

**Application Ref:** 21/00633/FUL

**Proposal:** Erection of a building of up to 4 storeys in height, providing 80 no. assisted living units and communal facilities. Construction of associated accesses, external ancillary enclosures, parking and landscaping

**Site:** Tranche TC5, Eagle Way/Silver Hill, Hampton Centre, Peterborough

**Applicant:** see company name

**Agent:** Anchor Hanover Group and O & H Properties Ltd  
Mrs Elizabeth Bloomfield  
Pegasus Planning Group Ltd

**Referred by:** Head of Planning Services

**Reason:** Departure from planning policy as part of the site is designated as a Local Centre.

**Site visit:** 30.06.2021

**Case officer:** Mr M Osbourn

**Telephone No.** 01733 4501733 454438

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**Recommendation:** **GRANT** subject to relevant conditions and a s.106 obligation

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

### Site and surroundings

The site is approximately 0.7 hectares of undeveloped land located to the north of Silver Hill and lies within the Hampton urban extension area that was originally granted outline planning permission in 1993 (under ref: 91/P0556).

The site itself is relatively square in shape on three sides, but curves around the bund/slope located between it and the adjacent Serpentine Green shopping centre at the rear (north-east). It is gently sloping, rising to the west, and the existing ground level is higher than the highway at the frontage. The site is clear of vegetation.

Approximately half of the eastern side of the site is land allocated as part of Hampton Local Centre.

Residential dwellings surround the application site to the west, south-west and south-east. There is also a police station, church and convenience store on the land parcel to the south; and the Serpentine Green Shopping Centre lies to the north / north-east. A footpath runs along the eastern boundary of the site, linking Eagle Way / Silver Hill to the shopping centre.

The land immediately adjacent to the eastern boundary of the site is currently undeveloped; although reserved for it to come forward for development in the future.

### Proposal

The application seeks approval for the erection of a 80-bed assisted living facility to cater for older people. The proposal is for a 'T-shaped', single building comprising 32 x 1-bed and 48 x 2-bed apartments, with ground floor communal facilities including a lounge, bistro, wellbeing room, treatment room, hair and beauty salon, reception, and office/staff space.

The eastern "wing" of the building would be 4-storeys in height, whilst the western "wing" would be 3.5 storeys closest to the 4-storey element, dropping down to 2.5 storeys on the land closest to the

north-west boundary, which it shares with existing residential development.

Vehicular access is proposed from Eagle Way / Silver Hill, with a separate in and out one-way arrangement. A total of 45 no. parking spaces are proposed to be located in front of the complex of buildings, as part of the scheme, including 4 no. accessible spaces to the front of the site and a "drop-off" point close to the building entrance.

A garden area would be located to the rear (north) of the buildings, for the enjoyment of residents of the scheme.

The proposal is for a 100% affordable housing scheme comprising a mixed tenure scheme of 60% shared ownership and 40% affordable rented units. Age criteria would also apply, described in further detail later in this report.

## **2 Relevant Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
91/P0556	Development of a township to include approximately 5,200 houses together with community, educational, social, industrial and commercial areas and associated open spaces, roads and service infrastructure (outline) duplicate	Permitted	09/03/1993
91/H0815	Development of township	Permitted	09/03/1993

## **3 Planning Policy**

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

### **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.

#### **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.

## **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 Settle 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.

### **LP05 - Urban Extensions**

Development of new urban extensions (500 or more dwellings) must be planned and implemented and in a comprehensive way through an agreed broad concept plan. Urban extensions should (as appropriate) make efficient use of land, provide open space, play facilities and landscaping, a mix of housing including self-build plots, include a range of employment opportunities, provide an appropriate level of school facilities, retail, leisure, social, cultural, community and health facilities, minimise the need to travel and maximise sustainable travel, provide appropriate access and mitigate against any wider highways impacts.

### **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

### **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.

### **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.

## **LP28 - Biodiversity and Geological Conservation**

### Part 1: Designated Site

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.

## **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.

## **LP35.1 – Urban Extensions Allocations**

(inter alia) The site (Hampton), as identified on the Policies Map, is allocated for development in accordance with policy LP5 and, where applicable, in accordance with the principles of any planning permissions (including resolution to grant to permission) for each respective site which were in place at 31 March 2017.

## 4 Consultations/Representations

**PCC Peterborough Highways Services** – Initially raised objections to the proposals, querying the level of parking provision and requested additional information in respect of the provision of visibility splays; replacement highway parking for bays lost to the access and egress of the development; the ability of refuse vehicles to carry out all necessary manoeuvres.

In response the applicant has provided an Addendum to the Transport Assessment, which included responses to the information requested, alongside parking survey data with a view to demonstrating the acceptability of the level of parking provision that has been incorporated within the scheme.

Following receipt of the additional/revised information, the Highways Services team have noted the proposed age restriction upon occupants of the proposed development and comment that the parking survey, whilst not presented the way they would usually expect, demonstrates that with the re-provision of the parking bays being lost as part of the scheme (as they are being used, albeit not to capacity, at all survey times) there would be ample space within the on-street parking bays in the vicinity of the site to accommodate the 11 bays required to meet the LHA minimum parking requirement for this site.

Accordingly, they now have no objections, subject to the imposition of a series of planning conditions related to the implementation of the scheme in accordance with the submitted plans with regard to the timing of implementation of parking facilities and access arrangements (including visibility splays); the provision of suitable mitigation measures during construction; and subject to the submission of some additional information regarding cycle parking and lighting.

**PCC Policy Team** – No objection. The pandemic has increased online retail sales, diminishing the need for more retail floorspace. This has been reflected in an increase in vacant retail units in the city centre and other centres. Accordingly, the team is of the opinion that there already exists sufficient vacant retail floorspace to meet any future retail floorspace demand. Accordingly, no objection to the proposed loss of this land for retail purposes, whilst locating a development of this nature near to a district centre is considered to be a sustainable form of development.

**PCC Pollution Team** – originally raised objections to the scheme, as submitted. However, following receipt of amended and additional information, they raise no objections, subject to the imposition of planning conditions to address the following issues:

- Noise emitted from the development, and potential effects upon existing residents
- Noise emissions from Serpentine Green, and the effect upon the amenity of future residents of the scheme
- Measures to prevent overheating
- Odour control, predominantly from sources such as on site kitchens
- Contamination – both known and unknown sources.

**PCC Public Open Space Team** - Confirmed that there was no requirement for off-site public open space or play provision, given the nature of the proposed development. They did query the prospect of securing contributions for off-site provision of allotments and natural green space.

However, it is worth noting that, given the nature of the proposed development, which provides extensive on site facilities for residents, and given that the Hampton location is already well served with existing areas of Public Open Space there is no justifiable reason to seek contributions for such off-site provision in this instance. This would also be consistent with the approach followed within comparable schemes within Hampton, Thorpe Wood and Stanground.

**PCC Tree Officer** - No objection.

The site is not within a Conservation Area and there are no Tree Preservation Orders (TPO's) on or adjacent to the site. The application is, therefore acceptable in principle arboricultural terms, subject to the imposition of planning conditions with regard to:

- Compliance with the submitted AIA from Hayden's Arboricultural Consultants dated 15<sup>th</sup> April 2021
- The provision of a full and detailed landscaping scheme to reflect the landscaping proposed on the Landscape Masterplan 1672 L1, as a minimum requirement.
- The provision of tree planting/pit details, especially with regards to the use of root director products and geo-textiles/root barrier, to ensure adjacent highway features are not at risk from future damage and that appropriate soil volumes are available for the tree species being proposed for planting.

**PCC Wildlife Officer** – Comments that the habitat within the application site is identified as being ecologically poor. The landscaping proposals are likely to significantly increase the biodiversity interest of the site.

The application scheme is therefore acceptable, subject to the imposition of planning conditions with regard to:

- Timing of the removal of existing landscape features, to avoid nesting seasons
- Choice of native species within landscape proposals

**Archaeological Officer** - No objection.

The proposed development site is located in an area of former clay extraction that was later subjected to levelling and infilling. The archaeological potential is deemed to be negligible.

**PCC Strategic Housing** – No objection.

The PCC Housing response was informed by the discussions that took place at Pre-app stage with Anchor Housing, Adult Social Care's Commissioning Team and Housing Strategy and the Design and Access Statement and Affordable Housing Statement submitted with the application.

As stated in Policy LP8 "Meeting Housing Needs" of the adopted Local Plan, developments seeking planning permission for accommodation which is entirely aimed at meeting the housing needs of the most vulnerable, should:

1. Meets an identified need and be supported by Adult Social Care Commissioning;
2. Be suitable for the intended occupiers in terms of standard of facilities, the level of Independence and the provision of support and/or care;
3. Be accessible by non-car means to essential services and community facilities as appropriate to the needs of the intended occupiers;
4. Not conflict with any strategic policy of this plan and does not have any fundamental constraint.

The proposed tenure split for this 100% affordable housing scheme is 60% shared ownership tenure and 40% affordable rented tenure. This reflects the discussions held at the pre-application stage where the applicant was advised that Peterborough is well catered for in terms of rented tenure Extra Care accommodation but does not currently have any shared ownership tenure provision and therefore could benefit from some shared ownership units to address an unsatisfied need locally.

At the pre-application stage it was also discussed that there was no specific research available that assesses demand for a shared ownership product in this sector in Peterborough, but as part of the Affordable Housing statement included with this application, the applicant has provided an assessment which indicates a demand for affordable home ownership assisted living housing. The applicant has also subsequently discussed measures to ensure an appropriate mix by tenure

and proposed both draft planning conditions and a planning obligation, to secure delivery, which are acceptable to the team.

The proposal satisfies Policy LP8 requirement that all dwellings meet the minimum M4(2) access standard and exceeds the requirements to provide 5% of the units to the wheelchair adaptable standards as described by Building Regs category M(3)(2)(a) with a proposal to provide 10% of the units to this accessibility standard. Policy LP8 also requires all the rented tenure units to meet the NDSS. The Design & Access Statement provided as part of this application indicates that all the units will exceed NDSS requirements.

Should the scheme gain consent, it is recommended that the approval be subject to planning conditions to secure the assisted living units, alongside s.106 planning obligations, to secure the following:

- Local Connection Criteria (all units)
- Age Restrictions (all units)
- Rent Capping (26 shared ownership units)

**Adult Social Care** – No objection. The ASC (Adult Social Care) Accommodation Board discussed the planning application. The Board was supportive of the scheme, as it will enable older people to live independently and includes accommodation provision for on-site care staff should the cohort of people living in the scheme develop sufficient care needs in the future. If it was determined at some future point that it was the appropriate for a 24/7 care service to be commissioned, then Peterborough City Council ASC would expect the operator to work in partnership with the Authority to ensure that the care service was of sufficient quality and represented value for money for people accessing the service.

The Board was also mindful of the pre-application discussions and that Anchor Housing had indicated its willingness to enter into discussions about a local connection criteria for both the rented and shared ownership tenure units and would expect this to be included as part of a planning obligation.

**Lead Local Drainage Authority** – No objection, in principle, subject to the imposition of a planning condition that requires details of the sustainable drainage scheme for the development, which must include details of full and up to date surface water drainage plans, which includes details of how all impermeable areas are proposed to drain; overland flood flow and exceedance routes; and the maintenance and management plan for all drainage assets, which includes details of the parties responsible for said maintenance.

**Police Architectural Liaison Officer (PALO)** – No Objection - Considers the proposal to be located in an area of medium risk to the vulnerability to crime. However, criminal damage and public order are of some concern within this location. There is no information regarding security and crime prevention in the Design statement. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors.

Accordingly, recommends measures such as external lighting are provided to ensure acceptability (which can be secured by planning condition).

**Environment Agency** – No Objection - Reviewed the following reports with regard to the risk posed to controlled waters:

Phase I Geo-Environmental Risk Assessment (ref: 200705.R.001) by Roberts Environmental Ltd, dated July 2020; and Phase II Geo-Environmental Site Investigation and Risk Assessment (ref: 200705.02.R.001) by Roberts Environmental Ltd, dated September 2020

Based on the available information, the site is considered to be in an area of low environmental sensitivity for controlled waters.

Consider the site to pose a negligible risk to controlled waters and raise no objections to the proposed development.

**Natural England - Consultation Service** - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues was provided which could be attached to any consent by way of an informative.

**Cambridgeshire Fire & Rescue Service** – No Objection - With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

**Anglian Water Services Ltd** – No Objection - Recommend that a scheme of surface water drainage be secured by planning condition, should the scheme be approved. Also raised a number of issues that they would wish to see attached as informatives to any consent.

**Peterborough Cycling Forum** – Query the level of cycle parking being provided, and requested further details of the provision, to ensure compliance with LTN 1/20. To include details such as spacing of racks, and details of door openings into the secure area.

**Hampton Parish Council** - The Parish Council raised objections on the grounds that the removal of unallocated street parking (used by residents and business users) would have a negative impact in an area where parking issues already exist.

The Parish Council proposed that either the parking spaces are replicated on the other side of the road or that the entry and exit points of the car park are amended to reduce the number of lost parking spaces.

#### **Local Residents/Interested Parties**

Initial consultations: 195  
Total number of responses: 6  
Total number of objections: 6  
Total number in support: 0

6 objections have been received. The comments are summarised below:

#### The principle of development

- As part of the development brief for Hampton, this area was meant to be part of a town square for Hampton centre, to provide a focal point for the Hampton township. The original vision sought a range of facilities to support the community as a whole, which haven't come forward. Concern that should this proposal gain approval, it would erode the ability to provide the full range of facilities originally planned for the settlement.
- Query whether a need exists for another facility of this nature, and if there is, whether this is the most appropriate site in the locality.

#### Parking

- The scheme provides 46 parking spaces provided for 80 residential units. Query whether this is sufficient to meet the demands of the scheme, when accounting for the need of both residents, staff and visitors.
- Raise concerns regarding the prospect of overflow parking in the surrounding streets and shopping centre, giving rise to potential issues around bus circulation and parking congestion in the outlying area.
- Raise concerns that existing road network is already difficult to navigate and congested with cars and traffic, which would be exacerbated by this scheme
- Query whether surveys have been undertaken during representative periods, particularly noting that the Covid-19 pandemic will have altered travel patterns
- Query whether the proposals have taken into consideration the impact on parking in the area of both this scheme & the proposed leisure/commercial development of St Edmonds Walk.

#### Design and Amenity

- Query whether the proposed building is too high, in the context of other buildings in the area being only 2.5/3 storeys high.
- The apartments facing Silver Hill are south facing which are prone to overheat during sunny days and summer months. Query whether climate change been taken into account

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

The main issues of consideration with regard to this proposal are:

- a. Principle of development, including measures to secure typology and tenure
- b. Highway safety and parking provision
- c. Design and Visual Amenity
- d. Neighbour amenity
- e. Future occupier amenity, including meeting housing standards
- f. Landscape
- g. Ecology
- h. Flood risk and drainage
- i. Contamination
- j. Legal Matters
- k. Other Matters

### **a) The Principle of Development**

## Location

Policies LP1 and LP2 of the adopted Peterborough Local Plan set out the Council's spatial strategy with regard to residential development proposals. Collectively, they seek to focus residential development primarily into either established locations either within the City, or within allocated sites within an area identified for growth.

The application site falls within the heart of the urban extension of Hampton, defined in the adopted Peterborough Local Plan under Policy LP35.1 for its continued development. The site is not specifically allocated for housing, although part of it falls within the Hampton Hargate Local Centre (HHLC) under Local Plan Policy LP12. This designation affects the eastern half of the site.

The Hampton Hargate Local Centre extends away from the site to the east where Silver Hill joins Hampton Ave and includes land on both sides of Silver Hill. To date other developments within the Local Centre have been brought forward for uses including a church and police station. However, a significant proportion of vacant land remains available for development purposes.

In general, local centres are intended to provide for the day to day needs of their local neighbourhoods. The Hampton Hargate Local Centre is located immediately south of the Hampton District Centre which includes the Serpentine Green shopping centre. This provides for a large and wider retail provision and other services. Whilst noting the designation on part of the site, it has also been observed that retail habits have evolved, most notably in recent years since the adoption of the Local Plan, with the Covid-19 pandemic having led to a particular acceleration towards online retail sales. Accordingly, the need for additional retail floorspace has declined, as observed by the Council's Planning Policy Team. This creates the opportunity for sites in local centres to be considered for a broader range of appropriate uses.

Officers are also mindful that the site has remained vacant for several years.

The proposal seeks consent for an assisted living facility, to cater for residents above the age of 60. Whilst not all residents of this type of facility would lack mobility, it is evident that a higher proportion of residents than otherwise found in a conventional housing scheme would benefit from close proximity to the type of facilities afforded by local centres, by reducing the travelling distances to such services.

Whilst noting the summary views of some neighbours to the scheme, given the relative sustainability of the site, the level of existing provision within the wider Local Centre, and given that only part of the site falls within the Hampton Hargate Local Centre it is not considered that the development of the site for this specific housing need would preclude the rest of the Local Centre area being meaningfully brought forward for its intended use. This would still allow for the Hampton Hargate Local Centre to expand accordingly to ensure it can continue to serve for the needs of the new communities created at Hampton, in line with Policy LP12 (Part 1).

## Housing Typology

Considering the nature of the particular housing typology being proposed within this application, it should be noted that Policy LP8 seeks to ensure that new housing development proposals cater for a range of different housing needs.

Under Parts 2 and 3 of Policy LP8, for housing entirely aimed at meeting the housing needs of the most vulnerable groups (i.e. older persons) development proposals are required to meet a set number of criteria, as follows:

1. Meet an identified need and be supported by Adult Social Care Commissioning ('ASCC');
2. Be suitable for the intended occupiers in terms of standard of facilities, the level of independence and the provision of support and/or care;

3. Be accessible by non-car means to essential services and community facilities as appropriate to the needs of the intended occupiers; and
4. Not conflict with any strategic policy of the plan and does not have any fundamental constraint.

Taking the criteria out of sequence, with regard to criteria 3, as explained above, by virtue of its location within the Local Centre, close to existing services, the proposal comfortably satisfies this element of Policy LP8.

With regard to criteria 1 and 2, the applicant engaged in extensive discussions with the Council's Housing Strategy Team ('HST') and ASCC both prior to the application being submitted and during its consideration up to the point of preparing this report.

Peterborough is well catered for in terms of rented tenure Extra Care accommodation, but does not currently have any shared ownership tenure provision. It is therefore considered that the provision of shared ownership units would help to address an unsatisfied need locally.

The applicant was asked if they could provide some market research to evidence that the provision of 48no. shared ownership units as part of this scheme would match demand so that the Council could be confident that units originally designated for shared ownership, do not end up being converted to rented tenure in the absence of a buyer.

The application is accompanied by an Affordable Housing Statement and a Planning Needs Statement, which respond to evidence sought at the pre-application stage.

The proposal offers the provision of affordable shared ownership and rented accommodation, on a 60/40 tenure split. This reflects discussions at the pre-application stage and is supported by both the Housing Strategy Team and Adult Social Care Commissioning, subject to controls being put in place to secure the tenure, capping of rental rates, restrictions upon the minimum age of residents and criteria regarding local connections for residents.

In order to secure these controls, should members be minded to approve the scheme having considered the other matters set out below, a planning agreement (S.106) and planning condition (C2 below) are recommended to ensure the accommodation is retained for the purpose for which it is being described, namely that 30% (i.e. 24 units) of the scheme meet the requirement for affordable housing; that local connection criteria be applied to all units, both rented and shared ownership tenure, and ensure that any tenure conversions will require the prior approval of the Local Authority.

Subject to the imposition of such criteria, and the further assessment below, Officers consider that the proposals satisfy the tests set out Policy LP08 Parts 2 and 3 of the adopted Local Plan.

Accordingly, the principle of the proposed development is considered to be acceptable.

#### **b) Highway Implications**

Turning to matters of highway safety, the application, as originally submitted, included a Transport Statement and Travel Plan.

Matters relating to highway safety have been the subject of a number of representations during the application, where the number of parking spaces relative to the nature and quantum of development proposed, alongside the arrangement of the access has been a point of discussion. The applicant amended the scheme since it was originally submitted, providing a Transport Statement Addendum and also undertaken parking surveys to respond to queries raised by the Council's Highway Services team.

The site is situated close to existing public transport facilities on Silver Hill / Eagle Way. The location of the site is close to the nearby (and potentially to-be redeveloped) Serpentine Green retail

centre, complete with pedestrian links, helps to negate absolute reliance on private vehicles.

Access to the development would be from Silver Hill, with the creation of separate entry and egress points, which would facilitate a one-way entry and exit circulatory system to a private car park that comprises 45 parking spaces, of which four would be disabled. The proposal also results in the loss of 6 existing parking bays along the northern side of Silver Hill to create the vehicle access and exit points. However the applicant has agreed to re-provide these parking spaces on the southern side of the road. This is considered to be acceptable in highway safety terms and addresses the concerns raised by the Parish Council.

Pedestrian access is achieved by way of a segregated access to the east of the car park exit, in relatively close proximity to the junction between Silver Hill and Eagle Way.

Cycle parking facilities and a buggy store are provided within the scheme.

The proposed development provides for a form of assisted living, which the applicant contends does not fall neatly within any of the prescribed categories for development within the Council's adopted parking standards. Accordingly, they have sought to argue that the level of parking provision within the scheme is acceptable, by way of presenting evidence based upon comparable facilities, alongside the benefits of the site and its proximity to services and public transport.

Below is a comparison of the parking standards set out within the adopted Local Plan for retirement developments (Use Class C3) and residential care homes (Use Class C2) for a facility of the scale proposed:

- Use Class C2 - the standards require one space per full time equivalent member of staff plus one visitor space per three bedrooms. The equivalent of the scheme proposed would require 15 staff spaces and 27 visitor spaces – 42 spaces in total. In this circumstance the scheme would have an excess of 3 parking spaces over the standards. However, this would assume that no resident was likely to possess or make regular use of a car.
- Use Class C3 – the standards require one space per bedroom. The equivalent of the scheme proposed would require 80 parking spaces on site, a deficit of 35 spaces. However, this standard is based upon the assumption that more residents than not would require access to a car. It is the applicant's contention that this would represent a significant over provision of car parking based upon the profile of the likely residents of this particular scheme.

Residents and the Parish Council have raised concerns with regard to the access arrangements and potential under-provision of car parking within the scheme, whilst the Peterborough Cycle Forum have queried the specific detail of the cycle parking provision. The latter is addressed by proposed condition C15 below.

The Highways Services team have reviewed the application at various stages, including the submitted Transport Statement, alongside the subsequent amendments to the scheme, including the submission of the TA addendum and parking surveys commissioned by the applicants, which were sought to address issues raised with the original submission documents and establish the potential effects should the parking demands of the site exceed the proposed on-site provisions.

An initial parking survey was undertaken in December 2020, with a further survey undertaken in May 2022 to establish the validity of earlier findings, and ensure that they were representative, as the travel demands return to close to pre-pandemic levels. The findings of the latter survey illustrate that a maximum of 59% of on-street spaces were occupied during the survey period.

As outlined above, the Highway Services team have assessed this latest information and commented that it demonstrates that with the re-provision of the parking bays being lost as part of the scheme, which the applicants have proposed within the updates to the scheme, there would be ample space within the on-street parking bays in the vicinity of the site to accommodate the 11

bays required to meet the LHA minimum parking requirement for this site, in combination with the provision for car and cycle parking being made on site.

Accordingly, whilst noting the concerns raised by other consultees, subject to the imposition of a series of relevant planning conditions (see C13 (part), C15, C16, C17, C18, C19, 20, C21, C22 below), and the age restrictions secured through the proposed planning obligation, the scheme is considered to not pose an unacceptable risk to highway safety, and therefore is in accordance with Policy LP13 of the adopted Local Plan.

### **c) Design and Visual Amenity**

As described in Section 1 above, the scheme provides for a 'T' shaped building that rises to four storeys at its highest point.

The building is set back from the road behind the frontage car park, affording areas of landscaping to be incorporated within the design to ameliorate the building and car parking within the streetscape. The landscape design is provided as a masterplan concept at this stage.

The form of the building has been designed with two principal elements that are seen from Silver Hill. The first is the longer face of the building which transitions from 2 ½ storey, where it sits closest to existing residential dwellings of a similar scale on the western side of the site, rising to 3 ½ storeys where it meets the adjoining 4 storey wing which fronts onto the path that leads into the adjacent shopping centre, presenting twin gables onto Silver Hill/Eagle Way. Indicative street views have been provided within the application pack.

Policy LP16 (criterion a) seeks for new development to not cause adverse harm in design terms and impact to the character and appearance of the site and the surrounding area. Aside from the shopping centre to the north, the surrounding development is largely mix of 2, 2 ½ and 3 storey terraced and semi-detached residential properties, along with a number of civic buildings.

The building's material palette largely comprises pale/buff facing bricks, with slate coloured roof tiles. Windows and feature details are accented with bronze coloured aluminium, whilst the ground floor level of the building features banded and header course brick detailing to help break up the massing of the building.

The surrounding development features a prevalence of pale facing bricks and grey roof coverings, with the occasional elements of rendered finish.

Whilst the building's form is undoubtedly larger than the majority of the surrounding development, the design measures employed, notably the reduction in height and massing nearest to the existing residential buildings, alongside the devices employed within the façade to create relief and depth along its height and length help to provide a comfortable transition between the established residential development into an area that, by definition of its identity as a local centre, will be more intensely developed.

The building's set back from the roadway behind the area of car parking also helps to further ease this transition. As such, the landscaping of the car parking area will have an important role to play in the overall visual success of the scheme. The landscape masterplan that accompanies the application shows areas of reasonable potential to help mitigate the effects of cars being parked on the frontage. The Council's Tree Officer has reviewed the proposals and recommended a number of planning conditions in this regard, to ensure the acceptability of the final details.

When read in context with the shopping centre as a backdrop, the proposal is considered to form an acceptable form of development, in accordance with Policy LP16, that has the potential to add positively to the street scene, subject to final finishing details, which can be controlled by planning

condition (C3 below).

#### **d) Neighbouring Amenity**

As stated above, the character along Silver Hill is predominantly residential. Development opposite the site is a mix of 2 ½ and 3 storey. The proposed building would be set back a considerable distance into the site, behind the frontage car parking and landscaping. Accordingly, the relationship with the development on the south site of Silver Hill would be acceptable.

Directly to the west of the site is Tabor Court, a development mainly comprised of 2 ½ storey semi detached dwellings, some of which have their rear aspect that face towards the site. A number of brick built garages also sit astride the shared boundary with the proposed development. As described above, the scheme has been designed to ensure that that nearest element of the scheme is of a similar scale to the existing dwellings. The mass of the buildings is also set away from the common boundary by providing space for single storey structures containing stores, cycle storage and a substation. By virtue of the height and set back from the common boundary, the proposed buildings are considered to not impose an unacceptable impact in terms of loss of light or overbearing impact to the existing properties in this location.

The proposal includes a number of secondary window openings in the west façade that face towards the existing residential properties, and their private rear amenity space. Given the potential for loss of privacy arising from these windows, a condition of consent (C24) is proposed to ensure that these openings are fixed and maintained with obscure glazing.

Revisions have been made amending the layout of the apartments closest to Tabor Court to move balconies further away from the shared boundary which would achieve a greater separation distance however, it is still considered necessary to provide a privacy screen on the western side of the balconies to remove any potential for loss of privacy to the gardens of the adjoining occupiers in Tabor Court. This would be secured by condition (C25).

The Council's Pollution Control team have reviewed the scheme design for the potential for noise and odours arising from the development to have an adverse impact upon the amenity of existing residents. Whilst no immediate concerns are believed to exist, given the presence within the facility of a number of potential noise and odour generating uses, officers have recommended planning conditions (C4, C9) to ensure that the risk of odour and noise breakout from the site is removed by affording the team to assess the final plant selection to ensure that no unforeseen effects materialise.

In light of the above, the proposal is considered to not unduly impact on the amenity of neighbouring residential properties and would therefore accord with Policy LP17 of the adopted Peterborough Local Plan (2019).

#### **e) Residential Amenity for future occupants.**

Noise

As described earlier in this report, the proposal has been assessed by the Council's Pollution Control Team, to assess both the effects of noise arising from the development, but also the effect of noise upon the amenity of the future residents of the scheme, both inherent in the scheme design and also from existing noise sources close to the site.

Taking first sources of noise within the scheme, the layout provided illustrates some areas where bedrooms are located next to potential sources of noise, such as adjoining residents living areas and some communal facilities. This does not universally apply to all units, but there exists potential for future complaints from some residents of the scheme. However, mindful of the nature of the proposal, and the efforts made to avoid adjacencies between heavy plant equipment, such as lift risers, and bedrooms, it is considered that the design is acceptable in planning terms. The applicant would be

advised to consider measures to mitigate potential for noise transfer within the construction design of the building, which would be included as an informative of any consent.

Turning to issues related to existing noise sources, the application is supported by an acoustic report, following receipt of which the Council's Pollution Control Team has been in dialogue with the applicant's acoustician throughout the determination period. Existing noise source predominantly derive from the adjoining Serpentine Green shopping centre. The applicant has proposed principle solutions to control the effects of existing noise sources, which the Pollution Control team accept, subject to the provision of detailed proposals, to be secured by planning condition (C10).

#### Access Standards for Dwellings

Policy LP8 (Part 4) requires that all dwellings must meet the minimum M4(2) access standard, whilst a scheme of this size is also required to provide 5% of the units to the wheelchair adaptable standards required by Building Regulation category M3(2)a. All rented tenure units are required to meet the National Described Space Standards.

The Design and Access Statement that accompanies the scheme, alongside the submitted floorplans demonstrate that the scheme is compliant with the policy requirements, whilst the M3(2)a requirement is exceeded with the scheme providing 10% of all units as being capable of meeting this standard.

#### Open Space, Sport and Recreation

Considering other amenity factors for future residents, the proposal includes private balconies to a large proportion of the units provided within the scheme, whilst the facility as a whole includes communal facilities such as landscape private gardens, lounge and dining facilities, alongside a hair and beauty salon, wellbeing and treatment rooms. Overall, the scheme provides sufficient facilities to enjoy such that there is no reasonable requirement for contributions towards the provision of additional facilities off-site, such as public open space, to accord with Policy LP21 of the adopted Local Plan.

Accordingly, the proposal is considered to provide a high-quality living environment for future residents, and therefore accord with Policies LP7, LP8, LP17 and LP21 of the adopted Peterborough Local Plan (2019).

#### **f) Landscape Proposals**

As described earlier in this report, the scheme provides for a number of landscaped areas, including those within the wider public domain at the front of the site, alongside the private spaces within the site to the rear of the proposed buildings.

The proposal includes a landscape masterplan and sectional drawings, that indicate a hierarchy of planting, with structural elements such as trees forming a perimeter to the site, with more layered planting within areas of accent both near building entrances and to provide character areas within the private space to be enjoyed by residents.

The Council's Trees Officer has reviewed the proposals, and recommended that the scheme is acceptable, subject to the imposition of planning conditions (C13, C14 and part of C25) to secure the detailed planting proposals that build upon the high-level masterplan concepts provided.

Subject to the imposition of such conditions, therefore, the proposal is considered to be accord with Policies LP16, LP17 and LP29 of the adopted Local Plan.

#### **g) Ecology**

The application is accompanied by a Preliminary Ecological Appraisal, which identifies that the site is largely devoid of any existing landscape features that would provide ecological value. The Council's Wildlife Officer and Natural England have reviewed the proposal and confirmed that the proposal is not likely to pose a threat to existing habitats and is likely to significantly increase the biodiversity value of the site.

Accordingly, subject to the imposition of suitable conditions to ensure the management of existing ecological features during construction (C12), and follow the advice provided in the above referenced appraisal, with regard to the use of appropriate landscape measures, such as the use of native species (C13) and incorporation of bird and bat boxes within the scheme (part C25), the proposal is considered to accord with Policy LP28 of the adopted Local Plan.

#### **h) Flood Risk and Drainage**

With regard to flood risk and drainage, the application is accompanied by Phase I and Phase II Geo-Environmental Risk Assessments, alongside a proposed Drainage Strategy.

The submissions, which have been reviewed by the Environment Agency, Anglian Water and Lead Local Drainage Authority (the 'LLFA'), identify the site as being of low environmental sensitivity and at limited risk of flooding.

The site investigations have highlighted the infiltration is unlikely due to the prevailing ground conditions, therefore the proposed drainage strategy looks to incorporate a tiered approach to the provision of a sustainable urban drainage system, including water butts and water storage facilities within the site.

Both Anglian Water and the Drainage Officers are satisfied with this approach in principle, subject to the imposition of planning conditions to secure the detailed scheme design (C11). The proposal, therefore, is considered to accord with Policy LP32 of the adopted Local Plan.

#### **i) Contamination**

As referenced in the flood risk and drainage section above, the application was accompanied by Phase I and Phase 11 Geo-Environmental Assessments, which have been reviewed by the Council's Pollution Control team.

The submitted reports, which are accepted by officers, identify that whilst there is a low risk of contamination on the site, the area is comprised of a significant proportion of made ground, which brings with it the potential for ground instability, as well as pockets of unexpected contamination. With this in mind, the Pollution Control team have recommended a series of conditions related to contamination (C5, C6, C7, C8), to ensure that as the detailed scheme design develops, the findings of this information are presented to the Local Authority for prior approval, to ensure that the risk to human health remains low. Accordingly, subject to the imposition of such conditions, the scheme is considered to accord with Policy LP33 of the adopted Local Plan.

#### **j) Legal Matters**

Should the application be recommended for approval, a legal agreement would be sought to secure the following matters, previously discussed in section a) above:

- Local Connection Criteria (all units)
- Age Restrictions (minimum age of 60 for the primary resident - all units)
- 24 of the units to be delivered in shared ownership tenure (30% of the total 80 units)

Cambridgeshire Fire and Rescue have sought the provision of fire hydrants by way of a legal agreement, however, officers have historically secured this provision by way of planning condition.

As such, and for the sake of consistency, officers shall secure the provision of fire hydrants by condition (C23).

#### **k) Other matters**

##### Secured by Design

As highlighted in section 4 of this report, the proposal has been reviewed by the Police Architectural Liaison Officer ('PALO'). Whilst the PALO has noted that the principles of the Secured by Design have not been referenced within the scheme, it is noted that the scheme layout provides for a controlled main access to the building as one means of securing the building.

The PALO has made a number of recommendations, with regard to elements such as the measures to secure bin and cycle stores (C15), alongside detailed lighting design (C13), which can be secured by planning conditions, included in the recommendation of this report.

Subject to the imposition of such conditions, the scheme is considered to accord with the relevant aspects of Policies LP16 and LP17 of the adopted Local Plan.

##### Archaeology

The findings of the above referenced Geo-Environmental reports have been reviewed by the Authority's Archaeological Services team. Given the nature of the site, when reviewed alongside historical records, there is considered to be no risk to any heritage asset. As such, the proposal is considered to accord with Policy LP19 of the adopted Local Plan.

##### Sustainability

The proposal is supported by an Energy and Sustainability Strategy, which has followed the hierarchical approach to manage energy requirements and climate impact, first looking at fabric and technological efficiencies such as low energy installations and water using devices, before also exploring proposals for the use of renewal energy sources. SAP/SBEM calculations have been undertaken to explore areas for improving fabric efficiency, and include measures to exceed Building Regulations where possible. Certain technologies, such as ground source heat pumps, solar hot water heating and wind turbines have been ruled out either due to lack of capacity within the site, or otherwise their potential for unacceptable visual impact.

The proposed strategy includes the use of photovoltaic panels on areas of flat roofs hidden from public view to generate an element of renewal energy for use within the scheme, heat recovery through the use of air source heat pumps, and the storage and reuse of rainwater for use in grounds maintenance.

The strategy proposed (secured by part of C18 below) is considered accord with the requirements of Policy LP31 of the adopted Local Plan.

## **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 application site, whilst partially located within an area of land allocated for Local Centre uses, would not unduly prejudice the delivery of appropriate levels of retail or other local centre facilities within Hampton, and so be in accordance with the principle objectives of Policies LP1, LP2, LP3, LP5, LP12 and LP35.1 of the Peterborough Local Plan (2019);

- The proposed development would deliver housing for which there was a demonstrable need, to a standard that meets the Local Authority's expectations, in accordance with Policy LP8 of the Peterborough Local Plan (2019);
- The proposed development would not constitute a highway safety hazard and it has been demonstrated that satisfactory on-site parking would be provided to serve future occupiers, in accordance with Policy LP13 of the Peterborough Local Plan (2019);
- The scheme would visually accord with the surrounding area and avoid harm to existing and future residents amenity, and therefore would be in accordance, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019);
- The proposed development would improve the landscape and biodiversity value of the site, in accordance with Policies LP16, LP17, LP28 and LP29 of the Peterborough Local Plan (2019);
- The proposed development would not pose a risk of harm to any know heritage asset, in accordance with Policy LP19 of the Peterborough Local Plan (2019);
- The proposed development includes appropriate measures for energy efficiency and the use of renewal energy, in accordance with Policy 31 of the Peterborough Local Plan (2019); and
- The development would make provision for surface water drainage and uncovering unsuspected contamination, and would accord with Policies LP32 and LP33 of the Peterborough Local Plan, and Paragraphs 183-185 of the NPPF (2021).

## **7 Recommendation**

The Executive Director: Place and Economy recommends Planning Permission is GRANTED subject to:

- (1) Relevant conditions as set out below and authority being delegated to Officers to make any necessary or appropriate adjustments to these conditions including the imposition of new conditions.
- (2) Drafting and signing of the appropriate Planning Obligation

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

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

C2 The 56 assisted living apartments contained within the development that are not subject to the affordable housing obligations contained in the S106 Agreement pursuant to this planning permission shall be delivered and occupied in accordance with Section 4.0 of the submitted Affordable Housing Statement dated January 2022, prepared by Pegasus Group.

Reason: To ensure an appropriate tenure mix in accordance with Policy LP08 of the Peterborough Local Plan (2019).

C3 No development shall take place unless and until details of the external materials to be used for buildings, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority.

The details submitted for approval shall include:

- Bay Studies @ 1:50 scale
- the name of the manufacturer,
- the product type,
- colour (using BS4800 where relevant) and reference number.

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

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the materials to be used must be known before any works take place to ensure no detriment to the appearance of the site.

C4 All ventilation of steam and cooking fumes to the atmosphere should be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties. Details of the nature and location of such filtration equipment should be submitted to and agreed in writing by the Local Planning Authority before installation and should be installed before the use of the premises commences.

Reason: To protect the amenity of existing and future residents adjoining the development, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C5 The development hereby approved shall take place in accordance with the recommendations of the submitted Phase I Geo-Environmental Risk Assessment prepared by Roberts Environmental, dated July 2020, reference: 200705.R.001 and Phase II Geo-Environmental Site Investigation and Risk Assessment prepared by Roberts Environmental, Dated September 2020, Reference: 200705.02.R.001.

Reason: In the interests of public health, in accordance with Policy LP33 of the Peterborough Local Plan (2019).

C6 No development shall take place 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: In the interests of public health, in accordance with Policy LP33 of the Peterborough Local Plan (2019).

C7 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 6 months of the completion of measures identified in the approved remediation scheme, and before the use of the development first commences in any case, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: In the interests of public health, in accordance with Policy LP33 of the Peterborough Local Plan (2019).

C8 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 28 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken by a competent person in accordance with the following requirements:

(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;

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 6.

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 7.

Reason: In the interests of public health, in accordance with Policy LP33 of the Peterborough Local Plan (2019).

C9 Before the development, hereby permitted, is first occupied, a scheme shall be agreed with the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site.

The provisions could include physical and/or administrative measures. The rating level of noise emitted from the site shall not exceed 35dB LAeq, 1 hour between 07:00 hours and 23:00 hours Monday to Friday and 32dB 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.

Prior to installation and operation, details of the make, model, location, sound power level and frequency spectrum data of any mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. The information will demonstrate that the mechanical plant is in compliance with the noise levels specified above. Thereafter the development shall be implemented in accordance with the approved details, including any necessary mitigation, and shall thereafter be retained and maintained as such in perpetuity.

Reason: To protect the amenity of existing residents adjoining the development, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C10 Before the development, hereby permitted, is first occupied, a scheme of acoustic attenuation shall be submitted to and approved by the Local Planning Authority to demonstrate how a

night-time internal noise level of LAeq(15min) 25dB or below can be achieved in the bedrooms facing The Serpentine Green Shopping Centre.

Specifications for glazing, including technical data from the supplier and sound reduction index across frequency spectrum, shall be included, in order to assess the effectiveness of mitigation provided by the glazing units.

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

Reason: To protect the amenity of future residents of the development, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C11 The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include, but are not limited to:

- Full and up to date surface water drainage plans, which includes details of how all impermeable areas are proposed to drain.
- Overland flood flow and exceedance routes
- The maintenance and management plan for all drainage assets, which includes details of the parties responsible for said maintenance.

Reason: To ensure that the scheme provides for appropriate surface water drainage measures that ensure that there is no unacceptable risk of flooding arising from the development, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C12 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Protected species are a material concern for Local Planning Authorities as per the National Planning Policy Framework and Peterborough City Local Policy. The disturbance of protected species may be an infraction as described within the Wildlife and Countryside Act 1981.

C13 No development shall take place above slab level until a scheme for the hard or soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall follow the principles of the submitted Land Landscape Masterplan 1672 L1 Rev G, shall include details of the following:-

- Proposed finished ground and building slab levels
- Planting plans including retained trees, species, numbers, size and density of planting
- Tree planting/pit details, to include root director products and geo-textiles/root barriers, where relevant, to ensure adjacent highway features are not at risk from future damage and that appropriate soil volumes are available for the tree species being proposed for planting
- Materials to be used for hard surfaces across the site
- Scheme of external lighting, to include isolux contours to demonstrate both site coverage, avoid light spill into neighbouring properties and demonstrate that it shall pose no danger or inconvenience is caused to users of the adjoining existing or

- proposed public highway.
- Details of any boundary treatment
- An implementation programme

Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

The approved hard landscaping scheme shall be implemented in full prior to the first occupation of the development, hereby permitted, and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: In the interests of visual amenity of the area and the enhancement of biodiversity, and to avoid glare/dazzle which could lead to danger to highway users, in accordance with Policies LP13, LP16, LP17, LP26, LP28 and LP29 of the Peterborough Local Plan (2019).

- C14 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in the communal garden to the rear of the development) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

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

- C15 Prior to the first occupation of the development, hereby permitted, full details of the proposed refuse and cycle shelters shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- Dimensions and external finishes of the proposed structures
  - Dimensioned internal arrangements
  - Details of the cycle stands, to include number and spacing of units. The details provided should demonstrate compliance with the guidance set out with Local Transport Note LTN 1/20, or any such successor guidance.

The structures and cycle parking shall be completed prior to the first occupation of the development and thereafter be retained for those purposes in connection with the development in perpetuity.

Reason: In the interests of amenity and highway safety and to encourage travel by sustainable modes by ensuring suitable cycle parking is available, in accordance with Policies LP16, LP17 and LP13 of the Peterborough Local Plan (2019).

- C16 Car parking and turning shall be provided in accordance with the approved layout plan(s) prior to the first occupation of the dwelling(s) to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.

Reason: In order to ensure that sufficient car parking and turning remains available on site in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).

- C17 The access hereby approved shall be provided in accordance with the details shown on the approved layout plan prior to first occupation of the dwelling/building to be served by it. It shall thereafter be retained in accordance with the approved plans.

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

- C18 The vehicular access, hereby approved, shall be ungated and remain so for the lifetime of the development.

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

- C19 Prior to first occupation/use of the building, hereby approved, vehicle-to-vehicle, and cycle visibility splays shall be provided in accordance with the details shown on the approved plan (5532/001 F) and kept free of any obstructions over 600mm in height above ground level.

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

- C20 No development shall commence until fully operational wheel cleaning equipment has been installed on all exits from the site and the area between the wheel wash and the public highway is hard surfaced in either concrete or tarmac and maintained free from mud, slurry or any other form of contamination whilst in use.

All vehicles leaving the site shall pass through the wheel cleaning equipment which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The wheel cleaning equipment shall be retained on site in full working order for the duration of the construction period.

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

- C21 Temporary construction facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site, and for the storage of materials, during the construction period.

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

- C22 Off-site highway works to relocate the parking laybys on Silver Hill which are affected by the accesses shall be completed in accordance with the principles shown on the approved plan (5532/001 F) prior to first occupation of the building.

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

C23 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 (or building where appropriate) 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 order to ensure that sufficient resources are available for fire-fighting, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C24 The first and second floor windows of the development, hereby permitted, as illustrated on Elevation C – West Elevation on approved drawing number Proposed Building Elevations, AA8723-2008-Rev E, shall fitted and permanently maintained with obscure glazing.

Reason: To preserve the private amenity of adjoining residents, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C25 Notwithstanding the details hereby approved a privacy panel shall be installed on the western side of the balconies at first, and second floor to those units located adjacent to properties in Tabor Court in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The privacy panels shall be installed in accordance with the approved details prior to the occupation of these units and retained thereafter.

Reason: To preserve the private amenity of adjoining residents, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C26 The development hereby permitted shall be carried out in accordance with the following approved plans and documents, unless specifically superseded by virtue of details submitted in respect of conditions 2-17 above:

#### Plans

- Proposed Site Plan – Site Location Plan AA8723-2001 Rev E
- Proposed Ground Floor Plan – AA8723-2002 Rev E
- Proposed First Floor Plan – AA8723-2003 Rev D
- Proposed Second Floor Plan – AA8723-2004 Rev D
- Proposed Third Floor Plan – AA8723-2005 Rev D
- Proposed Roof Plan – AA8723-2006 Rev D
- Proposed Contextual Elevations – AA8723-2007 Rev D
- Proposed Building Elevations – AA8723-2008 Rev E
- Proposed Sectional Elevations – AA8723-2009 Rev E
- Landscape Masterplan – 1672-L1 Rev G
- Landscape Sections and Elevations – 1672-L2 Rev E

#### Documents

- Transport Statement, MT/HC/5532/TS.3, April 2021, subject to the revisions and additions contained within the Transport Statement Addendum, MT/5644/ATN.2, dated August 2021

- Travel Plan, MT/HC/5532/FTP.3, April 2021
- Energy and Sustainability Statement, by JRB Environmental Design Ltd
- Preliminary Ecological Appraisal, by Applied Ecology, dated 21.10.20 – most notably the recommendations with regard to bird and bat boxes
- Arboricultural Impact Assessment from Hayden's Arboricultural Consultants, dated 15<sup>th</sup> April 2021

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

Copies to Councillors Mohammed Farooq, John Howard and Nicolle Moyo