

Application Ref: 21/01151/R4OUT

Proposal: Outline planning application (with all matters other than access reserved) for a residential development of up to 315 units (build to rent) together with 2no. ground floor commercial units, the creation of car parking and substations, and landscaping/public realm and other associated works

Site: Former Peterborough Market And Car Park Site, Northminster, Peterborough,

Applicant: PIP (Northminster) Limited
See Surname

Agent: Mr Jeremy Good
ELG Planning

Site visit: 08.08.2021

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

Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The application site is approximately 1.1 hectare and lies within the city centre core policy area and Northminster Opportunity Area as designated under policy LP47 of the adopted Peterborough Local Plan. The majority of the site also lies within the primary shopping area as defined under policy LP12 of the Local Plan. The site is brownfield land; the northern part was formerly occupied by a multi storey car park accessed off Northminster, which has now been demolished. Since its demolition in August 2019 a temporary surface car park has been provided on this area, accommodating some 100 cars. The southern part is occupied by the city market with an access provided from Cattle Market Road at the south west corner of the site and via a gated access from Northminster. The southern part includes Laxton Square, an area of public realm.

The site is bounded to the north by Bayard Place, a former five-storey office block which was granted prior approval for conversion to 115 residential apartments (ref. 18/01248/PRIOR) and subsequently permission was granted for a two storey roof extension to create 14x duplex's apartments (ref 18/02043/FUL); now known as Bayard Plaza. To the east the site is bounded by Northminster where there are a number office and commercial developments including the Passport Office, and the Solstice which has outline planning consent for the demolition of existing nightclub and the erection of up to 56 apartments, ground floor retail /restaurant units and accommodation for up to 77 students (ref. 20/00554/OUT). To the west is Cattle Market Road with a nightclub (Edwards/Embassy) on the corner with Broadway, a Tesco supermarket, a vehicle access to Hereward House and Wilkinsons. To the south is the former Fifth Avenue Nightclub, a locally listed building (former Courthouse) which has planning permission for conversion to a hotel (ref. 20/00804/FUL); and Laxton Square, an area of public open space. City Road lies to the south beyond which is Petercourt (Grade II listed) which currently accommodates the Eco Innovation Centre.

The site itself is not located within a conservation area and does not contain any Listed Buildings. However both the City Centre and Park Conservation Areas are within close proximity to the site (71 and 35 metres respectively). Situated 180 metres to the south-west is the Grade I Cathedral Church of St Peter, St Paul and St Andrew (Peterborough Cathedral).

Proposal

The application seeks outline planning consent, with all matters other than access reserved for the following:

- A residential development of up to 315 units. The indicative scheme shows a mix 20% one-bed two person apartments, 27% two-bed three person apartments, 25% two-bed four person apartments, 15% three-bed five person apartments, 7% three-storey townhouse apartments, and 6% two-storey maisonette apartments.
- Two commercial units are proposed to the south of the principal building; one unit having a floorspace of 225 sqm and one unit having a floorspace of approximately 325 sqm with first floor roof terrace.
- A resident's courtyard (private open space) and enhancement to Laxton Square (public open space).
- A food and beverage pavilion approximately 100sqm within Laxton Square.
- Vehicular access to the site would be from Northminster leading to an external car park at the northeast corner of the site comprising approximately 50 car parking spaces.

A suite of plans support of the application to illustrate the scale and layout of the development, as well as floor plans to demonstrate how the quantum of the development can be accommodated on site.

The indicative scheme provided shows a building with a 'k' shape footprint, comprising 10 storey elements located along Cattle Market Road and Northminster, with a three-storey north and south-facing link building.

Parameters plans have been submitted in order to control the height of the development and proposed uses ahead of a future reserved matters application.

The scheme has been revised since the initial submission reducing the overall height of the development by 2 no. storeys from 39m to 33.3m and the number of units from up to 335 to up to 315.

A further round of consultation has taken place.

The proposed scheme would provide for Build to Rent accommodation. This type of development is defined in the NPPF as 'purpose built housing that is typically 100% rented out...Schemes will usually offer longer tenancy agreements of three years or more and will typically be professional managed stock in single ownership and management control.' In this case, the applicant proposes a specific type of Build to Rent scheme known as Private Affordable Rent where the rents will be maintained at 80% of local market rent levels. This is a type of affordable housing for rent, as defined in the NPPF.

The proposals under consideration as part of this application do not include for the relocation of the indoor market. This will be undertaken by the Council as part of its responsibilities as the landowner. A separate project is underway to provide for a new location for the market to Bridge Street, elsewhere within the city centre.

2 Planning History

Reference	Proposal	Decision	Date
21/01183/PRIOR	Demolition of City market and food court	Pending Consideration	
21/00008/SCREEN	Residential development of up to 335 units together with 2no. ground floor commercial units, the creation of car parking and substations, and landscaping/public realm and other associated works	Comments	20/08/2021
19/01555/PRIOR	Demolition of Northminster Car Park	Prior Approval Permitted	21/12/2019

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, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (July 2021)

Section 5: Delivering a sufficient supply of homes

Paragraph 60: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 65: Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. Exemptions to this 10% requirement should also be made where the site or proposed development provides solely for Build to Rent homes.

Section 7: Ensuring the vitality of town centres

Paragraph 86: Planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Section 11: Making effective use of land

Paragraph 119: Planning decisions should promote an effective use of land in meeting the need for homes and other uses... Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Section 12: Achieving well-designed places

Paragraph 126: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.

Paragraph 130: Planning 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 (such as increased densities), 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.

Paragraph 131: Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments and that appropriate measures are in place to secure the long-term maintenance of newly-planted trees.

Section 15: Conserving and enhancing the natural environment

Paragraph 180: Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 183: Planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Paragraph 185: Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Paragraph 186: Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Paragraph 187: Planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Section 16 Conserving and enhancing the historic environment

Paragraph 194: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 195: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 199: 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202: 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.

Paragraph 205: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Peterborough Local Plan 2016 to 2036 (2019)

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP02 - The Settlement Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP06 - The City Centre - Overarching Strategy

Promotes the enhancement of the city centre. Major new retail, culture and leisure developments will be encouraged. It is promoted as a location for new residential development and as a location for employment development including mixed use. Improvements to the public realm will be promoted and the historic environment protected.

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.

LP08 - Meeting Housing Needs

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village

envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

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.

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.

LP21 - New Open Space, Sport and Recreation Facilities

LP12 Part A New Open Space, Outdoor Sport and Recreation Facilities- Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on site provision.

LP21 Part B: Indoor Sports and Recreation Facilities- All residential development below 500 dwellings will contribute to the provision of 'off site' strategic indoor sports and recreation facilities by way of CIL. For sites of 500 dwellings more a S106 Planning Obligation will be sort.

LP21 Part C Designated Sites- Mitigation of Recreational Impacts of Development- Where development has the potential to have a significant adverse effect on the integrity of a designated international or national site for nature conservation as a result of recreation pressure, the development maybe require to provide open space of sufficient size, type and quality over and above the standards to mitigate that pressure.

LP22 - Green Infrastructure Network

The council in partnership with others will seek to maintain and improve the existing green infrastructure. Strategic and major development proposals should incorporate opportunities for green infrastructure. Proposals will be expected to provide clear arrangements for long term maintenance and management. Development must protect existing linear features of the green infrastructure network. Proposals which would cause harm will not be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts.

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.

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.

Development will be supported in principle where it involves replacement dwellings (subject to a density control), improves the mix of uses, including especially open space and community facilities, complements/supports community regeneration projects and improves pedestrian/cycle connectivity to the city core, especially North Westgate. The Stanley Recreation Ground will be protected and enhanced. Small scale development maybe allowed where it would not impact on Cathedral views.

LP33 - Development on Land Affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

LP47 – City Core Policy Area

Part C: Northminster Opportunity Area

Development should deliver a range of uses that provide high quality office development and approximately 150 dwellings, including student accommodation. Development should protect and enhance the historic environment, particularly the Cathedral Precincts and Peterscourt.

Peterborough City Council - City Centre Conservation Area Appraisal (2017)

4 Consultations/Representations

Ministry of Housing, Communities and Local Government - The Secretary of State has received a request to consider call-in of the application by a third party. In general, the Secretary of State will only begin to consider if call in is appropriate once an application has completed the planning process at a local level and the LPA is minded to approve. If the committee are minded to approve the application, the issuing of the decision should be withheld until the Secretary of State has had time to consider the case against the Call-in Policy.

PCC Conservation Officer – No objection subject to full package of materials to be secured by condition.

Initial comments: Objection due to impact on views and setting and views of GI listed Cathedral.

The site is not within a designated conservation area however there are views towards both the Park and City Centre conservation areas and to some of the Listed Buildings within them as well as the Registered Park and Garden surrounding the Cathedral Precinct. There are a number of heritage assets within close proximity of the site. The most significant of these include Peterscourt (grade II) and Peterborough Cathedral (grade I).

The demolition of the market structure is not objected to from a heritage consideration.

Cathedral Views and Setting: Concern that the stepping down of the building towards Laxton Square will not negate the detrimental impact on cathedral views and impact on the Cathedral's setting from a number of key vantage points.

Northminster View: There is a positive view of the cathedral from Northminster. The best part of this dynamic view is generally seen outside the front doors of the Solstice, where the roofscape of the cathedral is seen almost in its entirety. The image provided in the Heritage Impact Assessment document is one taken much closer to Laxton Square where only the pinnacles and the crossing tower are apparent above the Peterscourt. On the site visit, it was apparent that there was some merit in the view chosen, as it affords a framed view, albeit limited in relation to the view taken from outside Solstice. The submission refers to the view that is being proposed to be retained and reflects little on the better view that will be lost further north outside the former Solstice bar.

The main concern is that from the location that is being chosen to frame the view, the result will be small projections of the top of crossing tower and west front pinnacles above Peterscourt, with limited visible roofline. The rest of the view will be taken from the public realm and placed into the private. If this was the only view impacted, I think the public benefit might outweigh the harm.

Cathedral Views from the south: It is clear from the TVIA and HIA that the building will be seen and form a background feature in the backdrop of particularly significant Cathedral views from the south. The best classic views of the Cathedral are gained from the south, largely due to limited development, owing to large sections of public open space as well as the presence of the river. At present, the Cathedral is benefitted from a background of sky, whereby nothing competes or detracts from the appreciation of this nationally significant building.

The presence of this proposed building within the backdrop of these first class cathedral views would be considered to have a detrimental impact on the setting of a Grade I listed building and would be deemed unacceptable until such a time that the height was reduced to eliminate this impact. The visibility is likely to be more pronounced in the winter months when the trees have shed their leaf.

Additionally, the view from the embankment is not a static view, but a dynamic view which changes depending on the location you are stood. As such it would appear that between view 6 and 11 the visibility would become substantially more pronounced in the backdrop of the Cathedral than shown. It is therefore necessary to increase the number of positions for wire frame views across the embankment for further consideration.

It is considered that the building remains within the view whereby there would be an impact on the currently entirely clear background to the silhouette of the cathedral.

The silhouette of the cathedral is particularly sensitive to change in its surroundings, by virtue of it being a particularly detailed building of the highest status and designed to be viewed in isolation. At present, its silhouette can be viewed in isolation from the south (viewpoints 6 and 7) as well as the wider dynamic views available and therefore I question the conclusions within the report in relation to the level of harm.

The NPPF contains a general presumption in favour of sustainable development, but development is not considered sustainable if it causes harm to heritage assets. The proposed development will harm the significance of the listed building through inappropriate development within their setting, contrary to paragraph 195 of the NPPF. The proposal would also be contrary to Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

It is considered that the impacts upon those assets identified within these comments are significant, though less than substantial, so paragraph 196 of the NPPF is engaged. While the harm is less than substantial the harm is significant and the level of harm is not justified and would warrant consideration as grounds for refusal.

The harm caused by the proposal on designated heritage assets triggers the “strong presumption” against granting permission and the harm is not exceeded by the limited public benefits of the proposal. The building is too tall for the location it is sited. From a heritage consideration the proposed works are not supported.

Second round: From a heritage consideration the proposed works are now on balance supported. The height of the building has been reduced by two stories, from 39m to 33.3m. The building remains a particularly large and tall building in comparison to its neighbours, however, I agree with the assertions of the MKDS comments that on balance the impact on the streetscene is acceptable.

Following the reduction in height of the proposals and the updated TVIA, wireframes and heritage statement, I am of the view that the proposal is now of a satisfactory height and will not have an unacceptable impact on the setting of the GI listed Peterborough Cathedral or the wider City Centre Conservation Area.

There will remain glimpse views of the upper levels of this development from key vantage points and this will be more pronounced in winter months when there is less tree cover. What is important is that the newly proposed height, despite still being visible in glimpses, allows the Cathedral to be the dominant and principal feature in these views. I now feel that on balance this is now the case.

Landscape Architect (external advisor on behalf of PCC) – No objections.

Initial comments: The current proposals raise concerns which should be addressed with additional information.

Public realm: The proposals appear to be of a high quality and the integration of green-blue SUDs infrastructure is supported. The design of Laxton Square should follow the vision and principles set out in the emerging Peterborough Public Realm Strategy. Details of hard and soft landscaping and roof gardens should be secured by condition.

Access and links to local greenspace: For such a high density development on and off-site provision should be provided including financial contributions to improve local provision of playing fields, allotments, local and neighbourhood play areas and parks. The plans indicate a very small sand play area which would be considered under-provision for the numbers and age range of children living within the development.

Town visual impact assessment (TVIA): It must be demonstrated that the development proposal has been informed by the TVIA. Baseline photography should be taken in winter and summer for comparison. To include consideration of lighting impact. The TVIA appendix B ‘Visualisations’ is missing from the case file. The TVIA should include wireframe views from agreed key locations. The substantial height of the building raises issues relating to the impact on the setting of the Cathedral and also the best Cathedral views appreciated from the south. Looking towards the Cathedral from the riverside open spaces, we are concerned that this proposed development would feature too prominently in the backdrop of the Cathedral in the best of the public views from the south. The south views are made all the more significant because the proposed development would remove much of the last remaining views from the public realm seen from the north. There is also potential for the development to be seen in the backdrop of the Cathedral when coming over the Town Bridge, which is another iconic view.

Local Plan policy makes specific reference to 'a presumption against development that would unacceptably detract from important views of Peterborough Cathedral by virtue of its height, location, bulk and design'. Suggest the development should aim to limit the height of the building below the silhouette of the Cathedral from the riverside.

Building heights cross sections along the line from the riverside parkland to the site demonstrating the worst case line of visual impact should be provided.

The visuals show solar panels side by side with planted green roofs. The submission should demonstrate how this is feasible in practice without the planting and biodiversity net gains being compromised later on when planting is deleted to accommodate, maintain and operate the PVP with maximum efficiency.

The green roofs will make a significant contribution to the greening of the building from street level and surrounding public realm. The submission should demonstrate how this is going to be achieved in reality. This requires substantial investment in load-bearing roof construction for planting coupled with specialist design of suitable planting, soils and integral irrigation.

Only some of the apartments have balconies. Lock down during Covid 19 has demonstrated that importance of access to private amenity space and balconies is the only means of delivering this for apartments. Communal amenity garden space should be in addition to not a substitute for provision of private amenity space for apartments.

Recommends conditions regarding boundary treatments, the public realm, bin storage areas preferably integrated into the buildings and well ventilated; highway visibility splays to ensure street trees, fencing/railings and boundary planting don't impede junction / forward visibility and lighting/CCTV to be designed in conjunction with the tree planting to ensure that street tree planting isn't compromised.

Second round: No further comments.

Urban Design (external advisor on behalf of PCC) - No objections.

Initial comments: The proposal supports much of LP16, LP47.4 and 47.5 as well as relevant parts of LP17 of the Local Plan. Whilst there are urban design and placemaking benefits to this scheme, I continue to be cautious regarding the potential impact the height of the building may have on important views and heritage assets, within the context of the site. I don't think this impacts sufficiently negatively on views to warrant an overall urban design objection. This assessment should be made by the Council's conservation advisor.

The applicant has indicated a scheme of high quality in terms of design. Modifications has resulted in improvements to the proposal, in particular the visual impact of this scheme has been reduced. As a general principle, I would support taller buildings in a city centre location as they help locate people centrally and therefore animate the heart of the urban area, they also assist in identifying and navigating to the centre of the city. Providing an increase in the population of people within the city centre will support the viability of the high street whilst providing homes in a sustainable location with most facilities within a short walk.

Given the visibility of such a prominent building it is important that it is of a high quality both in terms of layout and design. The principles outlined by the applicant together with the indicative proposals regarding layout and design suggests that this is the intention of the applicant. The application supports much of Policy LP 16, LP 47.4 and 47.5 as well as relevant parts of LP17.

The proposed building is taller than the immediate context, although it does drop in height to respect the Peterscourt building and the Cathedral and its gardens. The proposal is clearly urban in scale; this isn't necessarily an issue as it is located within the city centre but does need to be balanced against any potential harm on the surrounding heritage assets.

Whilst the proposed development is large, it appears to respect much of the context of the site. The proposal responds appropriately to street and the local patterns of development.. The scheme does have the potential to create a stronger sense of place and identity on to the surrounding streets (Northminster and Cattle Market Road) and Laxton Square whilst providing an improved public realm. However, despite improvements and a reduction in height, the TVIA indicates that the building continues to be visible (in part) in the context of the view of the cathedral from the Embankment.

The proposed building is taller than its context, but in principle this can be justified on account of the sustainable central location and the existing scale of development to the north of the site. However, whilst its city centre location provides a justification for the height and density, the impact on the townscape, historic context and nearby listed building needs careful consideration. As a result of the information provided recently by the TVIA the scheme has been reduced in height which I welcome and the impact on the key views from the Embankment has been considerably reduced as a result of the applicant lowering the building.

Massing: The development is large, but comparable with the context (certainly in terms of building footprint) and furthermore it is acknowledged that by designing it as 2 wings and stepping down in height toward Laxton Square will help break down the massing and provide more visual interest. Notwithstanding this the development will require a façade treatment that further breaks up its massing. The plans do show an elevation treatment where the building materials appear lighter as the building gets higher. I support this approach as it avoids the structure appearing top heavy.

The building appears as 2 or more related but separate buildings which could further help reduce the massing. The stepping down in height to the south via tiered terracing is a clever but logical way of both respecting the scale of development to the south. I also welcome the reorientation of the ground floor commercial unit, in order to exploit views of the Square and Cathedral.

Active Frontages: The location of the 2 commercial units facing onto Laxton Square is supported as it will help animate this square. Individual ground floor apartments / townhouse with direct access on to Northminster and Cattle Market Rd will help enliven the public realm and provide surveillance over it making it feel safer. Ideally there would be more ground floor commercial units, but I appreciate there needs to be sufficient demand.

The proposed stepping down in height acts as the interface between the existing low height buildings to the south and the existing taller development to the north. This allows space to the listed Peterscourt Building and the Cathedral and its gardens respecting much of their setting whilst providing views and private amenity space to residents.

A stronger rationale for the chosen style and materials would be expected at the reserve matters stage. Balconies are a useful tool for animating the façade and providing private amenity space for apartments, however they should be design as part of the façade, contributing positively to the building's appearance, not simply 'bolted' onto the building.

The proposed improvements in the public realm and the blue green infrastructure would be welcomed particularly around Laxton Square.

Development of this site provides a good opportunity to provide a green link that connects the Embankment through Laxton Square and Northminster to Stanley Recreational Ground. The private terraced gardens could also be used in a manner by which the landscaping forms part of the building façade facing south. This would soften the elevation, break up the massing of the building whilst reinforcing the green link around the Cathedral to the embankment.

The indicative boundary treatments appear to ensure a clear distinction between the public and the private realm. The public spaces and in particular Laxton Square need to feel welcoming to all. The new public realm adjacent to Northminster needs to be designed such that it feels fully public.

The shared residential amenity space is provided via the internal resident's courtyard and the stepped terraces, these spaces need a purpose, and it should be clear who can and can't access them.

The parking is well located and linked to the access generally away from the public view, so car parking won't dominate the public realm which is supported. Care should be taken regarding the design and location of the proposed bin stores in the public space along Northminster and the rear

service area to the 5th Avenue building. Landscaping has been indicated to minimise the impact of these necessary but often unattractive elements of the building.

Second round: Whilst I didn't object to the previous plans, I did have some reservations regarding the proposed height and the impact that this would have on listed buildings around the site, in particular the skyline view of the cathedral. I concluded that these were primarily issues for conservation to consider, however, I do welcome the proposed reduction in height of the development to 10 storeys for both wings of the proposed development.

In terms of scale, the proposed building relates more favourably to its immediate context and the impact on the key skyline views of the city that the cathedral currently dominates, these views for the most part seem to be retained in their current form. I support the proposed amendments as I believe they improve the scheme. With the exception of the height proposed all other comments remain in situ.

I do not object to the proposal on Urban Design grounds and feel the amended scheme has reduced the possibility for any negative visual impact improving the application and ultimately the development. As previously stated, the outline application supports much of LP 16, LP 47.4 and 47.5 as well as relevant parts of LP17 as outlined in my comments.

Archaeological Officer - No objection in principle.

The proposed development site is located immediately to the north of the Cathedral Precincts. The mid Anglo-Saxon abbey of Medeshamstede probably had some kind of boundary, as a wall is mentioned in early documents. According to the Anglo-Saxon Chronicles, a wall was built in the late 10th century, and the abbey changed its name as a result of this from Medeshamstede to Burgh, the walled or fortified place. The burgh wall is thought to have served as the Precinct wall, although the monastery may have occupied a small area within the walled area. The wall circuit has been partly identified during past investigations within the Cathedral Precincts. However, the line of the full circuit remains conjectural.

Although past investigations within the Precincts seem to have identified the burgh sequence, also suggesting that the burgh did not extend this far north, the existence of a phase of walling or 'suburban' activity should not be completely discounted. In addition, archaeological investigations to the south-east and east of the proposed development site have identified remains dating from the prehistoric to the post-medieval periods.

Despite modern interventions associated with the construction of the car park and the redevelopment of the market area, ground disturbance appears to be limited to piling for the car park and resurfacing. Buried remains, if present, may survive relatively undisturbed.

Given the archaeological potential of the area, a programme of archaeological work should be carried out pre-determination to include a Desk-Based assessment, evaluation by geophysical survey and evaluation by trial trenching.

Second round: No objection, subject to recommendations.

The Desk-Based Assessment (DBA) submitted with the current application has identified the following key risks associated with the proposed development: The location of the site within a rich archaeological landscape, with a moderate to high potential for unknown archaeological remains to be present; the uncertainty over the nature and extent of potential archaeological remains; and the negative impact of the proposed development on potential archaeological remains as they would likely be destroyed as a result of groundwork operations.

The DBA has also confirmed the need for the implementation of Ground Penetrating Radar (GPR) survey of the proposed development area and a programme of targeted trial trenching to test the results of the geophysical survey and gain further information about the archaeological significance of the proposed development area (including the character, extent, date, integrity, state of

preservation and quality of known and/or potential heritage assets), in order to assess the merit of the site in the appropriate context.

Recommends the programme of archaeological work should be carried out pre-determination if feasible, or secured by condition at the appropriate stage of the project at a minimum. The results of the evaluation may lead to the formulation of a strategy to ensure the recording, preservation or management of the resource, the formulation of a strategy to mitigate a threat to the archaeological resource and the formulation of a proposal for further archaeological investigation within a programme of national, regional and local research, as defined.

PCC Peterborough Highways Services – Objection.

Initial comments: The proposed 50 parking places within the city core are against LP13 of the Peterborough Local Plan. If the LPA are minded to overrule this objection then clarification is required on tracking, proposed servicing arrangements for the two bin stores fronting Northminster and agreement to the scope of off-site highway works.

Second comments: The proposed 50 parking places within the city core are against policy LP13 - the LPA to comment on whether the parking provision will be acceptable.

I note the objections to the loss of public car parking provision as a result of this development. Previously there was a multi storey car park on half of the site which has been demolished. Presently there are 100 spaces on site. The applicant should provide evidence to demonstrate the loss of public parking is not going to result in an unacceptable loss of City Centre parking. The applicant will need to provide a Parking Management Plan to demonstrate who will use and access the car park, and how the parking bays will be allocated. This can be secure by condition.

Proposed Off-Site Works: 4m kerb radii for the car park access is tight. Minimum 6m kerb radii should be provided which will help tracking issues. No dimensions have been detailed for the access width into the car park. The width of the access appears tight. The tracking plans suggest there is a conflict between two-way traffic along the access road into the car park. The access geometry requires amendment.

The realignment of kerb line along the western side of Northminster to form a wider footway either side of the car park access results in a narrower carriageway and amendments to the pedestrian crossing. More detailed geometry is required for the carriageway, kerbing and footway and pedestrian crossing realignment works. This information is required to understand if the proposal is acceptable in principle.

The carriageway narrowing pinches the lane width on the approach to the crossing to 3.75m. LN120 suggests lane widths between 3.2m and 3.9m should be avoided where cyclists must share the carriageway with vehicular traffic. There may be scope (width) to provide a cycle lane through the pedestrian crossing and car park access? Examples can be provided.

What is the existing width of Northminster carriageway? What is proposed width through the junction of Brook Street? Is there scope to move the kerb line out further, so a 2.0m wide footway can be achieved at the back of the service layby? Detail the taxi rank on-street parking as well as the existing/proposed carriageway widths etc. These details are necessary to understand whether the kerb realignment results in any unacceptable carriageway pinch points.

The main bin store north of Brook Street will be serviced via the loading bay detailed on this plan. How will the bin stores be serviced between New Road and Brook Street?

Proposed loading bay will require a TRO to restrict parking in this location. This will require public consultation and TRO approval pre-commencement. Relocating the double yellow lines along Northminster will require changes to the existing parking prohibition TRO. Again, this will require public consultation and TRO approval pre-commencement.

Refuse collection/turning along Cattle Market Road has not been presented as a workable solution. There are several parking bays that would need to remain unoccupied for the refuse vehicle to turn as suggested. Overrunning a length of paved footway is considered unacceptable. The applicant will need to reconsider the refuse turning in this location. Changing the parking order in this location offers one solution, however this will be subject to public consultation and TRO approval pre-commencement.

It is unclear from the submitted plans, how the substation will be accessed. Note access doors will need to be setback from any highway/public thoroughfare so to avoid obstruction or hazard.

PCC Travel Choice – No objection.

The Framework Travel Plan is acceptable. We would expect 20% of the car parking to have provisions for electric vehicles so 10 EV bays. A full Travel Plan should be secured by condition to include residential Travel Packs including 'Mega Rider' pass/cycle vouchers to be secured.

Lead Local Drainage Authority - No objection subject to the appending of a condition requiring the details of the design, implementation, maintenance and management of the sustainable drainage scheme to be submitted to and approved in writing by the Local Planning Authority.

PCC Pollution Team – No objection.

Noise – The development is affected by noise from road traffic, music from late night hospitality venues and mechanical plant. The noise report has identified that additional glazing is required to ensure suitable internal noise levels are achieved. As the developer has not submitted any internal layout all rooms have been designed to achieve the most stringent night time internal noise criteria. However the noise report has not sufficiently considered noise from music from hospitality venues. The glazing specifications provided are not specific to music noise from pubs and clubs.

The Northern, and Eastern façade of the proposed development appear to be the most affected for noise from pubs and clubs, this is planned to have residential in the form of town houses, maisonettes and apartments. These appear to be single aspect properties. When considering noise from pubs and clubs this section expects noise to be considered in line with relevant guidance which is considered to be the Institute of Acoustics Good Practice Guidance on the Control of Noise from Pubs and Clubs (the Guide). The guidance states that where entertainment takes place on a regular basis music and associated sources should not be audible inside noise-sensitive property at any time, but particularly after 23.00hrs.

Where development is proposed in the vicinity of existing businesses, community facilities or other activities, the NPPF section 187 clearly places the onus on the new developer (or 'agent of change') to ensure that suitable mitigation measures are put in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme. In doing so, the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made. The agent of change will also need to define clearly the mitigation being proposed to address any potential significant adverse effects that are identified.

Therefore to ensure that the proposed glazing and ventilation schemes are effective in mitigating noise from the night time economy and traffic the applicant will need to complete further modelling using music venue frequency spectrum data to determine a scheme that will ensure internal noise levels noise levels from music meet the criteria detailed above. Where premises were closed but are expected to open again representative noise data, such as that detailed below from Acoustic Associates report should be referenced.

Where insulation requirements preclude opening windows for rapid ventilation and cooling, a

mechanical ventilation system installed must comply with the Noise Insulation Regulations 1975 (including acoustic ventilation units incorporating fans for insertion in external walls) and the Approved Document F. Alternatively, a 'whole house' ventilation system could be used. Acoustic trickle ventilators will not provide adequate ventilation for these purposes.

In addition the impacts of overheating will also require consideration and where necessary assessment and mitigation in accordance with Acoustic Ventilation and Overheating Residential Design Guide.

A revised glazing and ventilation scheme is required to be developed in accordance with monitoring and modelling data to meet noise level 30dB LAeq(5mins). This can be secured by condition as a reserved matter.

The development includes two transformers and it is likely that new plant associated with the commercial elements shall be required. To ensure adequate protection for all residential units across the development a rating level of 5dB below the night time background level of 45dB LA90(t), and for daytime 5dB below the evening level of 50dB LA90(t) are appropriate. A compliance condition is recommended.

Internal arrangement in blocks of flats require careful consideration. Non habitable rooms, such as kitchens and bathrooms that are adjacent, above or below bedrooms/living rooms/dining rooms are likely to cause impact from noise e.g. opening /closing cupboards, running water , dripping taps, flushing toilets etc. This is likely to give rise to noise complaints. It is good practice that dwellings are planned to ensure that adjacent rooms are compatible in terms of noise sensitivity and noise production.

In addition where residential units are affected by noise from the night time economy consideration should also be given to the design of internal layouts to situate less noise sensitive rooms on facades facing the noise source.

Air quality: The contents of the report are accepted. Due to the proximity of residential occupants (Bayard Place) dust resulting from the remaining demolition and construction of the new development shall require control. A scheme to control dust associated with the demolition/construction could be provided by way of a Construction Management Plan condition.

Contamination: Planning Statement has noted that following a Phase 1 Risk Assessment the risks posed from contamination to future users is low, with moderate risks to site workers and secondary A Aquifers due to sensitivity. A copy of this Phase 1 Risk Assessment is not included in the application. The EIA Planning Statement has concluded that an intrusive ground investigation is required. This and any necessary remediation can be secured by a full set of contaminated land conditions.

Odour: Where commercial units include food preparation and kitchens planning permission for extract plant including odour control and compliance with a noise condition (to be determined once final noise report submitted) shall be required prior to installation.

Second round: All previous comments remain applicable.

Noise from commercial units: Due to the changes of use category under the planning regime it is particularly important to ensure that the specific use type of these units is controlled via the planning regime, including restrictions that will ensure they are not used for leisure uses such as a gym/ sports activities or live music venue/late night bar and/or night club due to the transfer of noise from these uses to residential premises.

Senior Landscape Officer – No objections

The design and landscaping should be secured by condition.

Off-site contributions for public open space should be secured as follows:

- Neighbourhood Parks - £121,005.42 + 5 years land maintenance for the enhancement of Stanley Park
- Childrens Play - £60,209.67 + 5 years land maintenance for play facilities at Stanley Park
- Allotments - £13,092.46 + 5 years maintenance for enhancement of Burton Street Allotments
- Natural Green Space - £29,570.89 + 5 years maintenance for enhancement of Stanley Park

Total Off-site POS contribution: £223,878.44 + 5 years maintenance

The play area has been removed from Laxton Square which is welcome and the memorial plaque is to be retained. Discussions shall take place with the developer regarding long term maintenance of Laxton Square, funding stream for maintenance of trees and shrubs and street furniture to be vandal resistant and easy to cleanse.

PCC Property Services - No comments received

Police Architectural Liaison Officer (PALO) – No objection.

Initial comments: Considers the area to be of low risk to the vulnerability to crime at present, however with this new development proposal, the addition of residential development at Bayard Place and proposed redevelopment at The Solstice to student accommodation, this will increase the population and footfall of the location and with that, the possibility of higher crime levels.

No information has been provided relating to security or crime prevention; this should be discussed at the earliest opportunity.

Further details should be provided regarding external lighting for the car park, residential amenity space and Laxton Square; boundary treatments – the private residents amenity space should be secure with access for residents only – how will this be achieved?; External bin and cycle store security; access control for the car park; and compartmentalisation of the lift cores, allowing residents access to their own floors only and controlling visitor entry and access management by the management company and Laxton Square and public realm management.

It is noted that the addition of this number of new homes and residents, along with the considerable reduction in parking spaces with the removal of the multi-storey car park is likely to cause some issues. As a build to rent development I presume that there will be a clause in rental agreements about car ownership, otherwise this could lead to more (illegal) on street parking and associated disputes and anti-social behaviour.

Second round: No further comments at this stage in terms of community safety or vulnerability to crime.

PCC Strategic Housing – Objection.

The proposal is to be delivered as a build to rent scheme comprising 100% affordable private rent tenure making it a wholly affordable build to rent scheme.

Because this is a scheme being brought forward by an organisation that is 50% owned by the Council, we expect the Council to have a greater involvement in the design, allocations and management of the scheme.

Section 6.3.4 of the Peterborough Local Plan states that "Affordable housing is housing that is provided for eligible households who are unable to meet their housing needs in the open market because of the relationship of housing costs and income. The affordable housing needs of the most vulnerable will be prioritised by the Council". In line with this and policy LP8 of the Peterborough Local Plan we expect "the housing needs of the most vulnerable groups will be prioritised" when

allocating these units.

We would expect the rents of these affordable units to be linked to the Local Housing Allowance (LHA) for Peterborough to ensure that they are truly affordable for those in housing need and most vulnerable. Rental levels which are 80% of the market rent for the unit may only be applied where these are at or lower than LHA levels.

With regards housing need, the Section 106 agreement should set out the approach to eligibility for the development and how the units are let. We expect that for the first four weeks the housing is marketed exclusively through the Council's Choice Based Lettings scheme and offered to eligible households on Peterborough City Council's housing register. We propose an allocations cascade that prioritises the letting of the units thus:

- 1.Homeless households to whom the council owes a full duty under Part 6 of the 1996 Housing Act
- 2.Eligible households in Band 1 of the Councils housing register
- 3.Other vulnerable households in housing need
- 4.General needs households not in housing need

In addition, we would expect an agreed quota of properties to be allocated to households from the housing register each year be set out in the s106 Agreement (to be no lower than 50%) and that the following general criteria apply:

properties should not be under occupied or overcrowded upon initial letting, the property must be truly affordable to the household being offered the property applicants will pass a reference and credit check approved by the Council, recent convictions, within the last five years, will be considered but will not be a bar to allocation, prospective tenants must demonstrate an understanding of the responsibilities within the tenancy agreement.

The landlord must provide the Council with a full allocations policy for approval before first let can be made. The allocations policy must include the above cascade and criteria. The Council requires an annual lettings plan that sets out how the landlord has performed in accordance with the finally agreed and council approved allocations policy.

We also expect the landlord to have a transfer policy to allow tenants to move between properties if their needs change and they need a larger or smaller property. The policy must be approved by the Council and reviewed every year.

Evictions must be approved by the Council's housing service - permission will not be unreasonably withheld - and the landlord must work with the Council's housing service to prevent any of its tenants from being made homeless.

In accordance with policy LP8 of the Peterborough Local Plan all of the units are required to be built to meet minimum National Space Standards (as defined by Building Regulations). It should be noted that 1, 2 & 3 storey properties each apply a different minimum size standard for NDSS.

In accordance with Policy LP8 of the Peterborough Local Plan, all dwellings should meet Building Regulations Part M4(2), unless they are exceptional design reasons for not being able to do so.

5% of homes should meet Building Regulations Part M4(3)(2)(a). In this instance that would equate to 17 dwellings. We expect this to be met in full. We also expect these units to be allocated through the housing register and for allocations to be approved by the Council's Adult Social Care and Housing teams. We expect this policy to be applied across the scheme to single, two and three storey dwellings with one or more bedrooms.

Second round: No further comments to add.

Waste Management - Larger bin stores are indicated, however the bins within them aren't shown to be accessible (they're not always forward facing for residents they're back to back and they're not

regular in shape) so it's likely these bin stores will still be too small. The bin store locations are acceptable in terms of distance to the highway, however there is concern about the amount of time it'll take for collection; likely to take half an hour to empty bins at the site every week. Underground bin storage should be considered or a pneumatic waste collection system like Envac. Not only will this be more efficient for collecting waste, but whoever goes on to manage the building is less likely to deal with issues such as side waste, contaminated bins, block bins stores, misuse, and ultimately complaints so the initial spend could help them in the long run.

Second round: We have previously expressed concerns about the time taken to empty the bins. Concern regarding bin collection from between Brook Street and New Road, I would work on the assumption the vehicle would simply have to 'pull up' to empty them. This is of course a busy thoroughfare for vehicles, particularly buses and taxis, and I can only envisage issues here. Similarly, although a loading bay is designed I assume this is not just for refuse collection vehicles, therefore I would also be concerned that the loading bay would have other vehicles in it at the time of waste collections, causing issues on the highway. The tracking on Cattle Market Road is not suitable, it works on the assumption that vehicles will not be parked along here which is unrealistic. The vehicle clearly skims the side of a building too as well as encroaching the development boundary .

I am still not convinced the bin stores are large enough, the bins that are in them are all different sizes and are designed back to back and not side by side. As mentioned, we would not support this application unless alternative waste management options are looked in to (undergrounds or similar). From previous experience the issues the size of these bin stores and the number of flats they service/time taken to empty etc will cause is substantial and I would highly recommend further discussion with the developer to look at better options.

PCC Tree Officer - No objection in arboricultural/landscape terms.

The submitted Arb Report is accepted. Recommends conditions and additional information including a full and detailed landscaping scheme is submitted, showing the location of species, sizes and provision for adequate soil volume (see below for details) and means of support, irrigation and maintenance to ensure establishment to maturity. Please ensure that all tree planting within influencing distance of any adopted highway - footpaths & carriageway/land/drainage suitably protects against future damage from tree root encroachment/damage. Full tree pit details are also required.

PCC Wildlife Officer – No objection.

The site has minimal impact on habitats of significant biodiversity interest. All trees and buildings being lost on site are urban in nature and do not have significant connections to the wider environment. The Ecology Survey Report provides an accurate picture of the development. The green roofs being constructed will hopefully create significant interest for birds and insects within the urban environment.

Any fence lines should be installed with small mammal holes, as it is likely that the local habitat is being used by hedgehogs for feeding. Recommends conditions to secure at least 15 bird boxes and native species within the landscaping scheme. A bird nesting informative is also advised.

PCC S106 Planning Obligations Officer - The proposal is CIL Liable, because it is residential development, however there will be no CIL charging as PCC's schedule does not include a charge for apartments of 15 units or over.

Children Resources – No objection. The resulting additional children requiring childcare and funded entitlements will not create undue pressure on local providers or create capacity issues. From a primary school perspective, while 2020 catchment forecasts, 2021 pupil roll forecasts and admissions data indicate there are already more children living in the catchment than there are places at Bishop Creighton Academy, the pattern of school rolls and local take up of places at St. Thomas More RC Primary School mean that there should be sufficient places for primary children.

From a secondary perspective, the local schools' pupil roll forecasts also indicate an adequate number of places. This development will not push childcare, primary and secondary school infrastructure above capacity.

Childcare Market Facilitation Manager - No comments received

Historic England – No objections to the proposals on heritage grounds.

Initial comments: Objection. The application site is not within a conservation area but is located between the City Centre Conservation Area to the south and the Park Conservation Area to the north. The height, scale and massing of the proposed development, which comprises wings that rise in height to 12 storeys from the south to the north of the site, would have a major impact on the historic environment within its vicinity.

Primarily our concern relates to the impact of the scheme on the setting of the Cathedral. The largely horizontal silhouette of this internationally renowned building can currently be viewed against an uninterrupted skyline from south of the City Centre and the riverside. Views included in the HIA and the TVA demonstrate that the development would appear plainly in the backdrop of the Cathedral and in wider dynamic views.

We consider the development would cause a high level of less than substantial harm to the significance of the Cathedral, which could be addressed if the overall height of the scheme were to be reduced by two storeys; from the height of the Tower to the height of the main body of the Cathedral.

We object to the proposals in their current form and strongly urge your authority to seek reconfiguration of the development to reduce the maximum number of storeys from 12 to 10 storeys overall.

Second round: Now satisfied that the overall height of the development has been reduced sufficiently for me to respond to the LPA saying Historic England now have no objections to the proposals on heritage grounds.

Cambridgeshire Fire & Rescue Service – No objection. Adequate provision should be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access. If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required.

Anglian Water Services Ltd – No objection.

Initial comments: There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. 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. The Waste Water sewerage system at present has available capacity for these flows. Surface water to network at the overall agreed rate of 4l/s. We require these documents to be listed as approved plans/documents if permission is granted.

Second round: No further comments to add to our previous response.

Natural England - Comments received.

Appropriate consideration of recreational pressure impacts, through relevant residential development, to be given to sensitive Sites of Special Scientific Interest (SSSI) Natural England's

generic advice on other natural environment issues is set out at Annex A.

Environment Agency - No objections.

EDF Energy - No comments received

The Wildlife Trusts (Cambridgeshire) - No comments received

Peterborough Civic Society – Objection.

Initial comments: The Civic Society was consulted on the proposal before the application was submitted and some minor tweaks have been made, however our major concerns remain unresolved.

The future of the market: The redevelopment excludes the provision of a replacement market or arrangements for relocation. This is essential and there is an obligation on the Council to honour the terms of the charter.

Vitality and Viability of Town Centres: Para. 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The Local Plan strategy is directed towards strong support for the city centre as a retail centre.

More than half of the application site lies within the PSA and contains the general provision market which in normal times over 120 standard size stalls; a significant amount of convenience goods retail floorspace. Retail floor space was lost when the multi-storey car park was demolished. The loss of the car park and retail units has noticeably reduced pedestrian activity here and damaged the vitality of the Northminster area. The permanent removal of the market would exacerbate this situation. This is contrary to policy LP6 and should be considered as a reason for refusal.

Townscape & Cathedral Setting: Peterborough's historic core and related skyline today is scarcely any greater in extent than it was prior to the arrival of the railways. The Cathedral remains as the most dominant visual image of the city from a southern approach.

The Embankment View: One of the most important views. At para 3.2.1 neither of the 'blue line' outlines look credible, bearing in mind the comparative heights of the Nave roof and the proposed east block, 29.1m and 31.8m respectively. A true cross-section from the proposed scheme to the river bank in the S-E corner of the Embankment would resolve doubts about this assessment. Should our fears be realised then the east block at eleven storeys would be over intrusive in this iconic view of the Cathedral.

Town Bridge Views: The 'blue line' would seem to be an under-estimate of the true effect. Should we be correct a 12 storey block would be too damaging to this very significant viewpoint. It should also be borne in mind that in the winter the softening/screening effect of the deciduous trees will be lost in both this viewpoint and those from the Embankment.

Overbearing Scale & the Setting of the Cathedral: The building mass and height is beyond all existing developments in the vicinity of the Cathedral. The sheer bulk adds to the enormity of the proposed building which overwhelms its neighbours. Even Bayard Place and the ABC Cinema are dwarfed by it. The 12 storey wing has a maximum height of 39.8m, compared with 29.1m for the Nave roof. The setting of the Cathedral from a north aspect will be seriously undermined.

The architects and town planners of the time when Peterborough was designated a New Town were generally not renowned for their regard for the historic environment but here they did realise the importance of the Cathedral and its setting to the future of the city centre. Moreover, they recognised that the 1960's Hereward Centre and St Mary's Court were excessively high and challenged the

Cathedral's dominance. Their reaction was expressed in policies to be followed in redevelopment and regeneration proposals. The gist of this can be found in a few paragraphs from the 'Greater Peterborough City Centre Plan' of 1971.

'a. 2.7 The Cathedral itself must, of course, remain the visual focus of the whole centre. To this end the maximum height of new buildings will in general be limited to the equivalent of five floors of offices, with further restrictions in some places to preserve particular views of the Cathedral.'

b. 2.8 The distinctive visual quality of the approach to the Cathedral from each point of the compass must be protected and where possible enhanced. ...From the new Market Square and Midgate to the north, the Cathedral will be glimpsed at intervals through the gaps to be left between new office buildings; ...'

On page 43, in a caption to a sketch by the civic design consultant, Gordon Cullen, it states:

'a. ...and the best long and open views of the Cathedral are still from the south-east. They must be preserved by keeping to an absolute minimum further building in the open space.'

All office developments in the area north of the Cathedral have respected the philosophy of the 1971 plan apart from Bayard Place and more recently the approved scheme for the Solstice site, which was approved despite strong objections from amongst others, Historic England.

The proposed development at Northminster does not respect the setting of the Cathedral or the character and scale of its location in a number of respects. Of particular concern is the sheer bulk of the building. It is higher than any other building in the vicinity and extends 100 metres north to south and 60m east to west.

The applicants argue that the affect on the setting of the Cathedral and impact on important views of it are minimal. The image used on the 'Contents' page of the Design & Access Statement shows how large the proposed building to be in relation to the Cathedral, a building of national heritage standing, and Peterscourt and the County Court building both heritage assets of value. Cross-sections 4 and 5 again show this relationship as well as how overbearing the proposal would be to the adjoining buildings such as Aragon Court, Northminster House and Monkstone House. We have produced an additional cross-section showing how the proposed blocks would loom over the Cathedral.

The important view of the Cathedral Tower from Cattle Market Road has been explored at para 3.2.6 and in the D&AS. The deep canyon-like effect is not an attractive one and the illustration shows only six of the twelve storeys proposed. If the full building were shown it would be even less appealing. The street scene here would make Peterscourt look like a dolls' house.

Stanley Park: Although this view has been compromised by a recent planning approval it remains as a valid consideration in this application process. It is obvious that, due to the proximity of the proposal to the park and its scale that it will have major impacts on the setting of the Cathedral, very much to its detriment.

The Heritage Impact Assessment (HIA) also covers this viewpoint and therein is a wireframe depiction of the proposed east block on one viewpoint (Fig 12. page 18). The photograph was taken in summer where trees screen the full impact of the proposed building. The outline of the proposed Solstice building is also shown and it pales into insignificance in the context of the Northminster scheme. In short the overbearing impact of this important view from Stanley Park is well demonstrated in this report, although we dispute the conclusion that the impact is neutral and that *'the view from Stanley Rec will be unaffected.'*

Opportunity Missed: With regard to 'Cathedral Views' specifically, there is a missed opportunity presented by the demolition of the multi-storey car park and future clearance of the market site; the presentation of the full east-west profile from fairly close up. This is recognised in the submitted D&AS but is largely only to be available to residents of the internal courtyard flats and customers of the commercial units overlooking Laxton Square. The submitted scheme also ignores a strong pedestrian link running between Brook Street and the Tesco passage to Broadway should be retained. There would be ample scope to provide glimpsed and full views of the roofline of the

Cathedral through an interesting new public space ending in a splendid space focussed on the frontage of Peterscourt.

Planning Policy Context: The proposal does not pass the tests set out in Local Plan Policy LP16 with regard to respect for the setting of the character and local distinctiveness of the area.

Policy LP19: The Historic Environment. This policy places emphasis on the historic environment and the part it plays in the quality of life experienced by local communities. Particular emphasis would be placed on, amongst others; a presumption against development that would unacceptably detract from important views of Peterborough Cathedral by virtue of its height, location, bulk or design and; the protection of designated and non-designated heritage assets and their settings. The proposal would contravene this policy in that it would cause unacceptable harm to the setting of; the Cathedral, Peterscourt and the former County Court building.

Policies related to development in the city centre reiterate the thrust of LP19 at; LP47, City Core Area, LP51, Riverside North Policy Area and LP53, City North Policy Area.

The proposal must also be considered under the guidance in the NPPF section 16. The NPPF requires that harm to a heritage asset must be weighed against any public benefit. It is considered that the impacts upon those assets identified within these comments are significant, though less than substantial, para.202 of the NPPF is relevant. Although the harm is less than substantial the harm is significant and the level of harm to identified heritage assets is not justified and would provide grounds for refusal.

Car Parking: It is not credible that 50 spaces will be enough. All the nearby residential conversions of offices to flats and the approved scheme at the Solstice include a generous provision of on-site parking. The nearest public car parks to the site are at Brook Street and New Road which together have 285 spaces. In a recent survey the average number unoccupied spaces was found to be 4. Other car parks to the south are too far from the application site to be considered suitable for residents of the scheme.

There is local demand for spaces in the Northminster area from office, retail, food/drink outlets, etc. The lack of any proposal to increase parking in the Northminster area will create difficulties for audiences at the New Theatre which will be further exacerbated by the proposed provision of 335 residential units with only 50 car parking spaces. The loss of the multi-storey means that there is so much less public car parking available for all city centre needs. The proposed development would result in an increase in demand for car parking spaces not satisfied by on-site provision shown in the application. On-site provision should be adequate to accommodate predictable need. This reason would provide grounds for refusal.

Over-development. The proposed 335 residential units give a density of 304 residential units to the hectare or 124 per acre, which is about twice the density of the four residential blocks on Fletton Quays. The Northminster area already has significant numbers of small dwellings in converted office buildings, with more to come at Midgate House and possibly, Northminster House and Aragon Court. The concentration of such a large number of small dwellings in apartment form in one area is not generally thought to be desirable as it does not make for mixed communities. Policy LP47.5 relates to the whole of the Northminster Area which is shown on the map as stretching from Broadway to St John's St and the Cathedral precincts to Stanley Park. In effect the number of dwellings in the proposed development is more than twice the allocation for the whole of the area.

Over-development on its own may not be sufficient as a reason for refusal, it is more akin to an indicator that a proposal is out of character with its surroundings and locale.

Critique of the Design & Access Statement, Townscape Report, Heritage Statement and other supporting documents: There are a number of minor and some fundamental criticisms of and concerns raised in the supporting documents to this application.

1. There is a blatant disregard for the public footpath, Market Way, which links the end of Brook Street to Broadway. This is an important route in the integration of the proposal to the locality which has been in existence since 1880's.
2. The 'privatisation' of Laxton Sq. Is to be regretted. It is important to the general functioning of the city centre that some public control over an area, which was bequeathed to the City at the demise of the Development Corporation, is retained.
3. Urban form at Laxton Sq. Is important. The proposal does not achieve a coherent definition at this space. The indicative scheme fails to bring Peterscourt into the space: an opportunity lost as more could be made by uniform treatment of ground/landscape here.
4. The 'improved 'view of the Cathedral from Northminster (Rd) is at the expense of a longer active frontage onto Laxton Square. The benefits of a wider building here should be given further consideration.

Further comments on TVIA Appendix B. Visualisations:

We do not believe the wireframe images shown in the visualisations are accurate and in all cases underplay the scale of the proposed development.

No.2. Using the Embassy as a guide the taller part is the equivalent of 7 storeys and the proposed west block would be in line with it roughly at the point where it reduces in height. The wireframe shown is about eight storeys, not the twelve proposed. This visualisation gives the impression that the 'canyon' effect will be composed of walls of equal height which is obviously false.

No.3. The chosen viewpoint on Crawthorne Rd is clearly to minimise the impact on the cathedral view. If viewed from around the middle of Stanley rec, where there is the best view of the cathedral, the proposed blocks would appear twice the height of the nave roof and will obliterate the best view of the cathedral from the north.

No.6. The east block as proposed would be higher than the Cathedral nave ridge but the wireframe shows it much lower. Of course the distance it is away from the Cathedral would make it appear lower but a section drawn to the viewpoint shows that it would be slightly below the nave ridge and that the west block at 12 storeys would be just below the ridge.

No.7. This cannot be correct. The nave ridge at 39m appears to be much higher than the west block's 39.8m The viewpoint is from a ground height about 1metre above that of the proposal. Again a cross section would show that the west block would appear to be about in line with the nave ridge.

No.9. Tree foliage here is very dense and mainly deciduous. Impact would be greater in winter. Viewpoints from other parts of Galilee Court would experience a greater degree of adverse impact.

No.10. The wireframe is patently inaccurate. The viewpoint is about 11m AOD and the west block would be clearly visible above the nave ridge, the east block just below.

No.11. Viewpoint is not from the highest part of the mound or from the Parkway footpath and does not present the greatest level of impact. Tree belt is very dense here and adverse impact is likely to be greater in the winter. Again the wireframe looks inaccurate, the 12 storey block would be roughly level with the nave ridge.

For the long range views from the south of the site two photos taken from the A605 in the vicinity of Horsey Toll show the relationship between the Cathedral and Hereward Centre tower block which adjoins the site and is 33m tall compared with the west block proposed at 39.8m.

Suggest that, at the very least, the applicants be requested to include some additional evidence in the form of accurate, long sections through the site to viewpoints on the Embankment and London Road.

Second round: Objection.

- a. The Market. The demolition and removal of the City Market is unacceptable in itself and would harm the economic recovery and future vitality of the city centre due to the loss of retail trade.
- b. The Cathedral. The setting of the Cathedral would be seriously harmed by the sheer bulk and height of the proposed blocks and their close proximity to the Cathedral Precincts.
- c. Car Parking. The provision of on-site car parking to serve the development itself is seriously inadequate and will put pressure on local public car parks. This application is premature in the absence of a review of public car parking requirements in the Northminster Area.
- d. Over-development. The proposal also constitutes gross over-development not in line with policies in the Local Plan for the planned redevelopment and regeneration of the Northminster area as a whole.

9. The Embankment View. This crucial view of the Cathedral has been addressed through photographic images, figures 29 and 32 of the Heritage Impact Assessment. The reduction in height of the two blocks to 33.3m has made a difference to the impact on the profile view of the Cathedral.

10. Town Bridge Views. The proposed reduction in height of the west block from 39m to 33.3m will make a noticeable difference to the impact on the view of the Cathedral to the extent that the proposed block would hardly be seen from the Town Bridge approach.

Overbearing Scale & the Setting of the Cathedral.

11. The building mass and height proposed is beyond all existing developments and approvals in the vicinity of the Cathedral. The sheer bulk adds to the enormity of the proposed building which overwhelms its neighbours. Even Bayard Place and the ABC Cinema are dwarfed by it. The 12 storey west block has been reduced in the amended application to 10 storeys and a height of 33.3m, compared with 29.1m for the Nave roof. The setting of the Cathedral from a north aspect will still be seriously undermined and must be a major factor in the assessment of the application. The reduction in height of the west block makes very little difference to its impact on the urban scene which is well illustrated by a comparison of the applicants 3D images submitted with the application.

Local Residents/Interested Parties

Initial consultations: 510

Total number of responses: 13

Total number of objections: 12

Total number in support: 0

13 representations have been received. The comments are summarised below:

The Principle of development:

- Peterborough City Centre should not be destroyed by having the excuse of using housing needs to do so.
- This new housing will not regenerate the centre of town.
- There are so many flats in the central area that it is becoming overwhelming, it seems every spare office is being turned into flats many of which remain empty. I just hope that this is not another white elephant.
- There is no need for these flats to be built and it will cause more disruption to many people of the community.
- The dwellings proposed are all to be rented to residents, on lets of only a few years: that is hardly conducive to people wanting long-term security of tenure, nor them having the opportunity to buy.
- Need to step back and look at the whole picture and needs of the city centre.
- It needs to contribute to the city centre for permission for this premium site.

Scale and Density:

- The development is overbearing, far too large and too high for the area.
- Building up to this height is not appropriate for Peterborough.
- At 12 storeys it is taller than nearby office or residential blocks.
- The building would be over double the height of surrounding buildings which are all 5-6 stories in height.
- The document prepared by WSP (Appendix B - Visualisations) is misleading as it contains clear errors in views 6, 7, 10 and 11 that even the applicant has not adopted in its prime application. The document MUST be withdrawn and the Committee Members advised of this.
- A very high density of people living in a very restricted space.
- The proposal is an overdevelopment of the site.
- At more than 300dpa (and 900 habitable rooms per ha) the density is comparable to high rise blocks in London where rapid and frequent public transport is nearby.
- It is an ugly development not sitting in with the surrounding architecture i.e. Bayard Place and the Library which are excellent examples of pleasing architecture.

Loss of the market:

- The removal of the market, to a place as yet unmentioned, is not conducive to the needs of the local population who rely on a supply of local fresh fruit and vegetables.
- The lack of the market facility in the area forces families into buying from supermarkets with the associated air miles.
- Where in the city centre will you locate the market? There are no clear flat areas available.
- The market usage is dropping. It is too far away from the main shopping area, and people will not walk to shops/market anymore; everything must be accessible by car.
- If and when the Council have made arrangements to relocate the market, then an application for the redevelopment of the site can be considered.
- The proposal is contrary to policies LP12 and LP47 of the Adopted Local Plan – loss of retail use in the main shopping area that includes the market.
- The Council has not supported proposals to improve the market nor worked with market traders to identify a new location.
- These commitments to local residents were made in conjunction with the Planning Inspectorate – it is not within the powers of the Council to unilaterally ignore these commitments.
- These areas of the City are public property owned by the people of Peterborough. There needs to be an open debate if this is what Peterborough wants – this is not what the people are wanting.
- The market has been an active part of the community – as traders we have been treated disgustingly. Livelihoods are being taken away.
- My business is in jeopardy.
- Many customers rely on my business being accessible and located close to disabled parking.
- The market business owners will have no income and nowhere to trade. This may end in many businesses closing permanently.
- There is nowhere else to buy such a diverse and unusual range of fresh food, Cloth and cooked takeaway food. They support local growers reducing food miles and as a result the freshness of products sold.
- The proposal could be amended to include a new market hall.
- The city has had a market for hundreds of years.
- A city council spokeswoman has been quoted as saying that "Peterborough's market is a charter market, meaning it was established by Royal consent, so there is a legal requirement for there to be a market somewhere in the city":
- The market provides a public service and employment for a number of small businesses (the stallholders) as well as for council staff, so for more people than the 23 numbered in the proposal.
- The decision to demolish the current market buildings seems to have been taken in a rush.
- According to a Peterborough Telegraph report dated 13th January 2020, the council was quoted as intending 'to go ahead with a "market and residential scheme" for the area, with the

city market currently located there.

- The Peterborough Telegraph report dated 10th February 2020 quotes a council spokeswoman stating that the market "could be on the Northminster site or elsewhere, but with the plans for the site being at a very early stage it is too soon to speculate. We also value having a market in the city, as do many residents and visitors":
- The Peterborough Development Brochure 'The Time is Now' produced for private and public investor's shows a market hall on the Northminster site. Small businesses such as market traders are investors too.
- The Local Plan allows for an improved market on the current site. Alternatively, it states that the council will work with market traders to identify a new location. PIP were not asked by the city council to develop plans for the market and this appears to be a major omission.
- It was not until early June 2021 that market traders were told that the market would be demolished without prior consultation and without another site being identified. This led to an on-site meeting with councillors and Paul Bristow MP in which the traders were assured that the council did want there to be an exciting and vibrant market, but they did not know where.
- Recently the council has written to traders that the council has identified a potential alternative site, but this was without working with market traders to identify it. Traders should have input as to the suitability of any site to meet their needs.
- Given how quickly PIP was able to reduce the number of dwellings from 353 to 335, it should be possible for the Council to develop and bring forward a firm attractive plan (after having consulted traders) for the market at the same time as they consider any proposal for dwellings in Northminster.
- It should be possible to reconsider the whole development and potentially include the market in Northminster, since that was the aim into last year.

Car Parking:

- Insufficient car parking for number of occupants.
- A total of 286 parking spaces are required – 50 spaces being provided where will the other 236 cars go?
- Given that most families own 2 cars making this situation untenable. Add to this the amount of online shopping and deliveries the area will become highly congested and reduce air quality.
- Other planned residential developments are likely to increase demand for public parking when residents are being visited by friends and relatives.
- Several residential parts of the city have insufficient spaces, causing people to park wholly or partly on pavements and grass verges.
- The application makes no reference to the loss of public car parking which will impact on visiting trade for adjacent businesses, including Broadway and Midgate in particular.
- Any possible public events, as mentioned in the proposal, re Laxton Square would also add to the need for more public parking in the area.
- The loss of parking facilities will impact on the night time economy; a significant income generator for the city. No consideration for those who trade into the evening.
- There is no replacement car park for shoppers.
- As the largest theatre in Cambridgeshire we can attract over 8000 people into the city in one week when we host a leading touring production. The majority of patrons travel from outside the immediate postcode areas and the removal of car parking facilities will have a detriment effect on customer retention.
- We host over 230 performances a year and by generating footfall, have an immediate impact on other businesses in the city centre, including restaurants, bars and hotels.
- The only alternative car park is Brook Street and this is already under capacity to fulfil our needs, plus the park area which customers would have to walk through attracts anti-social behaviour.
- No provision has been provided to additional public parking.
- The multi storey car park was pulled down quickly and practically disappeared overnight – this needs to be investigated. Which Councillors signed it off and who are connected with the poor development company that wants to develop the site?

- Peterborough city centre needs parking or the shops will lose to soulless out of town shopping centres.
- The change to electric powered vehicles will create demand for some public charging sites. Northminster should address these needs.

Access and servicing:

- To achieve adequate sight lines at the access requires the carriageway at Northminster to be narrowed rather than being accommodated within the development. This would put pedestrians at risk using the crossing.
- The space around the development is not adequate for servicing arrangements – refuse vehicles, vans, etc.
- Concern regarding access and turning for Emergency vehicles.
- I assume the fire service will be consulted to ensure that access for rescue from high rise development will be satisfactory?
- A densely populated building will produce a volume of waste, which will require storage and collection. With no off-road parking for such refuse collections considered.
- The storage of the waste before collection could also become an environmental issue regarding vermin.

Impact on Heritage Assets:

- The Cathedral should be the highest building in the city – the building plans are 1.6m higher than the Cathedral.
- The proposal would be a detriment to the views of the Cathedral and taller than the Cathedral's centre tower (applicant quoted it as 38.2 m).
- To avoid impact either on views of the cathedral or on views from the cathedral, the development should be amended to be less than 38.2 metres in height.
- The cathedral is Peterborough's greatest landmark and can be seen from afar due to its prominent position within the city.
- There is the possibility of Archaeological importance given the proximity to the cathedral and such findings could date back as far as the 10th century, The proposed area will be greatly excavated to some considerable depth to support the building and infrastructure.
- It should not be approved unless the removal of the market buildings and the clearing of the former carpark do not entail deep excavation.
- The recommended programme of archaeological work should be carried out and paid for by the builder and not at public expense.

Amenity:

- The amount of light for existing residents/businesses in the area which will be greatly reduced due to the imposing height of the proposed building.
- There is already limited light for flats in Touthill place that face out towards the market until midday.
- Direct sunlight is from a west-northwest direction over the market until sunset, which is where the applicants proposed site will be, blocking the sun and sunlight in turn casting a shadow over Touthill Place and my flat.
- There is an inadequate amount of outdoor landscaping for these people and others to use.
- Laxton Square is a popular public area for a vast amount of people in this area, with nearby workers having lunch. During the day it is used constantly by people and in the evening becomes an area for nearby residents to take young family or enjoy the outdoors. This is a public space for all to enjoy and adds a green space to what is predominantly roads, pavement and buildings. It is there for the people to use.
- No amenities have been proposed for the extra population and surrounding area other than those for certain flats within the new building, and Laxton square will be within the development.

- The plan (page 69) in the NPPF Flood Risk Assessment & Drainage Strategy document does not show the manhole covers that exist on Market Way. The councillors ought to be told what these covers are for and how the presence of whatever water courses they cover (sewage for example must be a possibility) will affect the proposed development.

Viability:

- More transparency is needed as to how this proposal is to be financed and what will be the effect on public finances if it is agreed. The councillors need to have explained this to the public fully before this proposal comes before its planning committee.
- The proposal has already been reduced from 353 dwellings (costing £39,750 each to build according to the Combined Authority) to 335, so councillors should reject the proposal until they have seen the sums and can be certain that it will not negatively impact on finances of both the city council and the combined authority.
- The model for financing this proposal is worrying because PIP - Peterborough Investment Partnership LLP - has its registered office in Manchester rather than here, and PIP was originally registered in Luxembourg and then Guernsey. And its subsidiary, P.I.P (Northminster) Ltd, also has a Manchester address. However, PIP's agent for the proposal is based in Darlington. The city council's partner in PIP is IAGH3 which appeared to be a subsidiary IAG Holdings which was bought by the Oak Group ('an offshore financial powerhouse' according to its website). The funding is coming from the Combined Authority, as a grant, but it is unclear who would own the land and buildings afterwards and what return the public will receive.

Misc:

- The multi-storey car park had public toilets and there is now a lack of them in the north of the city. The proposal should include public toilets.
- The public notice is in the wrong place – not on the boundary and less than 1m from the road endangering the public as people stop to read it. It is also dated 30th July but not on show until 4th August.

Second round following re-consultation:

The Principle of development:

- The Local Plan envisaged only 150 dwellings on this site as well as the market, rather than 315.
- The dwellings are all to be rented, on lets of only a few years; that is hardly conducive to people wanting long-term security of tenure, nor them having the opportunity to buy.
- I support proposals that will ensure dwellings are offered to people on the social housing register in the first instance.

Scale and Density:

- The reduction to 315 units is still an overdevelopment of the site and I concur with the Civic Society's view that the development is not in line with planning policy for the Northminster area.
- Any reason why the height is not limited to match the surrounding tallest buildings at 9 storeys? The current 10 storeys design (plus 2m+ for the lift overrun) is taller than most things in the area.

Loss of the market:

- Contravention of policies LP12 and LP47 – no satisfactory re-provision of the market is proposed and I support the Civic Society's view that this would harm the economic recovery and future vitality of the city centre due to loss of retail trade.
- Perhaps a foodhall and some market stalls could be located on Laxton Square.

Car Parking:

- Car parking remains insufficient and I concur with the Civic Society's view that 50 parking spaces is seriously inadequate and will put pressure on local public car parks.
- The complete loss of public parking will impact on visiting trade to businesses, possible public events at Laxton Square
- Other residential multi-storey dwellings are planned or under development in Northminster area and these are likely to increase demand for public parking.
- The change from cars powered by fossil fuels to those using electric engines will create a need for some public charging sites.
- Insufficient parking is causing people to park wholly or partly on pavements and grass verges.
- I would like confirmation that the cycle parking provision will be one space for each unit. The parking area shown, is that including underground or all surface level? Is there at least 315+ spaces there, one for each dwelling? The plan shows 50 spaces.

Access and servicing:

- The proposals for the access remain inadequate.
- The narrowing of the carriageway of Northminster is unacceptable.
- The narrowing of the footway to provide a loading bay is detrimental to pedestrian movement which will be increased by residential development in the area.
- The quoted site area includes the public highway and Laxton Square.
- The footpath which links the end of Brook Street with Broadway should be retained as it provides access for residents, including The Solstice to bus stops, shops, restaurants and public houses in Broadway.
- The footpath has attained the status of a highway.
- Are all of the bins stores fully enclosed?
- Are the bin stores located at street level and how easy is it for the vehicle to access them?
- The position of some of them looks like refuse truck access will be in the middle of the road.
- Will the one opposite the ramp for Hereward Tower cause access issues for large artics accessing the ramp?

Impact on Heritage Assets:

- The cross-section plan in the D & A Statement shows the height of the Cathedral to be higher than in a previous version of the proposal. - Both sets of figures cannot be correct.
- Can the Council satisfy itself (a) whether or not that provides an answer why the earlier version of the proposal shows a lower cathedral, and (b) that it knows exactly the height of the Cathedral and its spire because objectors have been concerned that the proposal, now 31.8 metres high, will adversely affect the views from the North-West.
- There is an opportunity to retain a new enhanced view of the Cathedral if the proposal is scaled back further along Northminster.
- Please can the Council consider requesting a further revised proposal to enable, from ground level, a full panoramic view of our heritage buildings. This could be possible if the new wing fronting Laxton Square were removed from the proposal or reduced in length.

Misc:

- Is the old Central Park building an integral part of this development? If not, it should be.
- The closed end of Cattle Market Road should be part of the development for a revamp and inclusion in the design so it all flows.
- The planning shows 'Build to Rent' Does this mean that all proposed 315 dwellings will be rental only?

5 **Assessment of the planning issues**

a) Background

The development is being brought forward by Peterborough Investment Partnership (PIP), a joint venture between Peterborough City Council and investment specialists IAGH3, with a vision to revitalise the Northminster area of Peterborough city centre.

Prior to the application being submitted pre-application scheme which was considered by specialist consultees.

The Local Planning Authority (LPA) has undertaken a screening opinion in respect of the outline application as to whether or not the development would require an Environmental Impact Assessment (EIA). The project falls under Schedule 2, item 10 (b) 'Urban development projects,' of the Regulations. The LPA considered that the development would not have significant environmental effects and as such an Environmental Impact Assessment was not required (ref. 21/00008/SCREEN).

A separate application is currently under consideration for prior approval for the demolition of market and food court (ref. 21/01183/PRIOR).

b) The Principal of Development

Development proposal

The application site is situated within the identified City Core Policy Area as designated under policy LP47 of the adopted Peterborough Local Plan. The policy states that *'the council will seek development of the highest quality which, in overall terms, strengthens the area as the retail, leisure, tourism and civic focus for Peterborough and its sub-region, broadens the range of land uses to include more city centre living and enhances the visitor experience for all'*. Northminster is one of the Opportunity Areas for mixed use development within the Core Policy Area (LP47.5 refers) where it is envisaged that development proposals should deliver a range of uses that provide high quality development.

Policy LP47.5 advises an indicative number of 150 dwellings for the Northminster Area. This area was designated in the former City Centre Plan (Dec 2014) for up to 300 dwellings. However the allocation was reduced to an indicative number of 150 dwellings in the new Local Plan, due to lack of information about the delivery of the Northminster site at the time of preparing the Local Plan (2016 to 2018), there was insufficient evidence to meet the NPPF requirements for deliverable sites.

The supporting text at paras. 7.2.3 and 7.2.4 of the Local Plan states that indicative number of dwellings are used to demonstrate how the approximate Local Plan dwelling requirements can be met. It is emphasised that they are only "indicative", and do not represent a fixed policy target for each individual site. Developers are encouraged to produce the most appropriate design-led solution, taking all national policies and other Local Plan policies into account, in arriving at a total dwelling figure for their site, and they need not be constrained by the figure that appears in the column headed 'indicative dwelling figure'.

Furthermore, Local Plan policy LP3 makes clear that Peterborough's spatial strategy for the location of residential development is to focus the majority of new development in and adjoining the urban area and policy LP6 makes explicit reference to the city centre being promoted as a location for substantial new residential development at a range of densities according to location.

The majority of the site is located within the Primary Shopping Area as defined under policy LP12 of the Local Plan. The proposed commercial units would also be policy compliant and an appropriate use on this site due to its city centre location providing a mixed use development with active street frontages and development which encourages trips into the City Centre.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (NPPF para. 47). At para. 11 of the NPPF it is advised that decisions should apply a presumption in favour of sustainable development and development proposals that accord with an up to date development plan should be approved without delay.

The proposal would provide a significant amount of housing development at a highly sustainable location close to services and facilities to meet the needs of the future occupants. This will ultimately protect the long-term vitality of the City Centre as a retail & commercial destination. The proposal would also make efficient and effective use of this previously developed site.

It is noted that Policy LP47.5 states that the opportunity area is to be delivered in accordance with a development brief or Supplementary Planning Document (SPD). This requirement was included within the policy because of the possible redevelopment of the market and car park, which is the main redevelopment site within the opportunity area and other sites around the area and a co-ordinated approach would be needed. Currently no development brief or SPD has been prepared for the Northminster Opportunity Area. However, it is considered that the application site, is the main development area within Northminster and would set the bar for further development coming forward and would not prejudice the ability to develop the wider Northminster area.

The application has been submitted and must be considered on its merits taking into account all relevant planning policies and material planning considerations. Officers are of the view that notwithstanding the lack of comprehensive development brief/SPD, the proposal accords with Policy LP47 and the vision for the City Centre in all other respects.

Quantum of development

The scheme proposes up to a maximum of 315 (C3) residential units, 2 commercial units fronting Laxton Square and the former Courthouse and an enhanced area of public open space. Although the scale of development is not committed at this stage, it is necessary to agree certain parameters at outline stage. The application is supported with parameter plans indicating the maximum height of the development at 33.3m and a series of levels which would reduce the impact of the development on the surrounding area and in particular views of the Cathedral, discussed further in this report.

The illustrative plans submitted at this outline stage demonstrate how the development could be accommodated. Although the scale of development is not for determination at this stage due to the quantum of development proposed it is necessary to agree height parameters which will be acceptable on site particularly due to the impact on nearby heritage assets, notably Peterscourt and the Cathedral.

It therefore considered that in principle the development is acceptable and subject to relevant conditions the proposal would form a sound basis on which a future reserved matters application could be based.

Loss of the market

Policy LP47 states that the Council will support proposals to improve the market or, if necessary, work with the market traders to identify a new location.

A number of objections have been received regarding the loss of the market. The Peterborough Civic Society refer to the site being located within the primary shopping area and that the loss of the car park and retail units has already impacted on the vitality of the area and this would be made worse by the permanent loss of the market.

The Council is working with the market traders to find a suitable location for the relocation of the market. At the time of writing this report the preferred location is along Bridge Street. The provision of an alternative location for the market will be provided by the Council prior to the demolition of the existing market building.

It is considered that the proposal would regenerate this prime city centre site, delivering a high quality development, which would enhance the vitality and viability which would stimulate further investment in the city centre; while at the same time would boost the supply of housing in what is a highly sustainable location. The proposal therefore accords with policies LP3, LP6 and LP47 of the Adopted Peterborough Local Plan (2019) and paras. 86 and 119 of the NPPF (2021).

c) Meeting Housing Need

The proposed scheme will follow a Build to Rent model which is a distinct asset class within the private rented sector. In this case, the scheme will fall within the definition of affordable housing for rent known as Affordable Private Rent.

Affordable housing for rent: meets all of the following conditions:

- (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable);
- (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and
- (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

Policy LP8 of the Adopted Local Plan advises that development proposals of 15 or more dwellings (whether as new-build or conversion) should, through negotiation, provide 30% affordable housing. The affordable housing needs of the most vulnerable groups will be prioritised. The proposed build to rent scheme would comprise a 100% affordable private rent tenure making it a wholly affordable build to rent scheme in accordance with the NPPF, exceeding the (30% on-site) affordable requirements of Local Plan Policy LP8.

The applicant proposes that this will increase housing opportunities for a wider spectrum of people and will meet a market demand; the added benefit of the proposal is that the units will be accessible to the full market and therefore the discounted rates will be open to the widest possible population.

Build to Rent is a long-term business model that allows investors to generate sustainable income over time by renting purpose build residential property.

Investment in BTR is attractive to investors because:

- Secure, inflationary income from assets underpinned by a strong record of capital growth
- Increasing demand for rental product due to restricted access to home ownership following recent house price growth
- Growing rental demand driven by changing lifestyle choices

The UK's BTR stock was 63,950 completed homes with a further 42,000 under construction at the third quarter (July, August and September) in 2021.

In spite of the pandemic BTR in 2020 continued to provide resilient income streams with high occupancy levels and robust rent collection levels. The stability of the BTR during 2020 has emphasised the appeal of BTR to investors seeking long-term predictable returns with a widening pool of investors entering the sector including AXA and Pension Insurance Corporation.

BTR developments are also attractive to tenants and local areas, for example:

- Increasing the supply of new homes
- Providing long term tenancies with clarity about rent increases

- Providing professional management, which is more reliable than an individual landlord
- Promoting long-term investment in local areas supporting the delivery of wider regeneration projects

The 2018 revisions to the NPPF created stronger emphasis on housing delivery, with a clear recognition that a multi-tenure approach is required in order to be able to meet challenging housing targets and evolving lifestyle choices. BTR is now a distinct asset class within the Private Rented Sector.

If approved this scheme will receive a grant from CPCA of £14.03M The development will be managed and controlled by a single company and will deliver an entirely Affordable Private Rent scheme with rents fixed at 80% of the market rent with a CPI+1% annual rent increase. These factors reduce potential volatility for investors by having a fixed income stream and deliver certainty regarding the management of the scheme.

The Strategic Housing Team refer to section 6.3.4 of the Local Plan which states that “Affordable housing is housing that is provided for eligible households who are unable to meet their housing needs in the open market because of the relationship of housing costs and income. The affordable housing needs of the most vulnerable will be prioritised by the Council” and therefore the housing needs of the most vulnerable should be prioritised when allocating these units.

The Strategic Housing Team request, amongst other things, that the rents be linked to the Local Housing Allowance (LHA) for Peterborough to ensure that they are truly affordable for those in housing need and most vulnerable; rental levels which are 80% of the market rent for the unit may only be applied where these are at or lower than LHA levels; eligibility criteria for how the units are let and for the first four weeks the housing is marketed exclusively through the Council’s Choice Based Lettings scheme and offered to eligible households on Peterborough City Council’s housing register; and an allocations cascade that prioritises the letting of the units.

In addition, it is expected that an agreed quota of properties be allocated to households from the housing register each year be set out in the s106 Agreement (to be no lower than 50%).

At present the Council does not have a Local policy or SPD that deals with Build to Rent schemes and is silent on this matter, therefore new government policy in the NPPF and NPPG applies. It is considered that the proposed development meets the definition of private affordable rent as set out in Annex 2 of the NPPF and therefore it represents an acceptable form of affordable housing. In accordance with the advice provided in the NPPG on Build to Rent schemes, the Local Planning Authority cannot insist on eligibility controls on occupation which would be contrary to the purpose of the affordable housing for rent concept and the guidance set out in the NPPG, or setting rent levels below a 20% discount on local market rental levels which the NPPG considers to be ‘a suitable benchmark’.

It is accepted that whilst the proposal would have limited impact in helping those in greatest need of housing in the city it would provide additional housing provision at affordable private rent and would accord with the national planning policy guidance.

The applicant will be required to enter into a section 106 agreement to ensure the Build to Rent scheme accords with the advice set out in the NPPG which includes; offering tenancies of 3 years or more, management of the scheme, rent levels at a minimum discount of 20% relevant to local market rents including service charge, homes to be provided as a long-term community benefit in perpetuity; and appropriate clawback arrangements should some or all of the dwellings cease to be provided as Affordable Private Rent; with the clawback to be reinvested in further provision of affordable housing in the area.

Since this scheme falls into the category of an affordable rented tenure scheme, in accordance with Policy LP8 of the Peterborough Local Plan all of the units are required to be built to meet minimum National Space Standards (as defined by Building Regulations).

Furthermore, in accordance with Policy LP8 of the Peterborough Local Plan, all dwellings should meet Building Regulations Part M4(2) and on all development proposals of 50 dwellings or more, 5% of homes should meet Building Regulations Part M4(3)(2)(a). In this instance that would equate to 17 dwellings. The policy requirements would be secured as part of the reserved matters application.

The proposal is a 'build to rent' scheme and would provide a 100% affordable private rent tenure in accordance Annex 2 of the NPPF (2021) and NPPG (2018); and will meet access standards and the changing needs of people over time in accordance with policy LP8 of the adopted Peterborough Local Plan (2021).

d) Impact on Heritage Assets

The site lies in close proximity to a number of designated and non-designated assets, most notably are Peterscourt (grade II) and Peterborough Cathedral (grade I); and the Park and City Centre Conservation areas. There are views towards both of these conservation areas and to Listed Buildings within them as well as the Registered Park and Garden surrounding the Cathedral Precinct.

The proposal is assessed against policies LP19 and LP47 of the Local Plan and section 16 of the NPPF. 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. Policy LP47 advises that new development must protect important views of the Cathedral; preserve or enhance the heritage assets of the area, and their setting, in a manner appropriate to their significance.

Para 194 of the NPPF (2021) 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 197 of the NPPF encourages local authorities to sustain and enhance the significance of heritage assets consistent with their conservation and asks that they take into account "the desirability of new development making a positive contribution to local character and distinctiveness.

Para 199 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.*

Significance is defined in Annex 2 of the NPPF as: "*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*".

Para 202 of the NPPF 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.

The City Centre Conservation Area Appraisal (2017) recognises the Cathedral as a major landmark building in the city. The council will seek to protect important views of the Cathedral and its setting.

A Heritage Impact Assessment (HIA) has been submitted in support of the application which has been informed by a Townscape and Visual Impact Appraisal (TVIA) which includes views of key vantage points around the city.

The initial scheme proposed a building with an overall height of 39m. Concern was raised by Historic England regarding the impact of the scheme on the setting of the Cathedral. Currently the largely horizontal silhouette of this internationally renowned building can be viewed against an uninterrupted skyline from south of the City Centre and the riverside. Historic England considered the views included with the HIA and TVIA demonstrate the development would appear plainly in the backdrop of the Cathedral and in wider dynamic views. This would cause a high level of less than substantial harm to the significant of the Cathedral which could be addressed if the overall height of the scheme was reduced by two storeys.

Despite the stepping up the development from 2 storey at Laxton Square rising to 11 and 12 storeys the Cattle Market Road and Northminster wings, the Conservation Officer considered this would not negate the detrimental impact in terms of cathedral views and the setting of the Cathedral from a number of key vantage points. From the north along Northminster, there is a positive view from the front doors of the Solstice. The view taken from Northminster in the HIA is closer to Laxton Square and provides a framed view, albeit limited in relation to the view taken from outside Solstice. The view would be taken from the public realm and placed into the private.

The best views of the Cathedral are from the south and it was clear from the HIA and TVIA that the building would be seen in the background from views of the Cathedral from this direction from the Town Bridge and the Embankment. This would be more pronounced in the winter months when the trees are not in leaf. The Conservation Officer's view was that the building would have a detrimental impact on the setting of the Grade I listed building and would be deemed unacceptable until such a time that the height was reduced to eliminate this impact.

The negative impact on views of the Cathedral were raised by the Peterborough Civic Society who also consider the proposal would impact on the view from Stanley Park and although this view has been compromised by a recent planning approval it remains as a valid consideration in this application process. The view provided in the HIA was taken in summer where trees screen the full impact of the proposed building.

The Peterborough Civic Society questioned the accuracy of the wireframe images shown in the visualisations and considered they underplayed the scale of the proposed development. The applicant has responded that the visual representations prepared to support the TVIA are highly accurate three-dimensional images prepared under a strict methodology of photography, site survey, camera matching, and digital model rendering. This aligns with current industry accepted best practice prescribed by the Landscape Institute (LI) and Institute of Environmental Management & Assessment (IEMA). The methodology ensures the assessment of likely impact resulting from the proposed development is based on a truthful representation of how the proposed development will appear within a selected existing view for an average observer (or receptor).

The view includes all existing fixed baseline features such as buildings, transport/energy infrastructure, landform and vegetation. The views adopt a proportionate approach in accordance

with the guidance and given the salient townscape and heritage sensitivities of the study area are prepared to LI Visualisation Type 4 photomontages/wirelines to support a formal planning application and where the visualisations sit in the public domain. The photomontages presented are therefore based on a full control point land survey and scale verifiable enabling a high level of geographic accuracy and image scaling.

Visually, the highest magnitude and level of effects would arise for visual receptors in the streets immediately around the site, including aligned views along Brook Street and New Road. Effects on the nearest areas of the two Conservation Areas would be of lower magnitude but would result in notable effects given the sensitivity of the views from the Cathedral Precincts; across Stanley recreation ground and along Geneva Street and Fitzwilliam Street.

The applicant was advised to reduce the height of the building and to increase the number of positions for wire frame views across the embankment as this is a dynamic view depending on where you are stood.

The height of the building has been reduced by two storeys, lowering the height from 39m to 33.3m. An addendum TVIA and an updated HIA have been provided to illustrate changes in the visibility of the proposed development and subsequent significance of the 'effect' on visual receptors. In addition 3 of the representative views have been updated; viewpoint 3 - Crawthorne Road, viewpoint 6 – Embankment Walk and viewpoint 7 - London Road. An additional has been provided view point 12 - Frank Perkins Parkway (elevated view).

The addendum advises that the development would continue to have a local, direct, permanent major-moderate adverse significance of effect on the visual receptor from Crawthorne Road across Stanley Park.

The updated HIA shows the 'before and after' visibility and impact of the proposed development from the various agreed vantage points. The Conservation Officer is of the view that the proposal is now at a satisfactory height and will not have an unacceptable impact on the setting of the Grade I listed Peterborough Cathedral or the wider City Centre Conservation Area.

There will remain glimpse views of the upper levels of this development from key vantage points and this will be more pronounced in winter months when there is less tree cover. What is important is that the newly proposed height, despite still being visible in glimpses, allows the Cathedral to be the dominant and principal feature in these views. From a heritage consideration the proposed works are now on balance supported.

In addition, Historic England is now satisfied that the overall height of the development has been reduced sufficiently and there are no objections on heritage grounds.

Following the reduction in the overall height of the proposal the Peterborough Civic Society agrees that the crucial view of the Cathedral from the Embankment and the proposal would hardly be seen from the approach from the Town Bridge. However it is still the Peterborough Civic Society's view that setting of the Cathedral from a north aspect will still be seriously undermined.

It is the view of the Local Planning Authority that in conjunction with the recently permitted development on the Solstice site, the impact from the vantage points from Stanley Rec / Crawthorne Road, the development would have negligible additional impact on what is already a somewhat restricted view by virtue of the recent Solstice permission.

This assessment has found there to be a range of effects which on balance result in a negligible adverse effect to the setting of the Cathedral, this has been downgraded from a minor adverse impact as a result of the changes to the scale. This balance has been undertaken in line with the Palmer v Herefordshire Council & Anor case with most beneficial effects outweighing the adverse effects.

The HIA concludes that there is a moderate beneficial effect on the setting of Peterscourt by the

demolition of the market buildings and the opening up of a new view from Northminster and the provision of a high quality public open space. There is a moderate beneficial effect by improved views of the Cathedral south along Cattle Market Road. A moderate beneficial effect has been identified on the setting of the City Centre Conservation Area from the opening up of the new view from Northminster, enabling a view of two key heritage assets and better revealing the proximity and quality of the city centre. Views from within the development are also opened up, allowing occupiers of the housing and visitors to the cafe to have considerable views towards the Cathedral over and above Peterscourt.

A minor adverse effect has been identified to the setting of the non-designated former Courthouse. However, the effect has been minimised by the lower section of the proposed development fronting Laxton Square.

A negligible adverse effect arises from the impact in the view from the Embankment/public open space north of the River Nene. This impact is minimised somewhat by distance, the design of the building and the narrow width of the tower as well as the reduction in scale through the application process.

Paragraph 202 of the NPPF states that *'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'*.

It is accepted that the development will bring the view of the Cathedral from Northminster forward providing a framed view, however, on balance the reduction in height of the building has reduced the impact on views from the south. Whilst there is an element of harm due to the best views from Northminster moving forward to become a framed view, this is considered to be less than substantial and at the lower end of less than substantial, therefore the wider public benefits of improving the site require to be considered, in accordance with para. 202 of the NPPF.

It is considered that proposal would result in the regeneration and revitalisation of this prime city centre site, providing a high quality, sustainable development which would stimulate further investment into the area. The proposal would considerably improve the character and appearance of the street scene, particularly along Northminster and Cattle Market Road as well as providing enhancement to Laxton Square which would open up views of the Cathedral and Peterscourt from the north. The proposal would also provide much needed housing within the city centre with the associated benefits of night time economy, natural surveillance and so on.

It is considered that the substantial public benefits of this proposal outweigh the identified harm which is less than substantial. The proposal would not have an unacceptably adverse impact on the setting and significance of the Grade I listed Peterborough Cathedral nor on the character and appearance of the Park and City Centre Conservation Areas and therefore accords with policies LP19 and LP47 of the adopted Peterborough Local Plan (2019) and paras. 194, 197, 199 and 202 of the NPPF (2021).

Archaeology

The site is located within a rich archaeological landscape with a moderate to high potential for unknown archaeological remains to be present. Should features or deposits survive in situ, then development of the site would negatively impact those remains, as they would likely be destroyed as a result of groundworks. An Archaeological Desk Based Assessment has been submitted in support of the application which recommends a Geophysical Survey and a programme of targeted trial trenching following the Geophysical Survey.

A programme of archaeological work will be required at the appropriate stage of the project. The PCC Archaeologist has advised that ideally the programme of archaeological work should be carried out pre-determination if feasible, or secured by condition provided the removal of the market buildings and the clearing of the former carpark do not entail deep excavation. The demolition of

the present buildings is subject to a separate application, and until such time as these buildings are cleared a full Geophysical Survey would be of limited value. As a consequence, the PCC Archaeologist advises that a partial Geophysical Survey be carried out pre-determination.

In order to ensure that disturbance to buried archaeological remains is minimised and residual risk managed accordingly, the results of the evaluation phase may lead to a formulation of a strategy to ensure the recording, preservation or management of the resource, the formulation of a strategy to mitigate a threat to the archaeological resource and formulation of a proposal for further archaeological investigation within a programme of national, regional and local research, as defined.

The proposal therefore accords with policy LP19 of the Adopted Peterborough Local Plan (2019) and paras. 194, 195 and 205 of the (2021).

e) Appearance, design, and scale

The appearance, design and scale of development are reserved to a later stage. A Townscape and Visual Assessment (TVIA) supports the application. The TVIA provides an assessment of the effects of the proposed development on the overall townscape character and visual amenity. This has also informed the HIA, as discussed in section d) above. A 1km study area has been used reflecting the likely extent of notable effects taking account of visibility and the urban context. Eleven viewpoints have been considered from a range of distances and directions. The TVIA concludes that overall the significance of effect on townscape of the proposed development is considered to be low and not significant. Overall, the effect on visual receptors is highest closer to the site with effects reducing with distance.

Illustrative plans and documents submitted indicate a building of quality design and of a form which steps up in scale from lower 2 storey height buildings to the south adjacent to Laxton Square and former Fifth Avenue building rising up in height to the north where it would be closer to taller buildings including Bayard Place (26m), and the former Cinema (17-20m) and the Solstice (24m). The height of the proposal has been reduced from the initial scheme by 2 storeys which has resulted in improvements, particularly in terms of visual impact.

The building would be designed as two separate wings which break up the massing and provide more visual interest to the street scene. The massing of the building would be reduced by a series of green roof terraces on the varying levels of the building providing external space and views of the Cathedral for the occupants. It is also proposed to use brick as the external cladding material varying in colour from the lower level to the upper level thus giving relief to the elevations. The fenestration of vertical proportions would also take reference from Peterscourt, the Cathedral and the Passport Office.

The development would be undeniable large and indeed higher than its neighbours, however, given the city centre location, it is considered the development would respect the surrounding character and context.

The building would provide active frontages to both Northminster and Cattle Market Road, the latter currently having poor surveillance and a 'back of house' appearance; balconies would animate the facades of the building and the proposed commercial units to the south of the site would overlook Laxton Square which would animate this space.

Objectors, including the Civic society consider the proposal would be a high density development and an overdevelopment of the site and refer to the number of residential units within the area; many being the result of converted office space. It is however, considered that until recently the city centre had relatively few houses and flats. The city centre is a sustainable location and appropriate for housing development. It would also go some way to contribute to the housing needs for the city.

The Urban Design Officer has assessed the proposal and considers that the amended scheme has reduced the possibility for any negative visual impact improving the application and ultimately the

development. The scheme is considered to be of high quality design, the principle of taller buildings in the city centre are supported as they help locate people centrally and therefore animate the heart of the urban area, they also assist in identifying and navigating to the centre of the city.

The NPPF advises of the importance of good design being key to sustainable development, creating better places to live and work (para. 126). The scheme represents a comprehensive regeneration of this prime city centre site, however Officers acknowledge that given the height and prominence of the building it is important that the scheme evolves to create a high quality design and layout which will be considered at reserved matters stage.

It is considered that the proposal would contribute positively to the character and local distinctiveness of the area, improving the townscape and public realm and create a sense of place, in accordance with policies LP16 and LP47 of the adopted Peterborough Local Plan and paras. 126 and 130 of the NPPF.

f) Highway Implications

Transport Assessment

A Transport Assessment supports the application. Given the former use of part of the site as a multi storey car park the number of vehicle trips likely to be associated with the proposed development would be substantively below the historic levels. Thus in transport terms there would be a significant positive transport impact in the longer-term as a result of the proposed development. The site is also well-positioned in terms of proximity to public transport services, as well as access to good pedestrian and cycle infrastructure.

Access

Vehicular access to a new surface level car park (comprising 50 car parking spaces) would be via the retained vehicular access at the north-east corner of the site from Northminster. Geometry improvements are to be made to this access in order to achieve 2.4 x 43m visibility splays and to improve tracking. At the time of writing this report, officers are awaiting an amended plan to be submitted. These details would be then secured by condition and implemented prior to the occupation of the development. The details would be provided within the update report to Members.

Off-site Highway works

Off-site works are proposed to the existing arrangement in the vicinity of the proposed access. A new footway would be constructed using width from the existing carriageway to create a new kerb line. This will result in a narrower carriageway and amendments to the pedestrian crossing. The carriageway width must be compliant with LTN 1/20 to provide adequate provision for cyclists. A loading bay would be provided along Northminster. At the time of writing this report, officers are awaiting an amended plan to be submitted. The details would be provided within the update report to Members.

Refuse collection

The main bin store north of Brook Street will be serviced via a loading bay along Northminster which is acceptable subject to a TRO restricting parking of other vehicles. It is unclear how the bin stores located between New Road and Brook Street will be serviced. The LHA and Waste Management Team raise concern regarding refuse collection vehicles having to pull up on the highway and the length of time it would take to empty bins. It has also not been demonstrated that a refuse vehicle would be able to manoeuvre at the end of Cattle Market Road with vehicles parked on the western side. The details of a bin storage and waste management plan would be agreed as part of the reserved matters scheme and secured by condition.

The LHA has advised that various Traffic Regulation Order (TRO) amendments would be required and must be carried out prior to first occupation of the development. The works include restricting parking in the proposed loading bay along Northminster, relocating double yellow lines along Northminster and changes to the existing parking and changes to the parking along Cattle Market Road to achieve refuse collection. The TRO procedure is separate to the planning process, however an informative shall be appended to the decision notice for the avoidance of any doubt.

A condition would be appended to the decision to ensure that the loading bay and servicing arrangements are provided prior to the development being brought into use to ensure that the development can be adequately serviced.

Objections have been made regarding the public footpath link along Market Way which links the end of Brook Street to Broadway, which it is stated has been in existence since the 1880's. It is accepted that this route would be lost as part of the development however, pedestrian and cycle routes would be provided through the site at the northern and southern sections of the site with walking / cycling links between Cattle Market Road and Northminster. It is not considered that the loss of the existing footway would make the proposal unacceptable.

Car Parking

The proposed scheme would provide 50 car parking spaces located to the north of the site. The LHA has advised that this would be contrary to the parking standards under policy LP13 of the Local Plan which advises that new car parking provision will only be supported in very exceptional circumstances. It is considered that given the scale of the development and the loss of the former multi storey car park the proposed car parking provision is modest and is acceptable in this case. A condition would be appended to the decision requiring the applicant to provide a Parking Management Plan to demonstrate who will use and access the car park, and how the parking bays will be allocated.

It is noted that a number of objections have been made to the loss of 100 car parking spaces currently on site and the need for car parking at the site to support the local and local and night-time economy. A particular concern was raised regarding the New Theatre located on Broadway. The LHA has advised that the applicant provides evidence to demonstrate the loss of public car parking will not result in an unacceptable loss of City Centre parking. The applicant has reviewed the accessibility of the area. It is generally accepted that the average walking distance is 1km and that has been the case since the mid-1970s. Further, "acceptable" and "desirable" maximum walking distances in a town centre location are identified as 400m (4–5 minutes) and 800m (8–10 minutes) respectively by the IHT. Given these identified maximum walking distance, isochrones have been prepared to examine the car parking provided in Peterborough city centre within those limits. There are five car parks located within a 4–5 minute walk, with a further six within an 8–10 minute walk.

This considers the Queensgate car parks as a single car parking location. Although the Queensgate car parks currently close at 21:00hrs, on opening of the new cinema which is currently under construction, it is understood that the car parks' opening times will be adjusted. The Transport Statement which accompanied Queensgate's planning application (Ref: 15/01013/FUL) for the provision of a 1,542-seat cinema and restaurants identified that the associated traffic would use the existing shopping centre car parks, with a daily profile presented to 23:00hrs.

In addition to these formal car parks, on-street car parking is provided at many locations nearby. By not including the on-street provision, this review effectively considers a worst case with no nearby on-street parking being available. The area centred on New Theatre would not be impacted by the permanent removal of public car parking on the site, and there is adequate public car parking available in the city centre with the proposed development in place.

There are allocations within the Local Plan to redevelop a number of existing public car parks which will require a re-provision of car parking spaces on alternative sites. The demolition of the multi storey car parking removed the provision of approximately 700 car parking spaces within the city centre,

however, over time a number of changes have taken place within the area. A significant number of office development has been converted to residential, including the neighbouring Bayard Place which has reduced the demand for public car parking provision.

Whilst consideration will need to be given to alternative car parking as the allocated sites come forward currently there are a number of public car parks available within reasonable distance to the city centre including Brook Street, Wellington Street, Bishops Road.

Cycle Parking

Cycle parking will be provided in accordance with Local Plan minimum standards, including long stay spaces for residents and staff, and short stay cycle parking for visitors and customers. The cycle parking requirements for city centre sites in the Local Plan are considered on a case by case basis. The applicant proposes that cycle parking provision for residents will be a phased roll out, if necessary; and approximately 30% of the required long stay cycle parking provision will be provided from the outset with a monitor and manage approach tied to the submitted Travel Plan. This approach has been agreed in principle with the PCC Travel Choice Team. In the event that demand approaches within five percent of total available capacity, further phased provision of cycle parking will be delivered. The landscaping strategy for the site demonstrates that the future provision of this phased cycle parking has been taken into account in the proposals for the wider site.

Framework Travel Plan

A Framework Travel Plan has been submitted in support of the application which details the specific travel plan measures which could be implemented to maximise the opportunities for non-car modes of travel to / from the site (walking, cycling and public transport) and support the low car scheme. This is acceptable to the Travel Choice Team and a Full Travel Plan would be secured by condition.

It would be expected that 20% of the car parking to have provision for electric vehicle which would be 10 bays. Further details will be agreed under the reserved matters application.

It is also expected that Travel Packs would be provided to the first occupants of the development which will include either a free monthly Mega rider pass or a £50 cycle voucher to be secured as part of the S106 agreement.

The proposals offer and encourage access by a wide choice of transport modes, occupy a highly sustainable location, and would provide a suitable quantum of parking.

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 110 and 111 of the NPPF (2021).

g) Landscape Proposals

The application site includes an area of public open space, known as Laxton Square. This is a levelled paved area with trees and raised grassed areas containing flowerbeds and trees. The area provides seating and amenity for pedestrian visitors. An Arboricultural Assessment supports the application. The site contains 11 low quality trees which will not be retained as part of the development. The Tree Officer has considered the assessment and raises no objection subject to a full and detailed landscaping scheme being submitted as part of the reserved matters scheme.

The Senior Landscape Officer has however considered that there are 4-6 trees currently on site which could be retained and would work with the proposals. Further consideration will be given to these trees at reserved matters stage.

Landscaping is a matter to be reserved to a later stage however, Illustrative plans indicate a significant enhancement to this area. The scheme proposes soft landscaping including semi mature trees, deciduous planting and mixture of herbaceous perennials and so on; and will include a network of rain gardens and seating areas. The plans also propose a vertical steel framework which is to evoke the history of the site as a marketplace and provides visual interest and structure. A memorial plaque which is located on one of the raised areas is to be relocated as part of the proposal.

The applicant would be responsible for the on-going maintenance of Laxton Square and all public areas of the development. A maintenance programme would accompany a reserved matters application. The details of on-site POS and the maintenance and management would be secured under a S106 agreement.

Subject to landscaping details being submitted the proposal would enhance the amenity of the area in accordance with policies LP16 and LP29 of the Peterborough Local Plan (2019).

h) Public Open Space

The proposal includes the provision of an external residential courtyard, and an enhancement and an increase to the Public Open Space at Laxton Square, however this would not provide sufficient open space to serve the amount of development proposed and would place additional demands upon existing open space. Policy LP21 of the Local Plan requires that an off-site financial contribution be made. The nearest POS to the site is Stanley Recreation Ground and the Burton Street allotments.

The Council's Open Space Officer has advised that Stanley Recreation Ground requires significant investment to its infrastructure, and in line with Policy LP21 has sought an off-site public open space contribution of £121,005.42 (Neighbourhood Parks), £60,209.67 (Children's Play), - £29,570.89 (Natural Green space) for Stanley Park and - £13,092.46 (allotments) Burton Street.

The above off-site contributions are considered to be reasonable due to the quantum of development proposed and would accord with policy LP21 of the adopted Peterborough Local Plan.

i) Ecology

An Ecology Survey Report has been submitted in support of the application. An Extended Phase 1 Habitat Survey was undertaken in September 2020. The site is not located within a statutory, proposed statutory or non-statutory designated nature conservation site. The main habitats within the proposed working area comprise hard standing (associated with a carpark that has been demolished and an existing outdoor market area), areas of amenity grassland and landscape planted trees. No evidence of the presence of legally protected species or invasive species was noted during the survey. However, evidence of feral pigeons using the roof and ledge spaces associated with the outdoor market was noted. Consequently, the key ecological consideration for the proposed development is nesting birds. As such, mitigation measures in respect to these species will be required and considered when programming the proposed works, especially the demolition of the existing building. It is considered unlikely that there will be significant effects on legally protected habitats or species.

Opportunities for the proposed development to incorporate biodiversity enhancement and/or net gain opportunities for ecological receptors will be further considered. Such opportunities at this time, include the inclusion of berry/nectar bearing species within the proposed landscape mitigation planting scheme for which birds may use for feeding and/or foraging as well as the installation of bird boxes within the proposed building design and/or on trees proposed as part of the landscape mitigation planting scheme. In addition, the proposed development includes the construction of a green and blue roof, both of which once established will provide feeding, foraging and/or nesting opportunities for birds and invertebrates.

The Ecology Survey identifies that there are opportunities for the proposed development to incorporate biodiversity enhancement and/or deliver a net gain in this regard.

The Wildlife Officer considers that the site has minimal impact on habitats of significant biodiversity interest. All trees and buildings being lost on site are urban in nature and do not have significant connections to the wider environment and the Ecology Survey Report which provides an accurate picture of the development. The green roofs being constructed will hopefully create significant interest for birds and insects within the urban environment.

The Officer recommends a bird nesting informative and details of at least 15 bird boxes be incorporated in the scheme and that where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance. These details would be secured by condition.

Designated Sites: The proposed development has the potential for adverse affects on designated nature conservation sites and designated landscapes, namely Nene Washes SSSI, Nene Washes SAC, Nene Washes SPA and Nene Washes Ramsar due to recreational pressure associated with new housing development. 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 is located within close proximity to a large recreation/park area and offsite contributions for enhancement of this area are being sought, thus reducing recreational pressures on the designated area.

Based on the Ecology Survey findings and subject to implementing its recommendations, the proposals will be in accordance with NPPF paragraph 174, which seeks to minimise the impacts of development on biodiversity and look to provide net gains. By incorporating features within the proposed building and/or landscaping design to enhance biodiversity value, the scheme would also align with Local Plan Policy LP28.

j) Flood Risk and Drainage

A Flood Risk Assessment (FRA) and Drainage Strategy supports the application. The site lies in Flood Zone 1 so is at very low risk of flooding. Surface water and ground water flooding at the site has been identified in the FRA and Drainage Strategy, but this confirms these can be adequately mitigated by measures.

The FRA and Drainage Strategy confirms that surface water will be discharged to a public surface water sewer and attenuated to meet the required discharge rate (+ 40% allowance for the predicted impacts of climate change), which would likely be achieved through permeable paving within the car park and hard landscaped areas, rain gardens within the soft landscaped areas; and geo-cellular attenuation below car park and other hard landscaping if required.

The Drainage Team has assessed the proposal and raises no objections subject securing details of the design, implementation, maintenance and management of the sustainable drainage scheme to be secured by condition.

Anglian Water has confirmed that the FRA and Drainage Strategy is acceptable and the to the public surface water network at the overall agreed rate of 4l/s. The document should be listed as approved plans/documents if permission is granted.

A condition would be appended to the decision to ensure water efficiency; that each residential unit achieves water usage of no more than 110 litres per person per day in accordance with policy LP32 of the adopted Peterborough Local Plan (2021)

It is considered that the proposed development can be adequately drained and the proposed development would not be at risk of flooding nor would the proposal result in flooding outside the

site. The proposal therefore accords with Local Plan Policy LP32 and paras 167 and 169 of the NPPF (2021).

k) Noise Implications

A noise report supports the application. The noise report concludes that enhanced glazing and appropriate ventilation is required at some noise sensitive facades to achieve the desired internal noise levels. The internal layout of the development is not known at this stage, however all rooms have been designed to achieve the most stringent night time internal noise criteria. However the noise report has not sufficiently considered noise from music from hospitality venues. The glazing specifications provided are not specific to music noise from pubs and clubs. The northern and eastern facades would be most affected. Guidance states that where entertainment takes place on a regular basis music and associated sources should not be audible inside noise-sensitive property at any time, but particularly after 23.00hrs.

Where development is proposed in the vicinity of existing businesses, community facilities or other activities, the NPPF section 187 clearly places the onus on the new developer (or 'agent of change') to ensure that suitable mitigation measures are put in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme. Therefore to ensure that the proposed glazing and ventilation schemes are effective in mitigating noise from the night time economy and traffic the applicant will need to complete further modelling using music venue frequency spectrum data to determine a scheme that will ensure internal noise levels noise levels from music meet the criteria detailed above.

Where insulation requirements preclude opening windows for rapid ventilation and cooling, a mechanical ventilation system installed, alternatively, a 'whole house' ventilation system could be used. The impacts of overheating will also require consideration and mitigation. A revised glazing and ventilation scheme is required to be developed in accordance with monitoring and modelling data to meet noise level 30dB LAeq(5mins).

The Noise Pollution Team has advised that these details can be secured by condition as a reserved matter.

The report advises that two transformers would be included as part of the development and it is likely that new plant associated with the commercial elements shall be required. To ensure adequate protection for all residential units across the development a rating level of 5dB below the night time background level of 45dB LA90(t), and for daytime 5dB below the evening level of 50dB LA90(t) are appropriate. A compliance condition is recommended.

As part of the reserved matters application consideration will be given to the internal arrangements of the units to ensure, amongst other things, adjacent rooms are compatible in terms of noise sensitivity and noise production to avoid complaints.

A condition would be appended to the decision to ensure a full assessment of noise is provided with adequate noise mitigation in accordance with policy LP17 of the adopted Peterborough Local Plan and paras 174 and 187 of the NPPF (2021).

l) Residential Amenity

As this is an outline application, the detailed internal layout of properties is reserved for future consideration. However, the indicative layout would achieve adequate separation distances between the proposed properties, as well as with consented residential development nearby, bearing in mind the city centre context, which is suited to a higher-density. It is not considered that the development would result in an unacceptable overbearing impact or result in unacceptable overlooking or loss of privacy for the future occupants.

Concerns have been raised from a nearby occupier of Touthill Close regarding the loss of light which would result from the proposal. Due to the orientation of the building it is not considered that the proposal would result in an adverse impact in this regard.

The applicant has stated that all properties will exceed the Nationally Described Space Standards (NDSS) in accordance with policy LP8 of the Adopted Peterborough Local Plan; these details would be secured as part of the reserved matters scheme.

Turning to amenity space, a private attractive south facing resident communal courtyard would be provided as part of the proposal. Some of the units would include balconies for individual upper floor apartments and small 'garden' spaces to the ground floor units. Shared terraces are also proposed for residential amenity at the south end of residential floors which are occupied by single storey apartments, which will also provide views towards the Cathedral and Peterscourt.

In addition, off site financial contributions towards the enhancement of open space provision at Stanley Park and allotments at Burton Street would be secured by a S106 agreement.

A number of external bin stores are proposed around the site. These are to be screened with planting. The illustrative plans have not demonstrated that sufficient bins have been provided or how accessible they will be. The Waste Management Team have suggested underground bin storage should be considered or a pneumatic waste collection system like 'Envac'. Not only will this be more efficient for collecting waste, but whoever goes on to manage the building is less likely to deal with issues such as side waste, contaminated bins, block bins stores, misuse, and ultimately complaints. The details of waste management are not being determined under this outline application and a waste management condition would be appended to the decision.

Secure cycle parking would also be provided; the details would be considered as part of the reserved matters scheme.

The proposal would provide satisfactory amenity for future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2021).

m) Secured by Design

The Crime Prevention Team considers the area to be of low risk to the vulnerability to crime at present, however the proposed development and the addition of residential development at Bayard Place and The Solstice will increase the population and footfall of the location and with that the possibility of higher crime levels. No information has been submitted regarding security and crime prevention.

Details of lighting and measures to address vulnerability to crime/crime prevention would be considered at reserved matter stage in accordance with policy LP16 of the adopted Peterborough Local Plan.

n) Securing the planning obligations

The following planning obligations need to be secured in respect of the development: the requirements of the Build to Rent scheme – 100% affordable housing, as discussed in section c) above, on-site Public Open Space (1300 sqm), off-site open space contributions totalling £223,878.44 and obligations relating to Household Travel Packs.

The usual method of securing planning obligations is through a section 106 agreement (made between the Council and all those with a legal interest in the site) prior to the permission being issued. However, as the Council is currently the landowner for this site, a section 106 agreement cannot be entered into at this stage as the Council cannot enter into a section 106 agreement with itself or enforce the terms of any such agreement against itself. The applicant is unable to enter into the section 106 agreement at this stage as it does not have an interest in the site.

In these circumstances, and in order to secure the planning obligations, it is proposed that prior to issuing the permission a legal agreement would be entered into by the Council and the applicant pursuant to legal powers under Section 111 of the Local Government Act 1972 (subsidiary powers of local authorities) and Section 1 of the Localism Act 2011 (local authority's general power of competence) as well as any other enabling powers. The legal agreement would secure the planning obligations agreed by the applicant and the Local Planning Authority. The permission shall not be issued until such an agreement has been entered into on terms that are satisfactory to the Local Planning Authority.

At the time of writing this report the Heads of Terms have not been agreed between the applicant and the Local Planning Authority. This will be provided within an update report to Members.

The legal agreement would contain a clause preventing the implementation of the development, other than demolition, by the applicant or any other person, until the applicant (or another third party) has taken an interest in the site and a section 106 agreement has been entered into on the same terms as the legal agreement between any future landowner and the Council. For the avoidance of doubt a condition would be appended to the decision notice to this effect.

o) Other matters

Air Quality

An Air quality report supports the application and assesses the potential impact of the development on local air quality during its construction and operation and the suitability of the site for the proposed uses. The proposed traffic generation and parking spaces compared with the former multi storey car park would be significantly lower. The proposed development is considered to be suitable with regard to air quality and odours. The construction of the development has the potential to cause dust and particulate matter impacts.

The report is acceptable to the Pollution Team. Due to the proximity of the residential occupiers of Bayard Place it will be necessary to control dust resulting from the development it is recommended a condition is appended to the decision requiring a scheme to control dust associated with the demolition and construction phase of the development. This could be part of a Construction Management Plan.

Energy Efficiency

Policy LP31 has been addressed by applying the three principal steps: reducing demand, resource efficiency and finally energy production from renewable energy. The information submitted with the application identifies a range of methods to reduce energy demands and reduction in carbon emissions. This includes solar panels on the roof top, and air source heat pumps to the commercial units. Electric Vehicle charging points are also proposed within the car park. These are matters would be fully considered at reserved matters stage.

Contamination

Intrusive ground investigation is required. The details along with any necessary remediation would be secured by condition. Subject to this condition the development would make provision to protect the amenity of future occupiers, in accordance with Policies LP17 and LP33 of the Peterborough Local Plan (2019), and Paragraphs 183 of the NPPF (2021).

Statement of Community Involvement

This Statement of Community Involvement (SCI) has been submitted with the application providing details of the public consultation undertaken prior to submission of the application.

The applicant consulted with statutory consultees, elected members, other stakeholders and the local community. The consultation was conducted mainly online, with a handful of face-to-face meetings held with key stakeholders due to the Coronavirus pandemic.

On 3rd June 2021, a four-page newsletter was sent to 1,500 residents and businesses which included details about the public webinars, the project website, contact details and a feedback survey. The day before the launch of the consultation market traders were informed of the closure/relocation. A total of 422 online surveys were submitted and 16 substantive emails/voicemails about the proposal were received by 20 June 2021.

A significant number of comments referred to concerns related to the relocation of the market; there were also concerns raised regarding the availability of city centre parking, the size of the development and the need for more housing in the city centre. There was support for the regeneration of the Northminster area, the boost to the local economy and community ensuring the neighbourhood is sustainable for year to come. More public seating is required in Laxton Square, followed by more green space than community gardens.

Following consultation and the feedback received, the proposed scheme was reduced from 353 to 335 units, reducing the height of the building by two storeys on the East wing.

p) Comments not covered in the above report

- Lack of public toilets due to demolition of the multi-storey car park. It is suggested that the proposal should be amended to include public toilets, given that some of the units will be for commercial use. *Officer Response: There is no obligation on the applicant to re-provide public toilets. The commercial units will have their own facilities.*
- Is the old Central Park building an integral part of this development? If not, it should be. *Officer Response: It is unclear what this building is however, it is not part of the application site.*
- The closed end of Cattle Market Road should be part of the development for a revamp and inclusion in the design so it all flows. *Officer Response: This area is not part of the application site.*
- Too many flats in the city centre. *Officer Response:- Policy LP3, LP6 and LP47 of the Peterborough Local Plan (2019) seeks to promote 'substantial new residential development' within the City Centre. Furthermore, the site is allocated for redevelopment, including residential units, and therefore the principle of residential accommodation on the site is acceptable.*
- Site notice dated 30th July but not on show until 4th August. *Officer response: The initial site notice was dated 9th August and posted on 8th August. A further site notice was posted on 3rd October.*

6 Conclusions

Subject to the imposition of the attached conditions, and the securing of the planning obligations through a legal agreement, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The site lies within the Northminster Development Area, within the City Centre Core and the proposal would deliver a high quality development, which would enhance the vitality and viability of the city centre and stimulate further investment in the city centre; while at the same time would boost the supply of housing in what is a highly sustainable location. The proposal therefore accords with policies LP3, LP6 and LP47 of the Adopted Peterborough Local Plan (2019) and paras. 86 and 119 of the NPPF (2021);
- The proposal is a 'build to rent' scheme and would provide a 100% affordable private rent tenure in accordance with Annex 2 of the NPPF (2021) and NPPG (2018); and will meet access standards and the changing needs of people over time in accordance with policy LP8 of the adopted Peterborough Local Plan (2021);

- The substantial public benefits of this proposal would outweigh the identified harm due to the best views from Northminster moving forward to become a framed view, which is less than substantial. The proposal would not have an unacceptably adverse impact on the setting and significance of the Grade I listed Peterborough Cathedral, the Grade II Peterscourt or on the character and appearance of the Park and City Centre Conservation Areas and therefore accords with policies LP19 and LP47 of the adopted Peterborough Local Plan (2019) and paras. 194, 197, 199 and 202 of the NPPF (2021);
- An programme of archaeological works would be secured to ensure that disturbance to buried archaeological remains is minimised and managed in accordance with policy LP19 of the adopted Peterborough Local Plan (2019) and paras. 194, 195 and 205 of the (2021);
- Illustrative plans indicate a building of high quality design which would respect the surrounding context and has the potential to 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 126 and 130 of the NPPF;
- 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 110 and 111 of the NPPF (2021);
- Illustrative plans indicate an enhancement to the public realm and Laxton Square to the benefit of the visual amenity of the area, along with biodiversity enhancement in accordance with policies LP16, LP28 and LP29 of the adopted Peterborough Local Plan;
- Obligations would be secured for the enhancement of off-site Public Open Space in accordance with policy LP21 of the Adopted Peterborough Local Plan (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 para 169 of the NPPF (2021);
- Subject to appropriate noise mitigation the proposal would provide a satisfactory level of amenity for future occupants of the development in accordance with policy LP17 of the Adopted Peterborough Local Plan;
- Illustrative plans indicate that the development can be implemented without any unacceptable adverse impact upon neighbouring amenity in accordance with policy LP17 of the adopted Peterborough Local Plan (2021);
- Subject to conditions any contamination within the site will be identified and satisfactory remediation would be secured in accordance policy LP33 of the adopted Peterborough Local Plan (2019) and para. 183 of the NPPF (2021).

7 Recommendation

The Executive Director of Place and Economy recommends Outline Planning Permission (Regulation 4) is GRANTED subject to:-

- (1) The decision by the Secretary of State for the Ministry of Housing, Communities and Local Government not to call in the application for determination;
- (2) The completion of an agreement under section 111 of the Local Government Act 1972/section 1 of the Localism Act 2011 (and other enabling powers) that complies with Heads of Terms to be agreed by the applicant and the Local Planning Authority. The agreement will contain a clause preventing the implementation of the development, other than demolition, until a S106 agreement has been entered into on the same terms between the future landowner and the Council.

The agreement shall be completed within 3 months following the decision made by the Secretary of State not to call the application in, unless otherwise agreed in writing by Officers; and

- (3) Relevant conditions and authority being delegated to Officers to make any necessary or appropriate adjustments to these conditions including the imposition of new conditions.

And the following conditions:

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

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

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

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

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

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

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

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

- C 5 Planning permission is hereby granted for a mixed-use development. The exact quantum for each particular use will be determined through the reserved matters submissions, however the following parameters apply:

- Residential (Class C3) up to a maximum of 315 units;
- Commercial (Class E(a), (b), (c), (e) and (g i)) and / or a drinking establishment (Sui Generis) up to a maximum of 700 sqm;
- A minimum of 1,300 sqm Public Open Space (Laxton Square);
- Single storey Food and beverage pavilion (Class E(a) / (b) within the public open space up to a maximum of 100 sqm; and
- Parking up to a maximum of 50 spaces

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

- C 6 The reserved matters applications to be submitted shall be in accordance with the following approved plans:-

- Site Location Plan drg. no. PNM-NOR-XX - ZZ-DR-A-90000 rev P02
- Proposed Vertical Limitation plan drg. no.PNM-NOR-XX- ZZ-DR-A-90011 Rev P06
- Proposed land use parameter plan drg. no. PNM-NOR-XX ZZ-DR-A-90010 Rev P03

The plans shall not be exceeded by any reserved matters submission.

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

C 7 The details to be submitted as part of the reserved matters scheme under condition 1 above shall demonstrate the following:

- all of the dwellings to meet minimum National Space Standards (as defined by Building Regulations);
- all of the dwellings should meet Building Regulations Part M4(2); and
- 5% of the dwellings shall meet Building Regulations Part M4(3)(2)(a).

Reason: In order to ensure that the development accords with policy LP8 of the Adopted Peterborough Local Plan (2019).

C 8 Notwithstanding the landscaping details to be submitted under condition 1, no development shall take place above slab level until the following details have been submitted to and approved in writing by the local planning authority:

Soft landscaping:

- Planting plans at a minimum scale of 1:200 with schedules of plants noting species, supply sizes and proposed densities;
- Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance;
- Tree pit details drawing showing the adequate soil volume, means of support, irrigation and maintenance to ensure establishment to maturity; to include dimensions of engineered tree pit/s, installation, means of protection, including all works and any products to be used such as 'RootSpace', root directors, deflectors, barriers supported by engineers and manufactures recommendations/design guides;
- The planting plans shall include existing and proposed finished levels and contours; visibility splays; retained and proposed street lights; proposed and existing functional services above and below ground;
- Design and landscaping for the private amenity area and Laxton Square Public Open Space;
- Maintenance schedule; and
- Landscape Management Plan

Hard landscaping:

- Hard surface materials;
- A public realm strategy to include the proposed street furniture, lighting, signage, CCTV, seating, bins, bollards, signage;
- Secure cycle storage;
- External bin stores, including materials and details of their appearance;
- Food and drink pavilion/kiosk, including materials and details of its appearance; and
- Relocation of the Laxton square memorial plaque.

All hard and soft landscape works shall be carried out in accordance with the approved details and prior to the first occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a programme agreed in writing with the Local Planning Authority.

If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

Thereafter the hard and soft landscape works shall be maintained and retained in situ.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019).

- C 9 Prior to the commencement of development, other than demolition and site preparation, details of the proposed finished floor levels of all buildings, ground retaining measures, embankment gradients and the finished ground levels in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved levels.

Reason: To ensure that development proposals respond appropriately to the site and is carried out at suitable levels.

- C10 No installation of any boundary treatments shall take place until details of such have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment, and including a schedule specifying the type, height, composition, elevation appearance of boundary treatment throughout the site including balcony panels.

The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling to which the boundary treatment relates, and shall thereafter be retained in that form.

Reason: In the interests of amenity and in accordance with policies LP16 and LP17 of the adopted Peterborough Local Plan (2019).

- C11 No development shall take place above slab level until full details of green roof construction and specification have been submitted to and approved in writing by the local planning authority. To include specialist design engineering construction details, planting plans and specialist planting specification. Planting plans shall be at a minimum scale of 1:200 with schedules of plants noting species and supply sizes and proposed densities. All green roof works shall be carried out in accordance with the approved details and prior to the first occupation of the building(s) or the completion of the development whichever is the sooner.

If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. Thereafter the green roof works shall be maintained and retained in situ.

Reason: To secure residential amenity and biodiversity benefits and to minimise the effect of development on the area in accordance with policies LP16, LP17 and LP28 of the Adopted Peterborough Local Plan (2019).

C12 No development shall take place/commence other than the demolition of existing structures, until the following programme of archaeological work has been undertaken:

- A Ground Penetrating Radar (GPR) survey has been carried out of the proposed development area and this has been submitted to the Local Planning Authority Archaeologist;
- A programme of targeted trial trenching to test the results of the geophysical survey and gain further information about the archaeological significance of the proposed development area. This programme should be agreed, in writing, with the Local Planning Authority Archaeologist before it is undertaken and following the carrying out of the GPR survey; and
- A programme for any post investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material has been agreed, in writing, with the Local Planning Authority Archaeologist.

Reason: Archaeological evidence may exist on this site which requires further investigation; and 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.

C13 The development hereby permitted shall not be begun, other than demolition of existing structures and site preparation, until details of the design, implementation, maintenance and management of the sustainable drainage scheme, in accordance with the NPPF Flood Risk & Drainage Strategy dated 15/07/2021 (PC1626-RHD-ZZ-XX-RP-Z-007) have been submitted to and approved in writing by the local planning authority. Those details shall include, but are not limited to:

- a. Information about the design storm period and intensity, discharge rates and attenuation volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b. A full and up to date drainage strategy plan;
- c. Results of the ground investigation and infiltration testing;
- d. Confirmation of the final outfall location;
- e. Confirmation of source control and how run-off is collected from all hardstanding;
- f. Overland flood flow, conveyance and exceedance routes, both on and off site, which includes details of any interception drainage required and the extent of any flooded volumes proposed to be contained within the site;
- g. Hydraulic calculations;
- h. Construction/technical details of all drainage assets;
- i. Management and maintenance schedules for the lifetime of the development and details of the parties responsible for said maintenance; and
- j. Demonstration that it meets the government's national standards

The approved scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with policy LP32 of the Adopted Peterborough Local Plan (2019).

- C14 Notwithstanding the submitted information no development above ground works shall take place until provision has been made for fire hydrants in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Prior to the first occupation of any dwelling/building to be served by the scheme written confirmation shall be submitted to and approved in writing by the Local Planning Authority that the scheme has been implemented in full and is certified as being ready for use.

Reason: In the interest of community safety and to ensure that adequate supplies are available for fire fighting, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C15 Notwithstanding the submitted Noise Impact Assessment dated 17th September 2021, the submission of the reserved matters shall be accompanied by an updated Noise Impact Assessment to ensure that noise from music venues is considered further and modelled to ensure suitable internal noise levels are achieved within dwellings. As part of the updated Noise Impact Assessment, a revised glazing and ventilation scheme is required to be developed in accordance with monitoring and modelling data.

NOTE: Where premises are affected by noise from night time economy the scheme shall ensure internal noise levels of 30dB LAeq (5mins) or lower.

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

Reason: In the interest of protecting the amenity of future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and the National Planning Policy Framework.

- C16 The rating level of noise emitted from the transformers shall not exceed 45 dB LAeq, 1 hour between 07:00hrs and 23:00hrs and 40 dB LAeq, 15 minutes at any other time. The noise levels should be determined at the nearest noise sensitive premises. The measurements and assessment should be made according to BS:4142:2014.

Reason: In the interest of protecting the amenity of existing and future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and the National Planning Policy Framework.

- C17 The emergency standby generator shall only be used for standby purposes and shall not be used on a permanent basis. The testing of the generator shall be completed between 09.00hrs and 18.00hrs Monday to Friday and not at any other time, and will amount to a total time of no more than two hours each month.

Reason: In the interest of protecting the amenity of existing and future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and the National Planning Policy Framework (2021).

- C18 Where the commercial units include mechanical plant, no mechanical ventilation and extraction equipment shall be installed on the building until a scheme of odour suppression and noise levels, has been submitted to and approved in writing by the Local Planning Authority. The rating level of noise emitted from the the mechanical plant shall not exceed

45 dB LAeq, 1 hour between 07:00hrs and 23:00hrs and 40 dB LAeq, 15 minutes at any other time. The noise levels should be determined at the nearest noise sensitive premises. The measurements and assessment should be made according to BS:4142:2014.

Thereafter the development shall be implemented in accordance with the approved details, including any necessary mitigation, prior to the occupation and operation of any unit to which it relates, and shall thereafter be retained and maintained as such in perpetuity.

Reason: In the interest of protecting the amenity of existing and future occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019) and the National Planning Policy Framework (2019).

- C19 The development hereby permitted shall not be occupied until at least 15 bird boxes have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: to secure the long-term protection of the nesting bird potential and in accordance with policy LP28 of the adopted Peterborough Local Plan (2019).

- C20 The development hereby permitted shall be constructed to ensure that each residential unit achieves water usage of no more than 110 litres per person per day.

Reason: In order to reduce the impact of the development upon the water environment, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

- C21 No development shall take place, other than demolition of existing structures and site preparation, until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the National Planning Policy Framework, and Policies LP32 and LP33 of the Peterborough Local Plan (2019).

- C22 No development shall take place, other than demolition of existing structures and site preparation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, and Policies LP32 and LP33 of the Peterborough Local Plan (2019).

- C23 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the National Planning Policy Framework, and Policies LP32 and LP33 of the Peterborough Local Plan (2019).

- C24 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 30 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contaminate on development must be halted on that part of the site. An assessment must then be undertaken in accordance with the requirements of condition 21, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 22. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 23.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, and Policies LP32 and LP33 of the Peterborough Local Plan (2019).

- C25 Plans and particulars to be submitted under condition 1 shall include the following:

- proposed external materials to include the name of the manufacturer, the product type, colour (using BS4800) and reference number. It may be necessary for some elements to be supplied as physical samples;
- proposed windows, doors and balconies;
- roof top plant, flues and equipment, handrails, safety barriers;
- Solar panels and air source heat pumps; and
- An energy statement confirming how the development achieves energy efficiency

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

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C26 The commercial units listed at condition 5 shall be occupied for Sui Generis (drinking establishments) or uses within Class E(a), (b), (c), (e) and (g i) only, and for no other purpose including any other use within Class E of Part A of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to protect the amenities of future occupants from uses which may give rise to unacceptable levels of noise/general disturbance, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C27 Prior to first use the commercial units hereby permitted, a scheme for the hours of use/operation of those units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, those units shall operate/open in accordance with the approved scheme in perpetuity, unless otherwise agreed in writing with the local planning authority.

Reason: In order to protect the amenities of neighbouring occupants, in accordance with Policy LP17 of the Local Plan (2019).

- C28 Prior to first occupation of any residential unit hereby permitted, a community safety and crime reduction strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include (but not limited to):

- * An external lighting plan including calculations and lux levels for the car park, residential amenity space and Laxton Square.
- * External bin and cycle store security.
- * Car park – access controlled for those residents permitted to use it.
- * Access control measures for the main stairs and lift cores.
- * Laxton Square and public realm management.
- * Any closed circuit television (CCTV) provision within the development.

The approved community safety and crime reduction strategy shall be implemented in full prior to first occupation of any residential unit/student accommodation and thereafter retained and maintained as such in perpetuity.

Reason: In the interest of protecting the amenity of future occupiers from crime and antisocial behaviour, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

- C29 No development shall commence on site unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include (but not exclusively the following):-

- Hours of working and deliveries;
- Haulage routes to/from the site up to the point whereby vehicles join the City's parkway system;
- Parking, turning and loading/unloading areas for all construction/contractors vehicles;
- Details of any road closures/lane restrictions;
- Site compounds/storage areas;
- Temporary access points;
- Temporary traffic management measures;
- All temporary and permanent works to support the adjacent public highway;
- Wheel cleansing facility details; and
- Dust and noise control measures

The construction works shall thereafter only take place in strict accordance with the approved Construction Management Plan.

Reason: In the interests of the amenity of the area and highway safety in accordance with Policy LP13 and LP16 of the adopted Peterborough Local Plan (2019).

This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C30 Notwithstanding the details shown on the approved drawings, the plans and particulars to be submitted under Condition 1 above shall include details of a revised vehicular access from Northminster.

The vehicular access shall be constructed in accordance with the approved plans and particulars, and prior to any part of the development being brought into use.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the adopted Peterborough Local Plan (2019).

- C31 Prior to the first occupation of any part of the development hereby permitted, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall detail who will use and access the car park and how the parking will be allocated.

Once approved the Car Parking Management Plan shall be adhered to at all times for the lifetime of the development.

Reason: In the interest of highways safety in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C32 The plans and particulars to be submitted under Condition 1 above shall include a car and cycle parking layout to serve the development comprising of:

- not more than 50 no. car parking spaces;
- at least 20% of the proposed parking bays should contain provision for electric vehicle charging points;
- 30% (based on 1 space per residential unit) cycle parking spaces for the residential (C3) and details of the location of further cycle parking provision as demand increases; and
- 14 no. cycle parking spaces for the commercial units.

The car and cycle parking shall be provided in accordance with the approved details prior to first occupation of the accommodation/unit to which they relate. The cycle and parking areas shall thereafter be retained solely for the parking of vehicles and cycles in connection development in perpetuity.

Reason: To ensure the development is provided with satisfactory parking and to encourage more sustainable methods of travel to/from the site, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C33 The development hereby approved shall not be occupied/brought into use until the following off-site highway works have been implemented in full:

- Relocation of parking spaces along Cattle Market Road to allow access for servicing and delivery; and
- Creation of a loading bay along Northminster.

Reason: In order that the development can be adequately serviced and in the interests of highway safety and in accordance with policy LP13 of the Adopted Peterborough Local Plan (2019).

C34 Notwithstanding the provisions of Part 3 Class L of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the residential units hereby permitted shall be dwellinghouses within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) only.

Reason: The site is not capable of meeting the needs of small-scale houses in multiple occupation in terms of cycle or bin provision, in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019).

C35 The plans and particulars to be submitted under condition 1 above shall include provision within the commercial unit overlooking Laxton Square of a first floor viewing terrace in order to capitalise upon elevated views of the Cathedral.

Reason: For the avoidance of doubt and to ensure the development accords with the reasoning and justification for granting permission.

C36 Prior to the commercial uses commencing, a delivery strategy, including a delivery noise management plan, shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, all deliveries to the commercial units shall be carried out in accordance with these approved details to prevent noise nuisance to surrounding residents.

Reason: In order to protect and safeguard the amenity of the area in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C37 Prior to the occupation of the commercial units hereby approved, a waste management strategy, including details of servicing, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all servicing for the commercial units shall be carried out in accordance with the approved details for the lifetime of the development.

Reason: In order to protect and safeguard the amenity of the area in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C38 Prior to the occupation of the residential development hereby approved, a waste management strategy, including details of servicing, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all servicing for the residential development shall be carried out in accordance with the approved details for the lifetime of the development.

C39 Within 6 months of the first occupation of the building, a travel plan with SMART targets based on the submitted Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include a mechanism for the monitoring of cycle parking provision for the residential units and where the level of demand for additional cycle parking exceeds 95 percent of capacity, additional cycle parking will be provided in a phased manner up to the levels required in the cycle parking standards of the Peterborough Local Plan.

Thereafter the travel plan shall be implemented in accordance with the approved details and will be regularly reviewed and updated for the lifetime of the occupation of the building.

Reason: In the interest of promoting sustainable travel modes, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C40 Prior to their installation within the scheme, details of any substation, including siting and materials, shall be submitted to and approved in writing by the Local Planning Authority. Access doors will need to be setback from any highway/public thoroughfare to avoid any obstruction or hazard. The doors shall not overhang any highway/public thoroughfare when open.

Reason: In the interest of highways safety in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C41 The development hereby permitted shall not be commenced, other than the demolition of the existing market stalls/buildings/structures on site and site preparation works, until all parties with a legal and equitable interest in the land and so required by the Local Planning Authority have entered into a deed of planning obligation under section 106 of the Town and Country Planning Act 1990 to which the Local Planning Authority is a party, substantially in the form of the deed attached subject to such minor amendments or variations as may be agreed by the Local Planning Authority.

Reason: To secure the planning obligations required to make the development acceptable in planning terms. This is a pre-commencement condition as all the obligations must be secured before any development begins.

Copies to councillors: Mahboob, Amjab and Mohammed