for all users would be available. Satisfactory provision has been made for car and cycle parking. Hence the proposal would accord with policy LP13 of the Adopted Peterborough Local Plan (2019) and paras 102 and 108 of the NPPF.

#### **I) Neighbouring Amenity**

The LAC would be positioned some 600m from existing residential development off Wistow Way. As activities will take place inside the building the use of the facility would not adversely impact on neighbouring amenity. Whilst it is noted that a number of objections have been raised regarding the potential increase in vehicles and subsequent noise levels, given the separation distance this is unlikely to be unacceptable.

Likewise given the 600m distance from these properties if any of the development is visible this is unlikely to impact.

Comments have been made regarding the impact from increased traffic and noise from people leaving late at night and subsequent impact on residents off Ham Lane and those abutting the site. These properties are set back from Ham Lane and there is a tree belt separating the residential development from the access road. In addition, given the recreational use of the park and that facilities within the park already operate in the evening and the predicted traffic levels it is not considered that the impact on the LAC on existing residential occupier off Ham Lane would be unacceptable.

It is noted that residents are already experiencing issues with visitors to the park who park their vehicles on the nearby streets some of which restrict access to driveways and that this would be exacerbated by the proposal. However this is an existing problem. There would be no reason for users of the LAC to parking on local streets and adequate parking provision would be available within the park.

Additional lighting will impact on residents backing on to the Park, people who enjoy the fantastic Star studded sky still seen in this area. As discussed above, there is already a level of lighting



around the Watersports Centre and a lighting strategy will be introduced to reduce existing levels in the interest of ecology and the wider landscape impact.

There are already noisy PA systems and loud music at the park. This is an existing issue and not for consideration as part of this proposal as no PA system is proposed.

Objectors have suggested that the facility will give rise to higher levels of littering. Whilst there may be a risk of this it would be a matter that would be addressed by day to day park management.

Concerns have been raised regarding the construction works and noise implications for neighbouring occupiers. It is accepted there will be an impact however a construction management plan would be secured by condition whereby noise would be restricted as far as reasonably practicable.

Concerns have also been made regarding plant machinery to serve the development. It is considered that due to the separation distance to existing residential properties it is not considered that this would result in any unacceptable adverse impacts with respect to noise. A condition would be appended to the decision to agree extraction and associated noise.

The proposal would not result in any adverse impact on neighbouring occupiers and therefore accords with policy LP17 of the Adopted Peterborough Local Plan in respect of neighbouring amenity.

#### **m) Environment and Pollution**

A number of objections have been raised regarding the impact of the proposal on air pollution due to the increase in traffic; the environmental impact through the loss of the open meadow and trees; and impact on the biodiversity of the park. Objectors refer to Peterborough's ambition to create the UK's Environment Capital. The council is committed to creating the UK's Environment Capital and it is one of the council's key priorities.

While there may be an increase in traffic and therefore emissions, it is not considered that this would have significant impact in terms of air pollution. This has not been raised as an issue by the Environment Protection Team. The site is accessible through a number of footpaths and cycleways to the surrounding areas and the applicant actively encourages access to the park by alternative means of transport. An updated Travel Plan would be secured by condition which would provide measures to encourage the number of people accessing the site on foot or bicycle. Also in line with government timescales for electric vehicles a number of vehicle parking spaces will be served with electric vehicle charging points.

In terms of noise pollution, the site is within an existing park setting which has high levels of visitors throughout the year and the proposal would not exacerbate existing noise levels within the park.

With regard to the impact on biodiversity resulting from the development through construction, vehicle emissions, lighting, loss of part of the meadow and removal of trees, the proposal includes a number of measures to enhance the biodiversity of the site, including significant replacement tree planting, the reduction in current levels of lighting around the lakeside area and a CEMP would be secured to ensure that construction does not adversely impact on the ecology of the site.

Furthermore the building would be designed to reduce energy demand and ensure energy efficiency.

#### **Conclusion**

It is not considered that the proposal would result in an unacceptable level of pollution in terms of air quality, noise and lighting. The proposal includes measures to encourage travel to the park by alternative means along with measure to enhance and protect ecology within the park setting.

In addition, the proposal would make a positive and significant contribution towards reducing energy demand and promoting energy efficiency.

Hence the proposal accords with policies LP13 and LP31 of the Adopted Peterborough Local Plan (2019).

#### **n) Public Consultation**

A public exhibition on the proposal was held on Saturday 3 November 2018 in the John Horrell Room at Ferry Meadows which was attended by 97 people. A preview event was also held with key stakeholders on 1 November 2018 was attended by 15 people including: Nene Park Board Member Christine De Ferrars Green, current Nene Park tenants and two representatives from Ailsworth Parish Council.

The applicant advises that issues raising during the consultation have been taken into account including further design refinement to create a more slender tower and general building shape, improved accessible parking strategy, feedback on cladding colour reviewed and taken into account, and reduced plinth area around building and increased soft landscaping to improve siting of Building.

Over 1800 flyers were distributed to local residents and park users, an advert was placed in the Peterborough Telegraph alongside a wider press release and a range of media coverage and both posters within the park, email to the Trust's substantial mailing list and social media was used to promote the consultation event. The plans and survey were also available online following the event.

Comments have been received regarding the level of consultation that has taken place by NPT arguing that this was to a small representation of the city. From the above, it would appear that an acceptable level of consultation has been undertaken and would accord with the requirements of para 128 of the NPPF for the purposes of this application. It is noted that comments have been made regarding the lack of communication between members of the public and the applicant however this does not affect the consideration of this application.

In respect of this planning application, the Local Planning Authority publicised the application in the Peterborough Telegraph, site notices were erected around the park and 394 neighbouring occupiers were notified. This is considered to be in accordance with the statutory obligations for consultation.

It is considered that given the number of representations made both in objection and support consultation has reached a high number of people across the City.

#### **o) Items not covered in the above report**

- The access road is not covered in the red edge of the site. *Officer response: there are no proposed works to the access road. The access road abuts the adopted highway and is within the applicant's control – blue land.*
- Viability: Comments have been made regarding the viability of the proposal. *Officer response: This is not a material planning consideration.*
- The proposal is contrary to the 1988 Covenant from PDC required NPT. *Officer response: It is not considered that the proposal would be contrary to the original covenant, however this is not a material planning consideration.*
- Given the level of objection to the proposal the application should be refused. *Officer response: the decision of the application must be based on planning policy and material planning considerations and cannot be determined on the basis of level of support or objection.*

- This would establish a worrying precedent for potential future development in Ferry Meadows. *Officer response: Consideration have been given to the proposal and any future application would be considered on its merit.*
- There is a conflict of interest as NPT's Chief Executive and involvement with the climbing sector. *Officer response: This is not a material planning consideration.*
- The NPT CEO is now Chair of the Towns Fund Committee; a Committee which puts together a list of Projects for funding from the Town Fund Bid – the International Climbing Wall is on this list. This is a blatant conflict of interests. *Officer response: the Climbing Wall is one of many projects under consideration, however this is not a material planning consideration.*
- Will there need to be an Aircraft warning light on the top of the tower. *Officer response: It is not considered that the building would require an aircraft warning light. However, this would need to be investigated by the applicant in the event that planning permission is granted.*
- With families accessing food banks – is the climbing wall of 4 million morally obscene? *Officer response: This is not a material planning consideration.*
- Suspend this application until the major Pandemic restrictions have ended. *Officer response: The Government Guidance is that planning applications continue to be determined.*
- Has the platform been designed for the proposed wheeled cleaning vehicle. *Officer response: There are no reasons to suggest that the platform would not be sufficient.*
- Was planning permission granted for the existing overflow car park? *Officer response: There is no history of a planning application being submitted for the overflow car park. The area has been used for this purpose for several years; evidence shows it was used for parking in 2010. As the area is used as an overflow car park it is probably used when the park is busy, for example bank holidays, and is therefore a temporary use. Under the Town and Country Planning Permitted Development Order land can be used temporarily for up to 28 days per year.*

## 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 proposal would enhance recreational offer within the Nene Valley bring recognisable benefits to the local economy as well as promoting active and healthy lifestyles and would accord with policies LP7 and LP24 of the Adopted Peterborough Local Plan (2019) and paras. 91 and 92 of the NPPF;
- a sequential approach to site selection has been undertaken which demonstrates there are no sequentially preferable sites which could accommodate the development in accordance with policies LP12, LP24 and LP30 of the Adopted Peterborough Local Plan (2019) and paras 86, 87, 89, of the NPPF (2019);
- The proposal has demonstrated that there are no sequentially preferable sites available at a lesser risk of flooding and that the development would be safe for its lifetime and would not increase the risk of flooding elsewhere. In applying the exception test the proposal has demonstrated that the proposal would provide wider sustainability benefit to the community and the development would be safe for its lifetime and would not increase flood risk elsewhere and

accords with policies LP24 and LP32 of the Adopted Peterborough Local Plan (2019) and paras 155, 158, 159, 160 and 161 of the NPPF (2019).

- The proposal has demonstrated that the site can be suitably drained, will incorporate SuDS into the proposal to reduce surface water run-off and adequate foul water treatment and disposal can be achieved. The proposal therefore accords with policy LP32 of the Adopted Peterborough Local Plan (2019) and paras. 163 and 165 of the NPPF (2019).
- The proposal would have a negligible impact on the Listed Buildings and Conservation Areas identified. The proposal would lead to less than substantial harm to Lynch Farm Complex (SM); a 'strip, map and record' mitigation strategy is proposed. The public benefits of the proposal would outweigh the less than substantial harm, hence the proposal would accord with policy LP19 of the Adopted Peterborough Local Plan (2019) and paras. 189, 190, 193, 194 and 196 of the NPPF (2019).
- The visual harm caused by the building to the wider landscape is outweighed by the enhancement of the recreational and leisure benefits of the proposal ensuring Ferry Meadows Country Park as a major destination in line with the overall landscape strategy for the 'Ferry Meadows Corridor' LCA Sub-Area. The proposal therefore accords with policy LP27 of the Adopted Peterborough Local Plan (2019).
- The proposal would avoid any adverse impact on the biodiversity within the site, including protected species and biodiversity enhancements would be provided. Hence the proposal accords with policies LP24, LP28 of the Adopted Peterborough Local Plan (2019) and para 175 of the NPPF (2019).
- The proposal would provide a building of high quality, innovative design which would be sympathetic to the surrounding context and which has the potential to enhance the setting of the park, add to the local distinctiveness of the area and create a sense of place. Hence the proposal accords with policies LP16 and LP31 of the Adopted Peterborough Local Plan (2019) and paras 124, 127 and 131 of the NPPF.
- The proposal has appropriately considered the tree stock within the site and the impact of the development on existing trees and where trees are to be removed a significant number of new tree planted would be secured. Hence the proposal accords with policy LP29 of the Adopted Peterborough Local Plan (2019).
- The loss of open space would be outweighed by the benefits of the proposal and the provision of enhanced facilities serving the community; the loss of grassland and habitat would not result in an adverse impact on the biodiversity of the site; and the proposal would not impact on the character of the area or heritage asset to an unacceptable degree. Hence the proposal accords with policy LP23 of the Adopted Peterborough Local Plan (2019) and para 97 of the NPPF (2019).
- The proposal would not unduly impact on the surrounding highway network. The site is accessible by a choice of means of transport the proposal would ensure that a safe and convenient access for all users would be available. Hence the proposal would accord with policy LP13 of the Adopted Peterborough Local Plan (2019) and paras 102 and 108 of the NPPF.
- The proposal would not result in any adverse impact on neighbouring occupiers and therefore accords with policy LP17 of the Adopted Peterborough Local Plan in respect of neighbouring amenity.
- The proposal would not result in an unacceptable level of pollution in terms of air quality, noise and lighting. The proposal includes measures to encourage sustainable travel, measures to enhance and protect ecology, and measure to reduce energy demand and promoting energy efficiency. Hence the proposal would accord with policy LP31 of the Adopted Peterborough

## 7 Recommendation

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

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

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

- C 2 No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing.

The details shall require the implementation of an archaeological mitigation strategy for 'strip, map and record' excavation as set out as Option 1b in the Addendum by Pre-Develop Archaeology.

No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy LP19 of the Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2019). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

- C 3 The development shall be carried out in accordance with the submitted flood risk assessment (ref ARUP LAC-ARUP-RP-C-0001 Issue 03 dated 25 July 2019) and the following mitigation measures it details:

\* Finished floor levels shall be set no lower than 6.70 metres above Ordnance Datum (AOD)

\* The screening underneath the building should be cleared of debris regularly.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and to reduce flood risk elsewhere, in accordance with policy LP32 of the Adopted Peterborough Local Plan (2019).

- C 4 No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority.

The approved drainage scheme must encompass Surface Water Management Strategy Option 1 or Option 2 as described and shown in the Flood Risk Assessment - LAC-ARUPRP-C-0001 Issue 3 dated 25<sup>th</sup> July 2019.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with policy LP32 of the Adopted Peterborough Local Plan (2019).

- C 5 No commencement of the LAC building hereby approved shall commence until full details of a scheme, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. The LAC building shall not be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- C 6 No development shall take place above foundation level until the following details have been submitted to and approved in writing by the Local Planning Authority:

- \* Walling and roofing materials – samples shall be ‘mocked-up’ on site and made available for inspection
- \* A photo-visualisation of each elevation
- \* Measures to prevent bird collision for example ‘bird friendly’ glass either UV coated or with visible decals
- \* Window glazing to include measures to prevent light spill outside the building.
- \* A Glint and glare assessment

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, and that the development does not have an adverse ecological impact in accordance with Policies LP16, LP27 and LP28 of the Adopted Peterborough Local Plan (2019) and para 175 of the NPPF.

- C 7 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority.

The Tree Protection Plan will exclude all and any development beyond a line north/south of the construction limit required to construct the car parking spaces on the eastern boundary of the site, the remaining land to the east will be within a Construction Exclusion Zone - CEZ.

No development or other operations shall take place except in complete accordance with the approved Method Statement/Tree protection plan.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Adopted Peterborough Local Plan (2019). This is a pre-commencement condition because the approved construction specification must be in place and adequate prior to development commencing to ensure the trees are protected.

- C 8 Notwithstanding the details hereby approved on the Indicative Softworks Plan; Indicative Planting Schedule and the Landscape Masterplan, a Landscaping Plan providing details of

additional tree planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a planting design proposal, including the position, species, size, support, planting/planting pit detail and plant/tree protection of all plantings, together with a detailed Maintenance & Management Programme.

The soft landscaping shall be installed within the first planting season following first operational occupation of the building and thereafter be retained as such.

If within a period of five years from the date of planting of any tree/shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or does, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of visual and general amenity and the enhancement of biodiversity in accordance with policies LP16, LP28 and LP29 of the Adopted Peterborough Local Plan (2019).

- C 9 No development shall take place until a Construction Environment Management Plan which includes measures recommended under Section 10 of the Updated Preliminary Ecological Appraisal V2 – July 2020 has been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in strict accordance with the approved details.

Reason: In order to ensure that the development does not have an adverse ecological impact in accordance with policy LP28 of the Adopted Peterborough Local Plan (2019) and para 175 of the NPPF. This is a pre-commencement condition as the details will need to be agreed before works start on site.

- C10 Prior to first occupation of the development a scheme for bird 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 development is first occupied.

Reason: In the interests of the enhancement of biodiversity in accordance with policy LP28 of the Adopted Peterborough Local Plan (2019).

- C11 Prior to first occupation of the development a range of bat roost boxes shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented before the development is first occupied.

Reason: In order to protect species within the development area from harm in accordance with policy LP28 of the Adopted Peterborough Local Plan (2019).

- C12 The development hereby approved shall be implemented in accordance with the details set out in the Site External Lighting Drawing drg. no. BSXX(63)4001 rev P4 and External Lighting Scheme Document – Dec 2020.

Reason: In order to ensure that the development does not have an adverse ecological impact in accordance with policy LP28 of the Adopted Peterborough Local Plan (2019).

- C13 The level of existing car parking provision to be lost as part of the proposed development shall be provided as a minimum in accordance with the details shown on drg. no. A-L-002 A prior to the removal of the existing parking.

The parking and turning provision shall be provided in full in accordance with the approved details prior to the building being brought into use. Thereafter the parking and turning area shall be used for no other purpose than the parking and turning of vehicles.

Reason: In the interest of highway safety and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

- C14 Notwithstanding the details for cycle parking provision as shown on the approved plans the following details shall be submitted to and approved in writing by the Local Planning Authority:

- \* Secure and covered cycle parking for staff
- \* Covered cycle parking for visitors

The level of existing cycle parking provision to be lost as part of the proposed development shall be provided as a minimum in accordance with the details shown on drg. no. 414.05944.00002.0003 P03 prior to the removal of the existing cycle parking.

The cycle parking provision shall be provided in full in accordance with the approved drawings prior to the building being brought into use. Thereafter the cycle parking area shall be used for no other purpose than the parking of cycles.

Reason: In the interests of highway safety and to encourage travel by sustainable modes, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C15 Prior to commencement of development, other than ground and foundation works, details of the upgrading to 2 of the 4 most used pedestrian crossing points along Ham Lane shall be submitted to and approved in writing by the Local Planning Authority. The upgrading of the pedestrian crossing points shall be implemented in accordance with the approved plans prior to the occupation of new Activity Centre.

Reason: In the interests of highway safety and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

- C16 Notwithstanding the details hereby approved, competitions to be held at the LAC shall be organised to avoid peak hours on the highway network.

Reason: To minimise the impact on the local highway network, in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

- C17 Notwithstanding the approved site plan drg. no. A-L-002 Rev A details of the location and specification for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. These shall be provided for 10% of the car parking spaces.

The approved details shall be provided prior to the building being brought into use or first occupied.

Reason: In order to encourage the use of low emission vehicles and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).



C18 Prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- \* a noise management plan including a scheme for the monitoring of construction noise;
- \* a scheme for the control of dust arising from building and site works;
- \* a scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- \* a scheme of working hours for construction and other site works;
- \* a scheme for construction access from the Parkway including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to turn/load and unload clear of the public highway and details of any haul routes across the site;
- \* a scheme for parking of contractors vehicles;
- \* a scheme for access and deliveries including hours;
- \* A construction environmental management plan as set out under condition 9;
- \* A tree protection plan including construction exclusion zone as set out under condition 7?

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019). This is a pre-commencement condition as the CMP needs to be in place before works start on site.

C19 Within six months of the first operational use of the building a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include the following:

- action plans and staff travel survey results
- details of staff lockers and shower/changing facilities for staff
- details of quarterly on-the spot travel surveys for visitors to ascertain travel pattern
- details for quarterly car park and cycle parking usage monitoring to inform future initiatives and interventions
- the provision for additional cycle parking spaces if demand increases
- details of car share parking spaces.

The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: In order to promote sustainable travel and reduce the number of single occupancy trips to the site in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

C20 Prior to the installation and use of the external mechanical plant associated with the development hereby approved, details of all mechanical ventilation and extraction equipment, shall be submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include Sound Power Level (SWL) and frequency spectrum data to show that the combined rating level of all the mechanical plant and equipment will be at least 5dB below the background level at the nearest noise sensitive premises, and also include manufacturer detail, extraction and filtration of cooking fumes/odour control etc. The assessment must be carried in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Thereafter all equipment shall be implemented in accordance with the approved details and retained and maintained in perpetuity.

Reason: In the interest of protecting the amenity of neighbouring residents, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C21 Prior to any occupation of the development hereby permitted, measures to minimise the risk of crime and ensure community safety shall be submitted to and approved in writing by the Local Planning Authority.

The approved security measures shall implemented prior to the development being brought into use and thereafter retained in perpetuity.

Reason: In the interests of crime prevention and site security in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C22 Before the Lakeside Activity Centre is brought into use a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise or other nuisance emanating from the site. These provisions could include physical and/or administrative measures. The development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and in accordance with policy LP17 of the Adopted Peterborough Local Plan (2019).

- C23 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking and re-enacting that Order with or without modification) the development hereby permitted shall be used as an 'indoor climbing centre'(D2) and ancillary cafe (A3)and for no other use in their respective use class.

Reason: In order to prevent a permitted change of use which would not be appropriate for this location and which may affect the vitality and viability of the City Centre in accordance with policy LP12, LP30 of the Adopted Peterborough Local Plan (2019)

- C24 Prior to the first use of the LAC hereby approved details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a robust flood evacuation plan together details of when it would be deployed and means of temporary closure of the LAC
- detail of wooden bollards to be erected around the perimeter of the car park to prevent buoyant vehicles from becoming an additional hazard away from the site.

The operation of the LAC shall be carried out at all times in complete accordance with the flood evacuation procedure.

Reason: To ensure the development is safe for its lifetime taking account of the vulnerability of its users in accordance with para 160 of the NPPF (2019).

- C25 The use of the LAC hereby approved shall only take place between the hours of 07:00 and 22:00 Monday to Friday; 08:30 and 22:00 on Saturday; and 09:30 and 22:00 on Sunday and Bank Holidays.

Reason: To safeguard the area from intrusive noise and activity in the interest of amenity and wildlife of the park in accordance with policies LP17 and LP28 of the Adopted Peterborough Local Plan (2019).

C26 No development shall take place above slab level until a scheme for the hard landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels
- Samples of hard surfacing materials including the surfacing materials for the proposed car park.
- Details of balustrades and rails.
- Location and specification of lighting.

The approved hard landscaping scheme shall be carried out prior to the building being brought into use.

Reason: In the interests of visual amenity of the area and the enhancement of biodiversity, in accordance with Policies LP16, LP28 and LP29 of the Peterborough Local Plan (2019).

C27 The development shall be implemented in accordance with the following approved plans and documents:

- Location Plan drg. no. A-L-001 Rev A
- Site boundary plan drg. no. 14.05944.00002.001 P1
- Site Plan existing drg. no. A-L-003 Rev A
- Ownership Plan
- Proposed Site Plan drg. no. A-L-002 A
- Proposed Site Plan drg. no. A-L-004 Rev A
- Scheduled monument plan drg. no. 414.05944.00002.008 P1
- Landscape Masterplan drg. no. 414.05944.00002.0002 P07
- Landscape Masterplan drg. no. 414.05944.00002.0003 P03
- Indicative Softworks drg. no. 414.05944.00002.0004 P04
- Tree Removal and Retention drg. no. 414.05944.00002.005 P03
- Landscape Masterplan with preliminary external levels drg. no. 414.05944.00002.009 P02
- Landscape Sections Sheet 1 of 2 drg. no. 14.05944.00002.006 P01
- Landscape Sections Sheet 2 of 2 drg. no. 414.05944.00002.007 P01
- Sections Sheet 1 drg. no. A-L-300 Rev A
- Site Context Elevations drg. no. A-L-203 Rev A
- Elevations Sheet 3 drg. no. A-L-202 Rev A
- Elevations Sheet 2 drg. no. A-L-201 Rev A
- Elevations Sheet 1 drg. no. A-L-200 Rev A
- Roof Plan drg. no. A-L-102 Rev A
- First Floor General Arrangement drg. no. A-L-101 Rev A
- Ground Floor General Arrangement drg. no. A-L-100 Rev A
- Main Car Park excavation proposals drg. no. 414.05944.00002.010 P00
- Site exterior lighting design concept drg. no. BSXX(63)4001 Rev P4
- Arboricultural Impact Assessment – January 2019
- Pre-Develop Archaeology Report – 2019
- Statement of Community Involvement and Appendices
- Addendum to Tree Constraints Plan and Impact Assessment – Sept 2019
- Pre-Develop Archaeology Addendum
- Travel Plan
- Transport Assessment – Sept 2019

- Flood Risk Assessment – July 2019
- Landscape Visual Impact Assessment V3 – December 2019
- Sequential Test (Revised) March 2020
- Security Statement – July 2020
- Updated Preliminary Ecological Appraisal (PEA) Report V2 – July 2020
- Leisure Impact Assessment – Sept 2020
- Bat Activity Survey – October 2020
- External Lighting Scheme – Dec 2020
- Otter Statement – Jan 2021
- Heritage Impact Statement – February 2021

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

Copies to: Councillor Aitken, Councillor Day and Councillor Howell