

**Application Ref:** 22/01477/FUL

**Proposal:** Temporary use of land for external storage and stationing of temporary portacabin

**Site:** 2C Cyrus Way, Cygnet Park Hampton, Peterborough, PE7 8HP  
**Applicant:** Beeson Wright Ltd  
**Agent:** Ms Kate Wood  
 Eddisons Barker Storey Matthews

**Referred by:** Head of Service (Sylvia Bland)  
**Reason:** Appearance of the use in relation to the character of the surrounding area which has a business park setting.

**Site visit:** 08.11.2022

**Case officer:** Mr Asif Ali  
**Telephone No.** 07572 463902  
**E-Mail:** asif.ali@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

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

**Site description**

The application site is located to the east of Cyrus Way which is accessed via Cygnet Road. The application site is in close proximity to London Road which is located to the east of the application site separated by a grass verge. The application site as well as the surrounding area falls within the Hampton General Employment Area (GEA).

The surrounding plots around the application site have been developed and are of a pleasant modern appearance, and whilst the site and adjoining land received permission for 12no. B1 units under reference 06/00771/FUL which was amended by 06/01567/FUL. It is noted within the Design and Access Statement that the British Sugar development extends into the northern part of the application site and therefore there is no extant planning permission on the application site.

The applicant currently stores their caravans at Club Way also located within the Hampton GEA, located to the north of the GEA. The use of that site was permitted under permission ref 21/01154/FUL, this is a temporary use which expires on or before 1 November 2024 which would be a temporary use for approximately 3 years. The agent has advised that the Applicant has applied for this application as a replacement with the 21 permission currently serving two businesses, with the application site being only used by one business.

**Proposal**

The proposal seeks the benefit of planning permission for the temporary use of land for external storage and stationing of a portacabin.

The application required further information and clarifications in terms of use and highway impact as well as issues raised by Pollution Control colleagues and the Tree Officer. These issues were resolved with the submission of further information, and Officers recommend a 3-year temporary permission.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
06/01567/FUL	Revision to scheme for three buildings previously approved as part of 06/00771/FUL for 12 detached B1 office buildings	Permitted	30/11/2006
06/00771/FUL	Erection of 12 detached B1 units	Permitted	17/08/2006
08/01630/FUL	Three detached offices - (alternative design to four approved as part of 06/0771/FUL)	Permitted	27/04/2009

## **3 Planning Policy**

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

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

#### **LP04 - Strategic Strategy for the Location of Employment, Skills and University Development**

LP4 a) Promotes the development of the Peterborough economy. Employment development will be focused in the city centre, elsewhere in the urban area and in urban extensions. Provision will be made for 76 hectares of employment land from April 2015 to March 2036. Mixed use developments will be encouraged particularly in the city, district and local centres.

LP4b) Employment Proposals not within General Employment Areas or Business Parks will be supported provided that there are no suitable sites within allocated sites/ built up area, it is of an appropriate scale, would impact on the viability of an existing allocated site and not result in any unacceptable impact.

LP4c) The expansion of existing businesses located outside of allocated sites will be supported provided existing buildings are re-used where possible, there would be no unacceptable amenity, highway or character impacts.

LP4d) Conversions and redevelopment of non allocated employment sites to non allocated employment uses will be considered on their merits taking into consideration the impact on the area, the viability of the development including marketing evidence and the impact of continued use of the site.

LP4e) Proposals which directly assist in the creation of a university campus will be supported.

#### **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.

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

#### Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

#### Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

#### Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

### **LP29 - Trees and Woodland**

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered.

Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

### **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.

## 4 Consultations/Representations

### **Councillor Nicolle Moyo (30.03.2023)**

John, Farooq and I as Hargate and Hempsted Ward Councillors would like to object to the proposal on the following material considerations:

- Agreement with Highways' objections. Insufficient provision for potential additional traffic to and from the site which can have a negative impact on highway operations and ongoing developments all of which could cause road safety issues and contravene LP13.
- Concerned by a lack of a noise assessment provided that there will be lorry movements, manoeuvring of caravans and the carrying out repair or maintenance works which are likely to generate noise and cause disturbance to neighbouring premises and offices during operational hours of the proposed use.

### **Hampton Parish Council (03.11.2022)**

Without a transport and noise assessment or any other additional details the Parish Council cannot make any comments on this application. Additional information regarding this would be welcomed.

### **PCC Peterborough Highways Services (30.03.2023) (FINAL)**

Initially further details were required to assess the proposal's impact on the public highway and the internal access arrangements. On submission of revised details, the LHA raised no objection subject to condition to ensure public has no access to the site.

### **PCC Pollution Team (08.06.2023) (FINAL)**

No objection to the development subject to condition securing no excavations on site, all structure to be raised off the ground level, site to be covered by a stone blanket of limestone, unsuspected contamination, lighting and hours of use.

### **Environment Agency (26.10.2022)**

Do not wish to make any comments.

### **PCC Wildlife Officer (15.12.22)**

No objection subject to an acceptable soft landscaping scheme is secured to screen the site from London Road.

### **PCC Tree Officer (19.12.22)**

No objection subject to landscaping scheme condition.

### **The Wildlife Trusts (Cambridgeshire)**

No comments received.

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

Initial consultations: 13

Total number of responses: 5

Total number of objections: 5

Total number in support: 0

Five comments were received from two separate addresses, objecting to the proposal. The objections can be summarised as follows:

- The proposed use of the land is not within keeping of the surrounding area which consists of modern office developments.
- We chose this location due to the certain prestige of the area but allowing the proposal de-values our office and brand to the general public.
- The access would be affected by larger, slow-moving vehicles with the delivery and collection of caravans affecting our and other businesses in the area.
- Not opposed to the land being used however have concern that a caravan site is not the best use

of it.

- Cygnet Park is within the wider Hampton development area granted outline permission 91/P00556/OUT and permission reference 06/00637/WCPP extended the life of the original outline. Condition B1 of the original outline requires development is undertaken in accordance with the access arrangements and broad land use allocations on the Development Plan which show the land use for the site and surrounding area as B1 Business.
- The surrounding land uses is Class E Office (formerly B1a) which is entirely different in nature and character from the industrial and distribution uses which are concentrated further to the north of Phorpres Way.
- The proposed B8 use is inconsistent, incompatible, and out of character with the current land use of the area and the original outline planning permission.
- The site's designation for development primarily for uses within Classes B1, B2 and B8 (under Policies LP4 and LP44 of the Local Plan 2019) is not fit for purpose and Class B8 open storage use should not be introduced in the business park setting even on a temporary basis as it would be detrimental to the character and amenity of the business park contrary to Policies LP16 and LP17.
- Eyesore and out of character which will harm the visual amenity of the office complex.
- Concerns about the potential noise impact on its head office from lorry movements, manoeuvring of caravans and carrying out repair or maintenance works which will disturb staff and visitors.
- Restricting house of operations is not effective as the offices are occupied during the operational hours of the proposal. Unacceptable impact on the amenity of the occupiers of the surrounding offices which is not acceptable even on a temporary basis.

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

The main considerations are:

1. Principle
2. Visual amenity impact
3. Neighbour amenity
4. Highway safety
5. Pollution Control
6. Trees
7. Other

### **1. Principle**

The application site is located within the Hampton General Employment Area (GEA), the Hampton GEA includes a wider area than Cyrus Way including Phorpres Close, Club Way, Cygnet Way and Phorpres Way. LP4 is the spatial strategy policy for employment uses, with Policy LP4 stating that uses including former B1 (current E(g)), B2 and B8 uses. The proposed use of external storage would be a B8 use which complies in principle with the desired employment use class that the adopted Local Plan directs towards GEAs.

Whilst the 1991 Outline permission set aside the application site and surrounding area for former B1 use, it is important to note that the current application is not a Reserved Matters application and as such would not be required to be in compliance with the original Outline permission or any subsequent variations of the Outline.

Further, the designation of the site was carried out by the adopted Local Plan in 2019 as a General Employment Area and was not designated as a Business Park, the distinction is important to note as the desired uses for a GEA as mentioned would be former B1, B2 and B8 uses whereas for a Business Park the desired use would be former B1 uses with any other uses to be permitted in a Business Park to be restricted to uses ancillary to former B1 uses. Therefore, with regards the principle of development a B8 use is acceptable within GEA and in accordance with Policy LP4 of the adopted Peterborough Local Plan (2019).

In light of the above it is considered that the principle of development is in accordance with Policy LP4 of the Peterborough Local Plan and subject to materials considerations as set out below.

## **2. Visual amenity impact**

The application site is located adjacent to modern commercial buildings which are of a good quality within Cyrus Way. The application site itself is directly adjacent to a large car park to the north of the site and a smaller car park to the west of the site, to the east of the site is London Road. The site notably has a break in vegetation to the eastern boundary with London Road with significant vegetation on either side of the application site which makes the break more noticeable.

The proposal does not include any fixed structures aside from a portacabin located adjacent the access to Cyrus Way with the remaining area designated as storage of static caravans (minus a route for turning and circulation).

The current use is being carried out within the Hampton GEA on Club Way a short distance away to the north approved under 21/01154/FUL and Officers did not view the visual impact to be unacceptable noting that on a temporary basis, the use is considered to be acceptable. Officers noted on the 21 permission that the storage is low level when viewed in relation to the adjacent buildings and is considered to be acceptable temporarily, subject to suitable screening to the eastern edge, a prominent gateway. Each application is assessed on its own merits; however, Officers would consider the 21 permission to be relevant in terms of the proposed use being located within the same GEA with a similar context as viewed on the prominent gateway which would be views from London Road.

The proposed includes a Landscaping Scheme which was found acceptable by the Council's Tree Officer along the eastern boundary with London Road this would provide screening along the prominent London Road boundary. Concerns have also been raised with regards views from within Cyrus Way and especially the visual impact on adjoining occupants. The current site was previously used as a type of site compound area for adjacent construction works and currently poorly maintained with a mixture of unkept vegetation, gravel, mud and stone mainly on site.

The proposal would make effective use of land in accordance with Section 11 of the NPPF (2021) specifically paragraph 119, and allow for time for a formal application to be submitted for the redevelopment of the site. To be clear Officers view the temporary low level external storage use appropriate in light of the screening to be secured by condition for a 3 year period only and a permanent use of the site for the proposed development would not be acceptable. Officers have advised the Agent that the external storage use would not be supported as a long-term use, and it is unlikely that an extension is allowed for the proposal for any further period than 3 years. Therefore, the LPA would take a pragmatic approach to allow the proposal as a meanwhile use with the visual impact being on balance acceptable on a temporary/short-term basis.

Officers would consider that any permanent use/development would need to be similar in nature to the adjoining development and in keeping with the overall Hampton GEA character.

Given the above it is considered that the proposal would not, on balance, result in an adverse level of harm on the visual amenity of the site and surrounding area in accordance with Policy LP16 of the Peterborough Local Plan (2019).

## **3. Neighbour amenity**

The proposal would result in a small portacabin structure the footprint of which measures approximately 2.4m by 6.5m. It is considered that there would be limited overbearing, overlooking or overshadowing impact from the proposed development. The concerns relating to the use from the adjoining neighbours related to the noise and amenity impact from the repair works as well as the vehicle movements. The repair works mentioned within the application were queried with the Agent who confirmed that these related to internal refurbishment works and did not mean any significant repair works to the mechanics of the caravans. A condition will be secured to control the use of the site for the storage of the caravans and ancillary internal refurbishment works which would appropriately control the use of the proposal. A further condition was recommended in

relation to the operating hours from 8am to 5pm from Monday to Saturday, to control the use of the site and avoid operations in any anti-social hours which would result in an adverse level of impact on adjoining neighbours.

It is further considered that the site was designated for GEA use and given the site location, as well as the location adjacent to London Road which is a busy road there would be limited adverse noise and amenity impact from the proposed development which would adversely impact the adjoining users.

In light of the above it is considered that the proposal would not result in an adverse level of neighbour amenity impact in accordance with Policy LP17 of the Peterborough Local Plan (2019).

#### **4. Highway safety**

The Local Highway Authority (LHA) initially requested further information with regards the proposal in order to provide comments on the application, however, on submission of the proposed information raised no objection. The LHA recommended a condition that no public access is allowed on site, a condition will be secured onto the decision notice that states that the site can only be used for the storage of caravans and for ancillary refurbishment works only to ensure that the site is not used for any retail purposes. The concern around public access from the LHA related to parking and turning facilities on site for customers, however, the recommended condition is considered sufficient to avoid any additional traffic/highway impact from the proposed development.

In light of the above it is considered that the proposal would not result in an adverse level of highway safety impact in accordance with Policy LP13 of the Peterborough Local Plan (2019).

#### **5. Pollution Control**

The Pollution Control recommended conditions relating to contamination, lighting and operating hours. The agent provided the necessary details to deal with the contamination conditions prior to determination as such the recommended conditions were reduced to just the unsuspected contamination condition, lighting and operating hours.

In light of the above it is considered that the proposal would be in accordance with Policy LP33 of the Peterborough Local Plan (2019).

#### **6. Trees**

The Tree Officer raised no objection to the proposal subject to a condition securing a landscaping scheme to the eastern boundary of the application site with London Road. The Agent was content in dealing with the landscaping details prior to determination and a specification document was submitted that was acceptable to the Tree Officer as such a compliance condition would be recommended onto the decision notice.

In light of the above it is considered that the proposal would be in accordance with Policy LP29 of the Peterborough Local Plan (2019).

#### **7. Other**

Neighbour comments have raised concerns of which some have been addressed above, however, other issues not addressed above will be discussed below:

*- We chose this location due to the certain prestige of the area but allowing the proposal de-values our office and brand to the general public.*

The visual amenity impact and principle of development within the GEA have been discussed above, and it is considered that the proposal would not result in an adverse level of impact on the design and character of the area.

*- The access would be affected by larger, slow-moving vehicles with the delivery and collection of caravans affecting our and other businesses in the area.*

The application site is located within a GEA and the traffic/highway impact has been considered for the area, and it is considered that the highway impact from the proposed use would not result in an adverse highway impact from delivery and collection vehicles.

*- Not opposed to the land being used however have concern that a caravan site is not the best use of it.*

The LPA can only consider the application before us, whilst there may be better uses for the application site Officers can only consider the impact of the proposed development as submitted and the assessment is set out above.

*- The surrounding land uses is Class E Office (formerly B1a) which is entirely different in nature and character from the industrial and distribution uses which are concentrated further to the north of Phorpres Way.*

The allocation for the site remains as a General Employment Area and as such the LPA will be recommending applications in line with the adopted Local Plan (2019). Whilst the change to the Use Classes Order has removed use class B1 and merged it into use class E, this does not change the spatial strategy the LPA has in relation to employment uses.

*- The site's designation for development primarily for uses within Classes B1, B2 and B8 (under Policies LP4 and LP44 of the Local Plan 2019) is not fit for purpose and Class B8 open storage use should not be introduced in the business park setting even on a temporary basis as it would be detrimental to the character and amenity of the business park contrary to Policies LP16 and LP17.* The GEA designation remains valid for the site and has been judged as an appropriate area for employment uses as part of the spatial strategy for employment uses under LP4. The site is not designated as a Business Park under the Local Plan.

*- Restricting house of operations is not effective as the offices are occupied during the operational hours of the proposal. Unacceptable impact on the amenity of the occupiers of the surrounding offices which is not acceptable even on a temporary basis.*

The hours of operation are considered appropriate for a commercial setting and given the GEA designation it is considered appropriate for a commercial use to be located within the site. The noise and amenity impact has been considered by the Pollution Control team as well as Officers and no adverse impact was identified on adjoining neighbours, this would include the adjoining residential properties as well as commercial properties.

## **6 Conclusions**

The principle of development is considered to be acceptable on a temporary basis for three years. Conditions are also recommended for the site to be restricted to two companies and for parking and turning, in accordance with the Highway Authority response. The appearance of the proposal is considered to be acceptable subject to a condition for screening to the eastern side and the development will not be detrimental to residential amenity due to its location on a GEA.

## **7 Recommendation**

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

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

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

C 2 The development hereby permitted shall be carried out in accordance with the following documents:



- Proposed Site Plan (received 16/12/2022)
- Parking and Circulation Plan (received 07/03/2023)
- Plans and Elevations as Proposed (Drawing number AC0101 Revision F01)

Reason: For the avoidance of doubt.

- C 3 The site shall only be used for the purposes of caravan storage with ancillary internal refurbishment and for no other purpose.

Reason: In order to protect and safeguard the amenity of the area in accordance with Policies LP4 and LP16 of the Peterborough Local Plan (2019).

- C 4 Prior to the first use of the development hereby permitted the circulation route as shown on the 'Parking and Circulation Plan' (received 07/03/2023) shall be set out and maintained as such until 30 June 2026.

Reason: In the interest of public highway safety ensuring sufficient space on site to turn and leave the site in a forward gear, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C 5 Prior to the first use of the development hereby permitted the site shall be covered by a stone blanket of limestone. Thereafter there shall be no excavations of the site and all structures shall be raised off the existing ground level.

Reason In the interest of future occupier amenity and mitigating against contamination risks in accordance with Policies LP17 and LP33 of the Peterborough Local Plan (2019).

- C 6 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately, and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 183 of the National Planning Policy Framework (2021).

- C 7 Prior to installation and operation of any lighting, details of the lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The information will demonstrate that the scheme shall not exceed the obtrusive light limits specified for environmental zone E3 in the Institution of Lighting Professionals document "Guidance Notes for the Reduction of Obtrusive Light: Guidance Note 01:21".

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.

In the event of any reasonable complaint being received by the Local Planning Authority, the Developer or their successors in Title, shall be required to undertake an assessment to demonstrate compliance with the above lighting limit and submit this within 28 days of

notice issued by the Local Planning Authority. Should such an assessment fail to demonstrate compliance, further mitigation measures shall be submitted alongside the assessment and implemented in accordance with the submitted details within 28 days of approval by the Local Planning Authority.

Reason: In order to protect future occupier of any contamination risk in accordance with Policy LP33 of the Peterborough Local Plan (2019).

- C 8 The landscaping scheme as detailed within the document 'Landscaping Scheme specifications' (received 28 March 2023) shall be fully implemented in accordance with the details along the entire eastern boundary of the application site adjacent London Road and maintained as such thereafter within the first planting season following the commencement of the use hereby permitted.

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

- C 9 The operating hours for the site shall be Monday to Saturday from 8am to 5pm only.

Reason: In the interest of adjacent occupiers, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C10 The use hereby permitted shall be discontinued on or before 30 June 2026; and all stored items, portacabin and any associated paraphernalia shall be removed from the site within 3 months of this date and the land re-instated to its former condition in accordance with details to be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing as part of an approved planning permission.

Reason: In order to protect and safeguard the amenity of the area and in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

Copies to Councillors- Councillor Mohammed Farooq  
- Councillor John Howard  
- Councillor Nicolle Moyo