

Application Ref: 21/01908/R3FUL

Proposal: Erection of three market gondolas to facilitate an outdoor market

Site: Land Adjacent 35-59 Bridge Street, Peterborough, ,
Applicant: Peterborough City Council

Agent: NPS Peterborough

Case officer: Mr M A Thomson
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Recommendation: Officers recommend that the Planning and Environmental Protection Committee delegate authority to Officers that planning permission be **GRANTED**, subject to conditions and the submission of a satisfactory arboricultural impact assessment and arboricultural method statement, which shall be submitted pre-determination.

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

Site Description

The application site comprises part of Bridge Street, specifically three areas of hardstanding sited centrally within the street. Bridge Street is a pedestrianised road with two avenues of trees planted centrally along the street. The areas in question have trees positioned at each corner with seating areas at either end. These spaces are often occupied by temporary stall holders throughout the year.

Bridge Street is situated within the City Conservation Area; whilst there are no listed buildings immediately adjacent to the application site, No's 40-42 Bridge Street and the Town Hall are locally listed buildings. The area is within the City Core Area of the City Centre.

Proposal

The Applicant seeks planning permission for the erection of three market gondolas to facilitate an outdoor market.

Each gondola would have a floor area of 3.6m x 6.4m and propose to stand at 3.5m to the highest point, finished in timber and coloured in Heritage Green. Each gondola would be capable of being occupied by up to 4x traders, with dedicated storage areas for goods and associated equipment. The gondolas would have retractable canopies for each unit, which would create 6sqm of covered space which could be opened up at the start of the day and retracted in the evening. Each unit would comprise 15.96sqm in total.

Loading and servicing could take place from Wentworth Street and Priestgate, which currently takes places for a number of other units along Bridge Street. Future occupiers would have access to fresh water and w/c facilities within an adjacent address on Bridge Street.

It is understood that traders would operate from the site at least 5x days a week.

Pre-Amble

No's 33-37 Bridge Street are proposed to be converted into a new Food Hall, which would cater for two butchers and a fishmongers that currently operate out of the existing Market Food Hall. These works do not require planning permission and would be undertaken by March 2022. The units would provide access to fresh water as well as toilet facilities for future traders operating from the

gondolas, should planning permission be granted.

2 Planning History

No relevant planning history

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 (February 2019)

Section 7: Ensuring the vitality of town centres

Section 8: Promoting healthy and safe communities

Section 12: Achieving well-designed places

Section 16: Conserving and enhancing the historic environment

Peterborough Local Plan 2016 to 2036 (2019)

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.

LP12 - Retail and Other Town Centre Uses

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

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

LP13 - Transport

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

LP13b) The Transport Implications of Development- Permission will only be granted where

appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

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

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

LP16 - Urban Design and the Public Realm

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

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

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

LP19 - The Historic Environment

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

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

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

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.

LP46 - City Core Policy Area

Part a General- Within the City Core the council will seek development of the highest quality which strengthens the area including the retail, leisure, tourism and civic focus. New development must improve the townscape and public realm, protect Cathedral views, preserve or enhance heritage assets, protect and enhance existing retail. Additional car parking will only be supported in exceptional circumstances.

4 Consultations/Representations

Peterborough Civic Society

Object - The Peterborough Civic Society is supportive of the principle of relocating the City Market.

It is essential that a five-day a week general market be operational in the city centre before the present market is closed down. However, an objection has to be made for the reason that the application does not provide a comprehensive proposal for the successful replacement for the existing market.

Planning Policy Considerations

A general market is within the category of retail and as the part of Bridge Street where this application falls is a prime retail area, there can be no objection to the proposal. The vitality of the city centre as an entity is an important aim of the Local Plan and the continuity of market activity contributes to that aim. The rather limited size of this proposal, amounting to only 12 market stalls, is of concern when considered against the existing provision of something like 100 stalls of similar size, as well as an indoor Food Hall, when the City Market was trading at its normal level. There is a suggestion in the submitted supporting document (Design & Access Statement) that there may be provision for 'Pop-up stalls' but this is not part of the application and no commitment to enabling this to happen is made in the application. We feel that for the proposed market to be an adequate replacement it should be much bigger and should also include provision for the Food Hall. The inadequacy in terms of size could be seen as warranting refusal as it would prejudice future plans for a market of an appropriate scale which may arise, on a suitable site, elsewhere in the city centre. At present no such plan exists and as the City Council is the applicant in this case and it can control the proposal through the licensing of the site in Bridge Street, it is unlikely that such a reason for refusal could be sustained.

What should be a consideration is the acceptability of more of the Gondolas and/or Pop-up stalls on Bridge Street on the stretch between this application site and Cathedral Square. Although we accept that the Planning Authority can only consider what is actually proposed we feel it is legitimate to have in mind the possibility or, perhaps, certainty that this will become a reality and if so would it be acceptable. In other words; what would be the implications of filling about half of the open areas between the Plane trees with market stalls from Bourges Boulevard to Cathedral Square?

Might we suggest that in order to make a considered decision on this application it be withdrawn and substituted with an Outline Application for a complete market relocation which would include provision for approximately 40-50 fixed and pop-up stalls, a Food Hall and amenity facilities for all traders. A new application for 12 Gondolas could then be considered.

Visual Appearance

The application site lies within a Conservation Area, which has been acknowledged in the D&A Statement and taken account of by the designers. The design of the Gondolas which consist of a grouping of 4 market traders' stalls into a single unit is well thought out and potentially attractive with scope for individual displays, colourful graphics and the traditional striped awnings. Whether or not these fulfil the current or prospective market traders requirements is not a planning matter although it is, of course vitally important to the commercial success of the enterprise and to the market traders themselves.

The mature trees overhanging the units do create a maintenance problem for the Gondolas in that their design, incorporating a fairly deep valley, will capture fallen leaves, of which Planes are well endowed. It is to be hoped that this does not cause issues with trapped rainwater, overflows onto the facades of the stalls and unsightly appearance. The careful selection of cladding material which is easy to clean is important. It might be that natural timber, as specified, is not the ideal choice.

Highways and Footpaths

The proposed Gondolas would sit comfortably within squares of completely open paving defined by Plane trees at each corner. These spaces alternate with exactly similar spaces where seats lamp-post and other street furniture items are installed. The space between the Gondolas and their extended awnings and the shop frontages is kept clear for pedestrians on both sides of the street. This space is about 6-7 metres wide and, in the absence of pedestrians, is adequate for two commercial vehicles to pass one another. There is no information in the submitted documents

about methods of servicing the market stalls. Details of how goods will be delivered to and collected from the stalls; size of vehicles, times of day when servicing is to take place, routes to be used by vehicles, access and egress from the service areas should all be stated and necessary controls stipulated. Here is obviously an inherent difficulty in servicing market stalls where they are located in a busy and long established pedestrian only area where even bicycles are not allowed to be ridden at certain times of the day.

Temporary storage and subsequent (daily) disposal of waste from the stalls has not been addressed in the application. The Gondola stalls are very compact and for some trades may not be spacious enough to accommodate self-generated rubbish. Some form of communal bin or regular collections should be provided.

Market traders will require somewhere to park their own commercial vehicles reasonably close to the site. This should not be too difficult to do but should be stated in the application. They would also need easily accessible washroom and toilet facilities. Provision should be shown in the submitted documents.

Should access be required from Bourges Boulevard there would have to be removal of some safety fencing and items of street furniture such as bollards and advertising drums and display panels. This is only perceived as a problem with regard to pedestrian safety.

Residential Amenity

A number of apartments in premises above shops overlooking the street would be affected by service vehicle noise. It will be desirable to limit early morning servicing to be complete before large numbers of pedestrians are using Bridge Street. Service vehicles should not be allowed on the street after 8.15am to avoid conflict or before 7am to minimise disturbance through noise or nearby residents. Conditions should be imposed to this effect.

Trees

The applicants have taken account of potential damage to the roots of the mature Plane trees. We note that the precise type of foundation, pad or raft, will depend on what they find below the paving. It is obviously vitally important to get this right.

Conclusion

Whilst the Civic Society is supportive of the principle of relocation, subject to some measure of assurance in relation to some of the salient issues in contention explored in earlier paragraphs, and would not seek to oppose the scheme on the narrower planning matters relating to; servicing, traders amenities, car parking, residential amenity and the general functional relationships between its component parts, it is considered that the inadequacy of a wider 'vision' leaves the proposal open to a possibly wider criticism. The proposal as set out in the application does not address the fundamental requirement to provide a replacement for a general provision market, something that has existed for centuries.

The Civic Society objects to this application and suggests that this application be withdrawn and substituted with an Outline Application for a comprehensive market relocation which could address the issues raised here.

PCC Conservation Officer

No objection – Subject to conditions with respect to securing a material schedule for the proposed units, as well as ensuring that the Council remain in control of the unit signage.

Bridge Street forms one of the City Centre's principal shopping streets and a main arterial route for pedestrians. It is also within the core of the City Centre Conservation Area and adjacent to locally listed buildings.

In recent years Bridge Street's public realm has been upgraded substantially to one that is of reasonably good quality and relatively consistent throughout the city centre.

The proposal is to provide three units, each containing four market stalls in the central area of Bridge Street. Bridge Street is made up of a central area of trees and seats, flanked by walking routes on each side. The design of the units appear well considered and will allow for a harmonious and tidy appearance, both when in use and closed. The butterfly roof when viewed end on is a positive design feature and the integral canopies are a positive, whereby they can be.

The key architectural feature within Bridge Street is the Town Hall portico, for which these units are located a suitable distance away. Siting them under the trees will reduce the dominance of these units which is positive.

The locations are considered to be spaced out enough to allow for circulation space between.

The design of the units needs to be of high quality and robust. This includes vandal proof and ease of cleaning.

The signage to the units should be as consistent in font and size the units are designed. This will ensure a clean and positive appearance of the grouping. It is likely that the traders could turnover relatively frequently and as such, ease of replacing signage tidily should be of high importance. I would recommend that the council remain in control of the signage.

PCC Tree Officer

Comments – At the time of writing the report, the Council's Tree Officer has verbally advised he notes the information contained within the submitted Design and Access Statement, which sets out broad principles and requirements for foundations. Given that there are a number of high profile trees situated along this section of Bridge Street, a detailed arboricultural impact assessment and arboricultural method statement is sought to be secured before the application is determined.

PCC Peterborough Highways Services

No objection - Experience from previous cases where similar structures have been used (Covent Garden in London for example), suggest that these assemblies are structurally robust and do not have any issues with drainage. The LHA therefore, has no objection to the proposals as presented in the drawings and documents listed above.

There are applications for BT Street Hubs in this area. It would be prudent to ensure that there is no conflict between different structures.

Local Residents/Interested Parties

Initial consultations: 81

Total number of responses: 3

Total number of objections: 1

Total number in support: 1

A letter of **Comment** has been received raising the following:

- The City Market moving to Bridge Street is supported, however, I object to the design of the stalls;
- The gondolas do not appear to be open at the sides but trestle tables are shown there when the market is in operation, which would be an invitation to shoplifters;
- The front of the gondolas appear to reduce produce display;
- The design of the stalls should be revised to allow a counter between the back of the stall and the customer. The stallholder could stand behind the counter which could have some produce on it;
- It is understood that one of the stallholders would sell hot drinks and possibly food. Therefore at least one of the gondolas would require a plumbed in water supply;
- What would happen if the weather is windy?; and
- Where would stallholders go to the toilet?

A letter of **Support** has been received raising the following:

- Good plan, and supported, but Westgate and Broadway need the same treatment as Cowgate and North Westgate;
- The Queensgate extension should have been blocked, and we would have North Westgate. Instead we have lost the best shop in the city (John Lewis), just after the extension and refurbishment. The council should have stepped in and pressured the landlord to lower the rent for a year or two. Mistakes have been made. Is there any way of getting John Lewis back and fixing the mistakes, as Covid will be in the background but the city centre has more potential. Where's the levelling up?

The third letter of representation relates to the Civic Society comments, which are set out above.

5 Assessment of the planning issues

- a) The Principle of Development**
- b) Design and Heritage Matters**
- c) Access and Servicing**
- d) Trees**
- e) Neighbour Amenity**
- f) Other Matters**

a) The Principle of Development

The proposed gondolas would provide space for up to and including 12x traders on Bridge Street, part of the City Core and main retail space of the City. The proposal would go towards improving the viability and vitality of the City Centre, therefore the principle of development would accord with Policies LP6, LP12 and LP46 of the Peterborough Local Plan (2019) and Paragraph 86 of the NPPF (2021).

A letter of representation has been receiving stating that this application should be withdrawn, and an outline planning application be put forward, setting out and securing a wider vision for the market within the City Centre.

As set out above, 33-37 Bridge Street would be converted into a new Food Hall, which would be occupied by two butchers and a fishmongers which currently occupy the existing market Food Hall. Further, should the Council decide to expand the market, it would be possible to apply for planning permission to erect additional gondolas along Bridge Street, or alternatively erect temporary stalls, which, pre-Covid, took place periodically throughout the year or farmers markets.

In short, this application would secure three gondolas, which would complement the Food Hall to be formed on 33-37 Bridge Street. This would, for all intents and purposes, form the new market core, where there would be opportunity to expand the operation in the future through additional permanent and/or temporary stalls.

In addition to this, the Civic Society have raised concerns that the existing market provides something like 100 stalls of similar size, as well as an indoor Food Hall, when the City Market was trading at its normal level. The market team have confirmed, pre-covid, that there were 21 traders occupying 65 stalls.

b) Design and Heritage Matters

The Council's Conservation Officer has raised no objections to the proposal, advising that the proposed development would not result in harm to the significance of the identified heritage assets, and the benefits of introduction 12x traders into the City Core would be a considerable public benefit.

During the day, the canopies would be extended, traders would set out their tables and wares, and would go about their daily business, providing an interesting and active frontage for this section of Bridge Street. When they are not in use, the proposed gondolas have been designed in such a

way that they would be secure but also add character and visual interest to the street scene. As such, it is not considered that during the night-time, or days when they are not in use or vacant, that the proposed gondolas would have a negative impact on the street scene.

Turning to conditions, the proposed gondolas would for all intents and purposes be temporary buildings. Should Officers be seeking to recommend approval, it would not be possible to grant a permanent permission as temporary structures can degrade over time, resulting in adverse harm to the character and appearance of an area. Given that the proposed buildings are considered to be of high quality construction and appearance, it is considered reasonable in this instance to grant a 5-year temporary consent. At the end of the 5-year period, Officers would be able to review the appearance of the structures and maintain an element of control. Such a condition is considered to meet the condition tests, as set out under Paragraph 56 of the NPPF (2021).

With respect to the signage, Officers would seek to ensure that the colour, font and letter sizing are maintained for each occupier, which would ensure a consistent and sympathetic approach.

Subject to a temporary consent and business occupiers using consistent signage design, the proposed gondolas would preserve the significance and setting of the City Conservation Area and adjacent locally listed buildings and would not have an adverse impact on the character or appearance of the immediate area. As such, the proposal would accord with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraph 130 and 202 of the NPPF (2021).

Letters of representation have raised concerns with the usability of the gondolas when compared to what stallholders were provided with historically, concerns surrounding shoplifting and crime, maintenance and materials. As set out above, The Councils Conservation Officer has raised no objections to the materials, and whilst maintenance, particularly falling leaves, is a concern, this would likely be the responsibility of the Council as landowner and landlord. With respect to the usability of the gondolas, each unit has been designed to provide space for storage of wares as well as display tables. Lastly, matters of crime and shoplifting would be the responsibility of the Police, however, this section of Bridge Street is covered by CCTV and consideration of camera locations (existing coverage and no loss of such) has been factored into the layout of the proposed development.

c) Access and Servicing

Whilst Bridge Street is pedestrianised, part of it remains public highway and otherwise must remain clear. The proposed development has been designed in such a way so that, in the event that Bridge Street was used by vehicles, access would otherwise remain unimpeded.

The proposed units would be serviced from Priestgate and Wentworth Street, which is the current arrangement for a number of units along this section of Bridge Street who do not benefit from rear access or a service yard. It is not considered that the proposed development would saturate the existing servicing arrangements

As the application site is situated within the City Centre, this is served by a range of public transport means and is otherwise a sustainable location. As such, Policies LP6 and LP13 do not require any dedicated parking for future occupiers.

Accordingly, the development is not considered to cause an adverse highway safety hazard, and the proposal would accord with Policies LP6 and LP13 of the Peterborough Local Plan (2019).

d) Trees

There are a number of mature Plane trees which are situated along this section of Bridge Street. In this instance, there would be 1x tree adjacent to each corner of each gondola. As set out within the Design and Access Statement, the gondolas would be required to be fixed in place and would require localised footings.

Further to confirmation from the Council's Natural Environment Manager, these trees were planted when Bridge Street was originally pedestrianised. The method of planting was to cut a 2m x 2m hole through the existing road. It should be emphasised that the original road had a tarmac surface with its own foundations, which could be up to 300mm deep, and the block paving which we see today was simply laid on top. As such, it is envisaged that the tree roots are considerably deeper than what would normally be expected for this species of tree.

The Council's Tree Officer has verbally advised that details set out within the Design and Access Statement are acceptable, however, an arboricultural impact assessment and method statement should be submitted pre-determination. This information would likely be submitted and discussed within the Committee Update Report, however, in its absence, Officers request delegated authority to grant planning permission, subject to securing this information pre-determination.

Subject to the securing this information, the proposed development would not have an unacceptably adverse impact on existing trees, and the proposal would accord with Policy LP29 of the Peterborough Local Plan (2019).

e) Neighbour Amenity

Neighbour amenity is a material planning consideration. There are a number of residential apartments in the upper floors of buildings along Bridge Street.

The proposed gondolas would, for all intents and purposes, operate in a similar fashion to existing units along Bridge Street, and whilst some traders may be required to set up earlier in the day than others, it is not considered that the nature or scale of development would give rise to unacceptably adverse levels of noise or disruption, which would have an unacceptably adverse impact on the amenity of adjoining occupiers. In addition to this, it is anticipated that the majority of traders would operate within the hours of a standard working day. As the units would be operated by the Council, in the event of a reasonable complaint, this could be addressed by the Authority.

As such, it is not considered the proposed development would give rise to unacceptably adverse levels of noise or disturbance, which would result in an adverse impact to neighbour amenity and would accord with Policy LP17 of the Peterborough Local Plan (2019).

The Civic Society has noted that there are a number of residential properties within the area, that the loading and unloading of vehicles should be time limited, to avoid unnecessary disturbance but also to avoid a clash with the comings and goings of traffic in or out of the City Centre during peak periods. It should be emphasised that there are no known restrictions for deliveries or servicing on neighbouring units along Bridge Street, where servicing could take place at any time during the day. As such, it is not considered that the conditions as suggested by the Civic Society would meet the planning tests, as set out under Paragraph 56 of the NPPF (2021) and is not considered to be necessary in this instance.

f) Other Matters

The following matters have been raised within letters of representation, which have not been addressed above:

- Concerns with the design of the stalls; the gondolas do not appear to be open at the sides, the front of the gondolas appear to reduce produce display, and the stalls should be revised to allow a counter between the back of the stall and the customer. The stallholder could stand behind the counter which could have some produce on it.

Officer Response: Officers consider that the gondolas would be fit for purpose.

- It is understood that one of the stallholders would sell hot drinks and possibly food. Therefore at least one of the gondolas would require a plumbed in water supply;

Officer Response: Fresh water would be collectable from the Food Hall, where foul water would be able to be disposed.

- What would happen if the weather is windy?;

Officer Response: As what would happen with any other outdoor trader. The stallholder would determine whether they wish to trade that day.

- Where would stallholders go to the toilet?

Officer Response: The Food Hall would be available for stallholders.

- The Queensgate extension should have been blocked, and we would have North Westgate. Instead we have lost the best shop in the city (John Lewis), just after the extension and refurbishment. The council should have stepped in and pressured the landlord to lower the rent for a year or two. Mistakes have been made. Is there any way of getting John Lewis back and fixing the mistakes, as Covid will be in the background but the city centre has more potential. Where's the levelling up?

Officer Response: The Local Planning Authority can only consider the planning merits of the proposal presented to us.

6 Conclusions

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

- The proposed gondola's would be situated within the City Core, where it would go towards improving the vitality and viability of the City Centre, therefore the principle of development would accord with Policies LP6, LP12 and LP46 of the Peterborough Local Plan (2019) and Paragraph 86 of the NPPF (2021);
- The proposed gondolas would not harm the significance or setting of the City Conservation Area, adjacent locally listed buildings, or character or appearance of the immediate area, and would accord with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies LP16 and LP19 of the Peterborough Local Plan (2019) and Paragraphs 130 and 202 of the NPPF (2021);
- The proposed gondolas would not have an unacceptable harmful impact to neighbouring amenity, as such the proposal would accord with Policy LP17 of the Peterborough Local Plan (2019);
- Subject to receiving a detailed arboricultural impact assessment and method statement, the proposed development would not have an adverse impact on adjacent trees, and would accord with Policy LP29 of the Peterborough Local Plan (2019); and
- There are no Highway safety concerns and parking and servicing could be accommodated within the City Centre, in accordance with Policy LP13 of the Peterborough Local Plan (2019)

7 Recommendation

Officers recommend that the Planning and Environmental Protection Committee delegate authority to Officers that planning permission be **GRANTED**, subject to conditions and the submission of a satisfactory arboricultural impact assessment and arboricultural method statement, which shall be submitted pre-determination.

- C 1 The gondolas hereby permitted shall be removed and the land restored to its former condition on or before 28th January 2027 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.

Reason: In order to reinstate the original use of the land or site and preserve the visual amenity of the surrounding area, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

- C 2 No development shall commence above slab level unless and until a material schedule of the proposed Gondolas have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of any doubt, the gondolas shall utilise Heritage Green, and the signage serving the units hereby permitted shall utilise a grey background with white lettering; as illustrated under Section 3.6 of the submitted Design and Access Statement (December 2021)

Thereafter, the development shall be implemented in accordance with the approved detail, and retained and maintained as such

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

- C 3 No development (including demolition) shall take place on the site unless and until an arboricultural method statement and protection scheme has been submitted to and approved in writing by the Local Planning Authority. The arboricultural protection scheme shall accord with BS5837:2012 Trees in relation to design demolition and construction - Recommendations methodology.

The Method Statement/Tree Protection Plan shall identify (not necessarily exclusively) the following:

- o Location and specification of protective tree measures in addition to appropriate ground protection within the Root Protection Areas of all retained trees within the site;
- o Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable);
- o Details of facilitation pruning;
- o Location for access, material storage, site office, mixing of cement, welfare facilities etc.;
- o Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees;
- o Details of signage to be erected within the tree protection areas

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

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policy LP16 and LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C 4 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan - PL129-200
- Block Plan - PL129-201
- Proposed Block - PL129-101
- Proposed Plan - PL129-100
- Proposed Elevation - PL129-110
- Proposed Section - PL129-120

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

Copies to: Councillors Mahboob Hussain, Amjad Iqbal and Mohammed Jamil

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