

**MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
MEETING
HELD AT 1:30PM, ON
TUESDAY, 27 JUNE 2023
BOURGES/VIERSEN, TOWN HALL, PETERBOROUGH**

Committee Members Present: Harper (Chairman), Iqbal (Vice Chairman), Jackie Allen, A Bond, Hiller, Hogg, Hussain, Mahmood, Jones, Sharp, and Warren.

Officers Present: Jim Newton, Service Director for Infrastructure & Environment (Interim)
Sylvia Bland, Head of Planning
Phil Moore, Development Management Team Leader
Karen Dunleavy, Democratic Services Officer
Chris Gordon, Planning Solicitor
Adesuwa Omoregie, Interim Head of Legal and Deputy Monitoring Officer
Asif Ali, Senior Development Management Officer
Molly Hood, Senior Development Management Officer
Nick Greaves, Highway Development & Drainage Manager
Sara Hann, Senior Engineer, Highway Control
Gemma Wildman, Planning Policy Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jamil. Councillor Mahmood was in attendance as substitute.

2. DECLARATIONS OF INTEREST

- Councillor Jackie Allen declared a non-pecuniary on agenda item 21/01002/OUT - Land At Horsey Bridge Whittlesey Road Stanground Peterborough, that the applicant was known to her on a personal but not professional level.
- Councillor Sharp declared a non-pecuniary interest on agenda item - 22/01477/FUL - 2c Cyrus Way Cygnet Park Hampton Peterborough Pe7 8hp, that British Sugar was the sister company for the company he was employed at and that he had not been approached by them in relation to the objection they had raised.
- Councillor Hussain, also declared a non-pecuniary interest on 21/01002/OUT - Land At Horsey Bridge Whittlesey Road Stanground Peterborough, as the applicant was known to the Members of the Conservative Party as the President for the Peterborough Conservative Association. Councillor Hussain confirmed that he would not be pre-determined when considering his decision on the application.

3. MEMBERS' DECLARATION OF INTENTION TO MAKE REPRESENTATIONS AS WARD COUNCILLOR

Councillor Harper declared to speak as Ward Councillor in relation to agenda item 21/01002/OUT - Land At Horsey Bridge Whittlesey Road Stanground Peterborough.

4. MINUTES OF THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE MEETINGS HELD ON 21 FEBRUARY 2023 AND 21 MARCH 2023

The minutes of the meeting held on 21 February 2023 were agreed as a true and accurate record.

The minutes of the meeting held on 21 March 2023 were agreed as a true and accurate record.

5. PLANNING AND ENFORCEMENT MATTERS

5.1 22/01477/FUL - 2C CYRUS WAY CYGNET PARK HAMPTON PETERBOROUGH PE7 8HP

The Committee received a report, which sought permission for 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 recommended a 3-year temporary permission.

The Development Management Officer introduced the item and highlighted key information from the report and the update report, which included:

- The site was located near to British Sugar and Freedoms House, who had both raised objections in relation to visual amenity and highways concerns about slow moving vehicles on delivery and collection of caravan units moving on the site.
- Concerns raised by Councillor Moyo in relation to the visual impact and character of the area and that the proposal should be refused on the grounds of visual amenity.

Kate Wood, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- There had been some confusion in relation to maintenance of caravans and it was confirmed that the repairs would be ancillary and involve internal fittings only. The application was for storage only of high-end caravan units from caravan parks. Furthermore, condition C3 of the application provided clarity over the storage use and limitations.
- There would be no customer visits to the site and the storage facility would only be required for a three-year period.
- The site was required due to the current permanent site, Club Way, being cleared for development.
- Once the storage had ceased the caravans would be taken off the site, and this could happen sooner than the temporary expiration date. In addition, it was advised that the Applicant operated a lorry storage site in Fengate, and the caravan storage would be moved to that site in the future.

- The benefit of the permission being granted would provide visual screening to the eastern entry of the site sooner than anticipated and prior to a more permanent planning development.
- It was believed that the screening proposed would mitigate any untidy visual impact of the storage site. Furthermore, a condition could be imposed to ensure that any waste material produced from the internal caravan repairs, could be kept in skips or off site.
- Landscaping and boundary screening was a normal way of improving the visual amenity and had been appropriate for the site.
- Other businesses in addition to British Sugar, had invested in new buildings and it would be useful for all to benefit from a good landscaping and screening opportunity before a more permanent development was approved on the vacant land.
- The Applicant had confirmed that only internal repairs to caravans would be carried out and a condition could be imposed to stipulate that no external repairs would take place.
- Residential use was not included in the proposals and a condition could be imposed to reiterate that the site would be used for storage only.
- Three years was felt a realistic amount of time to operate the storage facility proposed, however, the applicant would need to be mindful in relation to lease agreements if a developer wanted to commission a permanent building for the land.
- The site would not be suitable for lots of small buildings and would lend itself to a single building development.
- An assessment was carried out a number of years ago on ground contamination as part of wider development and had been updated as part of this application. The Environmental Health Officer had recommended that a further layer of stone chippings and that the mobile office unit should be raised off the ground. Therefore, there had been no concerns in relation to contamination from the proposed site for the purposed intended.
- The land would be more suitable to a single building; however, it would be for the right developer to show interest.
- It was noted the National Planning Policy Framework (NPPF) had stated that temporary permissions should not be renewed, and it would be expected that the Club Way storage site would relocate. There had been no objection shown by the Authority to renew the temporary storage of the Club Way site, which had since been approved for development. Furthermore, it was intended to use the Fengate storage site for the Club Way caravan units, however, it was currently being leased by another company, which was why that land could not be used.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Members were advised that if an extension of the temporary planning permission was applied for then, this would be against national policy, therefore the application should be made for a more permanent solution.
- There had been no complaints received by the Authority for the current site, Club Way, in relation to unsightly storage or visual amenity.
- A condition could be imposed to control the location, boundary treatment and external screening of waste created from the internal caravan repairs undertaken.
- Enclosed skips for material waste storage could be conditioned to ensure there would be no visual impact to the public as well as the view from tall surrounding buildings.

- Officers would be concerned if the application was for a permanent storage arrangement, however, the Applicant and Agent had confirmed that the permission was required for temporary use only.
- Members raised concerns about the three-year period proposed storage for the storage facility and commented it was too lengthy.
- The on-balance comment Officers made in the report was due to the application being temporary and the re-use of a derelict site. Furthermore, Officers would not be supportive of permanent caravan storage facility.
- Members were concerned about a potential caravan scrap yard being located next to prestigious office buildings such as British Sugar.
- Members commented that the proposal was not in keeping with the location. Furthermore, there was a clear demarcation between the site and the Business Park.
- Members were concerned that the proposal was not in keeping with the area and to turn the land into a caravan storage facility and would not contribute to the visual impact and character of the area under LP16.
- The Applicant had had at least two years to find an alternative location for the caravan storage and it was felt that of all the options available, the right one had not been selected in this instance.
- A three-year permission seemed to be semi-permanent arrangement rather than temporary one.
- Members were not convinced that the landscape plan proposed would be effective, as the site would also be visible from tall buildings neighbouring the site.
- Members commented that Peterborough needed to attract business opportunities, and permitting a caravan site next to a Business Park would not entice business developers.
- The work intended for the proposed site would be commercial and ancillary at a Do It Yourself (DIY) level on employment land, which seemed acceptable to some Members.
- Some Members felt that as there had been no complaints over the operation of the Club Way Caravan storage site, so there should be no issues.
- The storage of three years seemed semi-permanent, and a six-month timescale could be more acceptable.
- The proposal seemed to be retrofitting a site with some bushes and skips with a three-year temporary caravan storage facility, which appeared on paper to be acceptable; however, Officers would refuse the application if it was a permanent one.
- The application proposed the use of empty land to shoehorn in a storage facility because the land was not currently in use.
- The Club Way site looked unsightly from London Road and the Hampton parkway which was a problem. Furthermore, if screening was needed for a site, it indicated to Members that the location was an issue.
- Most people working in office buildings would not want to look at a caravan storage site.
- British Sugar was a world leading company that had chosen to relocate to the business park site and Members commented that caution should be exercised about what to place in neighbouring land, to encouraging and enhance the growth of the city.
- Members advised that the site visit to the current Club way site had not assured them that the owners were responsible for keeping a clean and organised site. Furthermore, Members were concerned about how the conditions would be enforced, given the lack of owner responsibility on the current site.
- The proposal would not enhance the area and was contrary to LP16.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to go against officer's recommendation and **REFUSE** the application. The Committee **RESOLVED** (Unanimously) to **REFUSE** the application.

REASON FOR THE DECISION:

The Planning and Environmental Protection Committee, **REFUSED** the application contrary to officer recommendation on the grounds that the proposal failed to positively contribute to the character and local distinctiveness of the area, or create a sense of place, contrary to Local Plan policy LP16.

5.2 **22/01621/WCPP - RECREATION GROUND THORPE LEAROAD PETERBOROUGH**

The Committee received a report, which sought permission to vary the wording of Condition 8 to allow for a further five years for the mobile classroom, changing facilities and toilets. The building would remain positioned in the northwest corner of the site and solely for the use of West Town Primary School.

The Senior Development Management Officer introduced the item and highlighted key information from the report.

Jill Murdoch, objector, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The objector was the Chair of the Thorpe Gate Residents Association (TGRA).
- A letter from February 2022 had stated that the mobile classroom was to be used for a changing room and other facilities in the adjacent playing field, however, the playing field remained unused.
- Since the permission had been granted in 2018, residents had witnessed it being used around eight times.
- During the Covid 19 pandemic it was accepted that all recreation areas would be used for outdoor activities for children, however this had not been an option for West Town children.
- Schools had reverted to a normal education curriculum after the Covid 19 pandemic; however, the field and mobile classroom had remained unused.
- West Town School had attempted to rent the land, which was against the conditions of use and an advertisement board had been placed on the boundary of the field. Furthermore, the field had been used by teenagers from a school located in the Midlands.
- It was believed that the school had not utilised the field for its intended purpose and had not complied with planning conditions.
- The field needed to be given back to public use with the removal of the mobile classroom.
- West Town school had its own playing fields for pupil sports use.
- The application had been presented as a school with a concrete yard, which was not believed to be the case.
- Paragraph 5.1.5 of the report had stated that there was a clear public benefit in maintaining the mobile classroom for school use, but it had been unclear to residents what that use was.
- Local people had lost a recreation area for family group picnics, five aside football, volleyball, golf and was a safe place for children and residents to use.

- The land located on the west that residents were left to use, was smaller and more exposed with less safe space for children to play ball games and for residents to continue with sports events.
- The field had been a good recreational resource for residents physical and mental health wellbeing, which they would like to welcome back rather than look at an empty unused field.
- Members of the public would rarely take part in public consultations and would leave matters of this nature to the residents' association to deal with, which was why there had been a low response of seven returns.
- The consultation result had been disappointing for the objector, however, a door knocking exercise had revealed that there were a significant number of residents that wished for the field to return to public use. Furthermore, there had never been an issue of noise when it was in public use.
- The objector had disagreed with the Education Officer's advice over the need for the use of the land for changing room and toilet facilities, as the field remained unused.
- Nene Park had alluded to the area being used for nature walks; however, this had not happened.
- The objector had been advised by West Town School that the rental advertisement had been made in error.
- The school had fenced off the land and had not made good use of the field. If it was rented out to schools from other areas, then parking facilities would need to be made available, which was why the use was restricted.
- Nene Park had stated at the time of the original application that they would like to use for nature walks. Therefore, any alternative use by pupils from another school was not permitted as per the condition imposed.
- The case officer reminded Members that the use of the field was not in question and that condition 2 had stipulated that the land could not be rented, with use restricted to West Town School only. Furthermore, condition 6, formally condition 8, was in relation to the extension of the mobile classroom to remain on site for a further five years, which required consideration.
- The objector argued that because it had appeared the recreational ground was not in use, it was the opinion of TGRA, that the mobile classroom was no longer required and therefore, there had been no reason to extend the permission.
- Members were advised by the case officer that the extension had been applied for as the Education Projects Officer had confirmed that there was a case to extend the permissions.
- Members were also advised that there had not been any noise complaint feedback received from Pollution Control. Furthermore, there was a condition in place to secure the use of the playing field and Planning Enforcement could be used if the condition was breached.
- Even though low use had been reported, the field was being used for Physical Education, which was why a changing facility was required.
- The temporary permission was useful to ensure the mobile classroom was being maintained and that there was a need for it.
- The changing unit would be maintained by the school.

William Nichols, the Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The application proposed the continued temporary use of the mobile changing room and toilets and had not included use of the enclosed sports pitch and running track, which had benefited from its own permanent planning permission.
- The recreation ground comprised of a small part of the green corridor to the east/west along the River Nene to the City Centre, Nene Park and Ferry Meadows. There remained a large area of open space for residents to use
- The current site enabled the school to provide PE lessons for the pupils of West Town (WT) Primary School, without any travel time constraints.
- The temporary mobile classroom provided changing and toilet facilities that served the sports track. The facility would also accommodate a future increase in student numbers to the school.
- There was no minimum use requirement for the changing facility as part of the original planning application.
- It was confirmed that West Town School had inadvertently advertised the use of the sports facilities, however planners had advised this was in contravention of the planning permission. The Agent confirmed that the sports facility had not been rented for public use, nor had it been advertised since.
- A letter from the Peterborough Education Capital Projects Officer, had confirmed the mobile changing classroom facility was required for the sports facility. Furthermore, The Committee had witnessed a sports lesson in operation during their site visit.
- Without the use of the temporary mobile changing facility, sports lessons would be compromised. In addition, pupils' wellbeing would be compromised due to the lack of toilet facilities near to the sports pitches.
- If the application was refused, it would not revert the sports field to public use, but simply present difficulties in the sports offer for pupils of West Town School due to a lack of appropriate facilities.
- The reason for the initial temporary application, had been because the changing facility was mobile, and units of this nature would deteriorate after time. It was confirmed by the Applicant that the building was currently in good condition, which Committee Members witnessed onsite.
- There had been no objection raised by statutory consultees, who included the Wildlife Officer and the Tree Officer. Furthermore, the site was not located within the conservation area.
- The proposal would continue to maintain good sports facilities for the pupils of West Town School in accordance with the Local Plan and NPPF.
- The proposal would not result in unacceptable harm to the residential amenity of neighbouring occupiers.
- There was no grass playing field on the West Town School site, as believed by the objector.
- The mobile sports changing facility was used regularly and part of the flexible needs of WT school.
- There was a plan in action to build a more permanent changing facility in place of the mobile changing unit.
- The Agent was uncertain whether WT Schools Ofsted rating would be affected if the mobile facility application was refused.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Members commented that the fence and playing facility had not been a consideration in the application and that the temporary mobile classroom was the only relevant issue.
- Members commented that there was no minimum use stipulated for the use of the PE mobile changing facility.
- The Education Department had supported the continued use of the mobile classroom for PE lessons.
- There had only been for objections received from the 150 people consulted.
- The School Children's well-being was paramount.
- The application was one that Members supported due to the good condition of the building, the need, pupils' well-being and toilet facilities.
- There were no parking facilities and therefore use would not cause noise and visual impact for the neighbours.
- The building was in good condition and was only temporary.
- Members had witnessed a sports lesson in session, and this had demonstrated the facility was required.

3:15pm - At this point the Committee took a short comfort break.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the application, subject to the impositions of conditions.

REASON FOR THE DECISION:

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

- The proposal would represent improved sports education facilities for pupils of West Town Primary School which should be afforded great weight, in accordance with paragraph 95 of the National Planning Policy Framework (2021)
- The proposal would not result in unacceptable harm to the residential amenity of the neighbouring occupiers, in accordance with Policy LP17.
- The proposal would not result in harm to the character or appearance of the surroundings, in accordance with Policy LP16.

3:30PM - At this point the Committee resumed to discuss the next item.

Councillor Harper stood down in relation to the consideration of agenda item - **21/01002/OUT - LAND AT HORSEY BRIDGE WHITTLESEY ROAD STANGROUND PETERBOROUGH** due to an earlier declaration to speak as Ward Councillor. Councillor Iqbal assumed the Chairman position.

5.3 21/01002/OUT - LAND AT HORSEY BRIDGE WHITTLESEY ROAD STANGROUND PETERBOROUGH

The Committee received a report, which sought outline permission for a new business park, which comprised of uses Classes E, B2 and B8. Only the principle of development

and its means of access were for consideration under this application, with all other matters being reserved for future consideration.

The sole means of vehicular access would be via a new priority junction on the A605 towards the eastern end of the site, with the existing crane depot access rerouted through the site and its existing access closed. A footway/cycleway is proposed to run through the site in a broadly East/West direction.

The application proposed up to 15,236sqm of employment space. The illustrative site layout plan (which was not for approval at this time) showed this arranged in 20 individual buildings ranging in size from 265sqm to 2,000sqm, aimed at the Small/Medium Enterprise business sector, for which the agent considered there to be a high level of demand.

A landscape planting strip was illustrated along the north-western site boundary intended to provide a buffer to the adjacent houses, whilst the central portion of the site, to the north of the Scheduled Monument and outside the red line of the application site would also remain free from development for the protection of archaeological remained.

New tree planting was illustrated along much (though not all) of the northern side of the A605. Whilst scale and design were not matters for consideration at this time, the applicant had confirmed that the proposed buildings would be restricted to eaves heights of between 6m and 10.5m. The application was accompanied by sections through the site to show how this height and scale of development would sit within the surrounding landscape.

The application had been considered by the Planning & Environmental Protection Committee on Tuesday, 21 March 2023. At the meeting, Committee Members resolved to refuse outline planning permission for the following reasons:

1. The applicant had failed to demonstrate that there is insufficient land within the city centre, elsewhere in the urban area (within General Employment Areas and Business Parks) or within urban extensions that was suitable for the proposed development leading to inappropriate development within the countryside, contrary to Policy LP2 and LP4 of the Adopted Peterborough Local Plan (2019).
2. The applicant had failed to demonstrate that the visual and landscape impact of the proposed development would not cause harm to the Peterborough Fens landscape character area including to its special character, local distinctiveness, features of historical importance, and important views and vistas, contrary to Policy LP27 of the Adopted Peterborough Local Plan (2019).

The application was being brought back before the Planning and Environmental Protection Committee for two reasons, which comprised of new information/evidence/material considerations to inform the decision-making of the Committee, which included:

1. Provide Committee with additional clarification on the interpretation of Local Plan Policy LP4 on "Other Employment Proposals"; and
2. Advice to Committee on the robustness of the reasons for refusal put forward when the application was considered, given the Counsel advice that has since been sought and received and in light of a realistic appeal to the Planning Inspectorate by the applicant.

The Head of Planning introduced the item and highlighted key information from the report and the update report, which included additional points on land supply and a review of a document carried out by Opportunity Peterborough and an Independent Land Specialist

which contained employment land availability submitted by the Applicant. Correspondence had also been received from a Ward Councillor and further objections from a local resident. Members were also asked to note a consultation paper from Huntingdon Council in relation to an extension to the Eagle Business Park in Yaxley made by the applicant.

Councillors Rush, Harper, Bisby, Ward Councillor, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Ward Councillor spoke on behalf of the residents of Stanground, of which many were against the application.
- Whilst it was recognised that job creation and economic development was important for the area, this provision needed to be constructed in the right place in the city.
- The proposed site was located on Green Belt Land and the Peterborough Fens Landscape Character area, with views across the Nene Washes, Flag Fen basin, Must Farm site and Horsey Toll Fort and was therefore rich with archaeological significance.
- Recent excavation on the site had unearthed wooden posts, which were built as part of a causeway for Must Farm to Horsey Fort and Flag Fen.
- There was no clear evidence why the site had been chosen for the proposed development when it had not been included on the Local Plan for allocation.
- NPPF stated that the planning system should contribute and enhance the natural and local environment by preventing new and existing development from being put at unacceptable risk from or being adversely affected by levels of air, water, soil, noise pollution or land instability.
- Historic England had raised concerns over the buried remains such as the archaeological remains from the bronze age becoming dried out as result of development and the proposed landscape plan.
- The proposal had not met the requirements of NPPF 194 and 195, due to the harm that could be imposed to the Horsey Hill Fort and the buried archaeological remains. There was a concern that once the development had completed, there could be no way to excavate the buried remains.
- The Tree Officer had been against the application under LP16,17 and 27 in relation to arboriculture, insufficient landscaping and screening.
- The application had objected to by the Council's archaeologists on the grounds that the proposal would not preserve the buried archaeological remains.
- The development would attract additional traffic to a busy road.
- The review of available employment land in Peterborough was conducted by Eddison Storey and Barker, the Agent on behalf of Barnack Estates, and was believed by the Ward Councillor, to be a biased opinion.
- The proposed development entrance would be located on a busy bend on the A605 and it had not been evident that the area could withstand the current or future traffic flow. It was therefore felt that the traffic assessment undertaken was insufficient.
- It appeared that the Local Plan had been abandoned and it was felt that if the development was agreed, a precedent would be set.
- There had been 204 objections against the application.
- Objections had included land not identified in the current LP, land within the minerals and waste LP, hydrology impact, tree officer objections, Middle Level Commissioner's objection, archaeologist's concerns, damage to the archaeological remains, Historic England's concerns, Highways and impact on Housing.

- The NPPF stated that any harm or loss of a significance of a designated heritage asset should have clear justification in relation to statue ancient monuments to allow developments.
- The Ward Councillor questioned whether the Authority's Archaeological Officer would describe the area proposed for development as a non-designated heritage asset of archaeological interest. Furthermore, clarification was sought about whether the landscaping and tree boundary would be protected if the development was approved, given the Tree Officer's concerns raised?
- Historic England had raised concerns based on the Tree Officers comments.
- A balanced view should be considered in terms of public benefit verses the loss of archaeological remains for the Committee to reach its decision.
- The Ward Councillor questioned whether the Committee had received the evidence to disregard policy LP19.
- If permission was granted for the proposed development, it would not only open the door to more predatory applications but would also set a precedent for the next three years.

Kate Wood, The Agent addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The Applicant welcomed the pragmatic approach taken by Officers and Members to reconsider the proposals.
- The Applicant had sought legal advice in relation to the lawfulness of the decision made by Committee on 21 March 2023. It seemed that the development would be acceptable and in accordance with the LP provided that no significant adverse impact would occur.
- Since the Committee considered the matter, the Applicant had provided an updated land supply report, retested agricultural land, sought clarification to the timing of closure of North Bank and an updated the Lanscape and Visual Impact assessment. Following the updates, there had been no consultee objections and the Officers had included 41 conditions.
- The Applicant had worked to ensure that the Ward Councillors concerns in relation to archaeology, traffic pollution, visual amenity and countryside character had resulted in amendments being incorporated. The issues raised had been addressed by the introduction of additional conditions.
- There had been 200 objections raised since the start of the planning application with these being reduced to 34 in 2023. The objections and concerns raised by consultees had been mitigated by introduction of conditions.
- Comments on the impact on wildlife had been addressed by the introduction of conditions to enhance and improve the environment.
- There was a need for employment land in Peterborough and the Local Plan was being review.
- The proposal would support the local economy by £15.7 million and provide employment opportunities and increase business rate income.
- Peterborough would miss out to Huntingdonshire on the opportunity of employment growth if the application was not permitted.
- There had been two counsel opinions to suggest that the original Committee decision was potentially unlawful. Therefore, the Applicant hoped that the measures taken to address all issues would help the Committee to review its original decision in light of the revised information supplied.
- The Huntingdonshire employment land alluded to in the Agent's address was in relation to A1 West and Yaxley, and that people from Peterborough could be attracted to those opportunities.

- It was a government requirement for each local authority to provide employment land.
- The land in Cyrus Way Peterborough would not be suitable as it was a different type of development opportunity, as the size of land would not satisfy the demand for SME units required.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Members were advised that the 49.5 hectares of employment land alluded to in the Officer's presentation had been allocated but not developed to date.
- The employment land sites allocated which comprised of 49.5 hectares were awaiting development and included Red Brick Farm, Gateway Peterborough, Oxney Road. Red Brick was the largest land waiting allocation, and this had left only one site for the whole of Peterborough.
- The Lynchwood Business Park development site that had been allocated for office use was on a very small car park set within another development.
- Another small site in Lynchwood Business Park, which had been due for determination for industrial use had comprised of 1.29 hectares and was unlikely to be approved by Officers, as it was contrary to the LP.
- Alternative office development sites allocated within the LP had amounted to 3.35 hectares, which were small amounts and unsuitable for the proposed application.
- There was an area of land which would be located outside of the boundary line and had been part of the Scheduled Monument. This had not required an archaeological protection preservation condition, because it was not within the planning proposal.
- The archaeological protection plan would ensure the preservation of that part of the ditch and archaeological deposits buried below ground in that area and help to preserve part of the setting of the Scheduled Monument.
- Condition C16 would require the further evaluation of the ditch which was not conducted at the original application stage.
- Condition C15 required the Applicant to submit a water table scheme to preserve archaeological remains. Alternatively, if the Applicant was unable to secure approval of the water table preservation scheme submitted, they would be required undertake archaeological excavation in those areas
- Condition C13 would ensure that the landscaping scheme had to be submitted to demonstrate how tree planting would not adversely impact on the water level within the site.
- Condition C17 would provide mitigation measures to other areas of the site where archaeological remains had been partially discovered. Furthermore, Historic England had not raised concerns about this approach and therefore deemed the conditional measures acceptable.
- Condition C13 included an active landscape plan in relation to the treatment of trees should they need replacement in the future.
- The egress and access junction for the proposed site had been assessed and it was recognised that crane vehicles could move slowly when manoeuvring in the junction, however, it had been expected that other traffic would be able to stop on approach to the junction, due to adequate and improved visibility splays and a recent reduction in the speed limit.
- Members were advised that it was impossible to predict the traffic patterns for the proposed junction, however, it could be reviewed for control measures as necessary if an issue was to arise.
- The proposed junction had been designed as a right-hand lane because traffic data had identified a requirement for that approach. Therefore, additional conditions would be unnecessary as they could restrict traffic flow out of the proposed junction.

- The highway proposal included as part of the detail design, would be subject to scrutiny by safety auditors. If highway issues were identified at the audit stage, measures would be implemented to resolve them before the Authority adopted that part of the junction.
- When the junction for the proposal was developed in its early stage, a 60mph speed limit operated, however, there had been other developments and improvements carried out which had reduced the road to a 40mph speed limit.
- The regular traffic surveys had been conducted throughout the application process, with the most recent completed at the end of 2022. The 2022 traffic survey conducted had not highlighted any change in vehicle movements since the installation of the Kings Dyke Level Crossing overbridge.
- There would be a landscape mitigation scheme on the east side of the proposed development to hide the view to neighbouring residents. In addition, the A605 side of the development would also receive additional landscape treatment.
- Officers were satisfied with the 41 conditions to be imposed on the proposed development.
- Members were advised that Officers had been satisfied with all the criteria identified in the Local Plan, such as viability of alternative employment sites, scale of the proposal, impact on character and appearance, impact on highway network and maximisation of Modal Shift away from car use.
- Members were advised that if they wished to discuss the external legal advice provided, it would need to take place in an exempt session.
- Members commented that the application was of a sensitive nature, however the concerns raised at the previous meeting around archaeology and highways had been addressed.
- There had been new information and evidence received particularly in terms of archaeological remains.
- Members also commented that in light of the external legal advice received, they would be in support approval of the application.
- The application also supported the Council's move towards a greener city and pollution reduction with the site being more accessible to all.
- Members commented that had they carefully considered the representations from the Ward Councillors and the public.
- Members were satisfied that any future highway issues could be dealt with should a situation arise.

RESOLVED:

The Planning Environment Protection Committee considered the report and representations. A motion was proposed and seconded to **GRANT** the application. The Committee **RESOLVED** (Unanimously) to **GRANT** the application in accordance with officer recommendation and section 106 agreement.

REASON FOR THE DECISION:

Subject to the imposition of the conditions, the proposal was acceptable having been assessed and in light of Counsel's policy interpretation advice, Officers now consider that:

- (i) the application accorded with Local Plan Policy LP4; and as before that
- (ii) the planning balance points to planning permission being granted in the face of the employment policies in the Local Plan being out-of date.

Officers therefore advised that Outline Planning Permission was **GRANTED** subject to the completion of a Section 106 agreement and the following updated conditions:

- C 1 Approval of details of the means of access, layout, appearance, landscaping and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before the development of any Phase approved pursuant to the Phasing Plan required by condition 3 of this permission is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

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

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 3 Prior to the submission of any application for reserved matters, a Phasing Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Phasing Plan.

The Phasing Plan shall include (but not be limited to):

- a. Existing features, including topography and those trees and shrubs to be retained;
- b. The extent of road to be constructed to adoptable standard;
- c. SUDS provision;
- d. Foul and surface water drainage;
- e. Structural landscaping;
- f. The order in which plots will be released;
- g. Zones to be kept clear from development in order to safeguard a view corridor from the A605 towards Peterborough Cathedral; h) Fire hydrant provision;
- a. Details of haul routes, routing and parking for construction traffic;
- b. Means of temporary and permanent access to the existing commercial uses to the north of the site;
- c. Provision of a footway/cycleway connecting through the site to and from the A605.

Reason: To secure the comprehensive and co-ordinated development of each part of the site, and to clearly identify the outline consent pursuant to which each part of the site will be developed in accordance with the policy standards required by the development plan and any other material considerations.

- C 4 Details submitted pursuant to condition C1 shall be restricted as follows:

- No building shall exceed a height of 10.5m from slab level to eaves and no building shall exceed a height of 13.2m to its highest point.
- The total cumulative quantum of floorspace shall not exceed 15,263sqm GIA

Reason: In order to ensure that development is restricted to that which has been applied for, and in order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

- C 5 No individual premises on the approved development shall exceed 2,000sqm and no individual occupier shall occupy more than 2,000sqm in total on the development.

Reason: In order to ensure the availability of premises for small-to-medium enterprises in accordance with the development need justifying the development.

- C 6 Prior to the submission of any reserved matters applications the applicant shall submit a Design Code for the written approval of the Local Planning Authority. The Design Code shall include but not be limited to:

- facing materials palette
- fenestration options
- shutters to vehicular openings
- security shutters
- roof form
- signage zones
- refuse storage

Reserved matters subsequently submitted pursuant to condition C1 shall comply in full with the approved Design Code.

Reason: In order to ensure the creation of high-quality buildings and place in accordance with paragraph 126 of the National Planning Policy Framework (2021) and Policy LP16 of the Adopted Peterborough Local Plan (2019).

- C 7 The rating level of noise emitted from the site shall not exceed 45 dB LAeq, 1 hour between 07:00 and 23:00 Monday to Friday and 35dB dB LAeq, 15 minutes at any other time. The noise levels shall be determined at the nearest noise sensitive premises using measurements and assessment made in accordance with BS:4142:2014.

Reason: In order to avoid any significant noise nuisance from the development to nearby sensitive premises.

- C8 Reversing alarms fitted to vehicles that are used regularly at premises shall be of a non tonal (white noise) design.

Reason: In order to safeguard the amenity of nearby residential occupiers.

- C 9 There shall be no deliveries, heavy goods vehicle movements, use of fork-lift trucks or use of any other vehicles fitted with reversing alarms operating on the site other than between the hours of 07:00 and 23:00.

Reason: In order to safeguard the amenity of nearby residential occupiers.

- C10 No external lighting shall be erected until a Lighting Strategy for all lighting across the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a. identify those areas/features on site that are particularly sensitive for, protected habitats breeding birds, bats and badgers that are likely to cause disturbance; and
 - b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species and/or habitats.
 - c. demonstrate that the use of lighting the development, and used at individual premises, does 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 01:20".
 - d. demonstrate how lighting of private roads, driveways or parking areas shall be arranged so that no danger or inconvenience is caused to users of the adjoining existing or proposed public highway.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances may any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In order to protect the amenity of local residents, in the interests of highway safety, and to safeguarded ecology in accordance with Policies LP13, LP17, and LP28 of the Adopted Peterborough Local Plan (2019).

- C11 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complied with approved details in the interests of the protection of human health and the environment, in accordance with Policy LP31 of the Adopted Peterborough Local Plan (2019).

- C12 Notwithstanding the indicative site layout indicated on Illustrative Masterplan reference AP0201 Revision U, the landscaping details submitted pursuant to condition 1 shall include but not be limited to:
- a. Tree and shrub planting to form a landscape buffer along the western site boundary adjacent to the River Nene (Old Course)
 - b. Tree and shrub planting to form a landscape buffer along the northern site boundary adjacent to the Kings Dyke
 - c. Tree and shrub planting to form a continuous landscape buffer alongside the A605 at both Whittlesey Road and Toll Road
 - d. Tree and shrub planting to form a landscape buffer on "blue land" alongside the A605 which allows screening of the development from adjacent residential properties at 1 and 2 Toll Cottage and Tollbar Cottage
 - e. Tree and shrub planting to form a landscape buffer along the north-western boundary of the "blue land" labelled "Archaeological Preservation Area" which may in part be placed within the car parking areas of a revised site layout

- f. Tree and shrub planting within the development including street tree planting and tree planting within all car parking areas
- g. A Landscape Management Plan including long term design objective and management/maintenance responsibilities
- h. Planting Plans including trees, species, numbers, size, densities, showing suitable soil volumes, tree pit details, including root barriers/deflectors, means of support and details of means of watering to provide suitable/appropriate irrigation rates
- i. An implementation programme for each phase of the development
- j. Hard surface materials
- k. Boundary treatments

All landscaping works shall be undertaken in accordance with the measures approved within the Water Table Minimum Level Preservation Scheme as required by condition 15 of this approval. The development shall thereafter be carried out in accordance with the approved hard landscaping details prior to first occupation/ use of the element to which it relates. In the case of soft landscaping this shall be implemented in the first available planting season following the first occupation or use of the element to which it relates. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan.

If within a period of five years from the date of planting of any tree or shrub or any tree/shrub planted in replacement of it, is removed, uprooted, destroyed or dies or becomes otherwise defective another tree or shrub of the same species and size as that originally planted shall be planted in the same location and in the next available planting season unless an alternative arrangement is agreed in writing by the Local Planning Authority.

Reason: In order to mitigate the impact of the development on the landscape and the minimise its effect on nearby residential properties in accordance with Policies LP16, LP27 and LP29 of the Adopted Peterborough Local Plan (2019).

- C13 The landscaping reserved matters details to be submitted pursuant to condition 1 shall specifically include details of root protection, root containment and irrigation in respect of new tree and hedgerow planting along the entire southern boundary adjacent to the A605.

All landscaping works shall be undertaken in accordance with the measures approved within the Water Table Minimum Level Preservation Scheme as required by condition 15 of this approval.

The development shall thereafter be carried out in accordance with the approved hard landscaping details prior to first occupation/ use of the element to which it relates. In the case of soft landscaping this shall be implemented in the first available planting season following the first occupation or use of the element to which it relates. The soft landscaping shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan.

If within a period of five years from the date of planting of any tree or shrub or any tree/shrub planted in replacement of it, is removed, uprooted, destroyed or dies or becomes otherwise defective another tree or shrub of the same species and size as that originally planted shall be planted in the same location and in the next

available planting season unless an alternative arrangement is agreed in writing by the Local Planning Authority.”

Reason: In order to protect and safeguard the amenities of the area whilst balancing the need to safeguard archaeological heritage assets, in accordance with Policies LP16, LP19 and LP29 of the adopted Peterborough Local Plan (2019) and Chapters 15 and 16 of the National Planning Policy Framework (2021).

- C14 Any landscaping abutting the River Nene (Old Course) along the north-western site boundary (as shown indicatively on drawing number AP0201 Revision U) which is removed in association with or as a result of works to the gas main shall be replaced in the first available planting season following the completion of works to the gas main with a species and size of planting equivalent to that which was removed.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the adopted Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework (2021).

- C15 Prior to the submission of any reserved matters applications the applicant shall:
- a. Submit a Water Table Minimum Level Preservation Scheme for the written approval of the Local Planning Authority which demonstrates that the individual and combined effects of foundations, other below-ground works, impermeable areas and landscape planting, along with any water table mitigation measures, shall not result in the water table within the site or the adjacent "blue land" labelled "Archaeological Preservation Area" on the Illustrative Masterplan (drawing number AP0201 Revision U) falling below 1.90m AOD at any time. Reserved matters applications shall therefore accord with the Water Table Minimum Level Preservation Scheme and development shall be implemented in accordance with the approved Scheme. Any mitigation measures identified in the approved Scheme shall be implemented in full and retained for the lifetime of the development.
 - b. Only in the event that the applicant is unable to secure the Local Planning Authority's written approval for a Water Table Minimum Level Preservation Scheme then a Written Scheme of Investigation ("WSI") in respect of the Late Iron Age and Later Bronze Age post alignments shown at Figure 4 of the Archaeological Evaluation Report (Cambridge Archaeology Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfill the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ or, where this is not possible to achieve, to mitigate the impact of the development on the historic environment and to ensure investigation, recording, reporting and presentation of the Late Iron Age and Later Bronze Age posts affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning

Policy Framework (2021). This is a pre-commencement condition as measures to safeguard the minimum level of the water table to ensure preservation in-situ of archaeological assets must inform reserved matters designs or, if this is not possible, the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

- C16 Prior to the submission of any reserved matters applications a Written Scheme of Investigation ("WSI") in respect of the alignment and extent of the Bronze Age ditch and rampart shown in part at Figures 2 and 4 of the Archaeological Evaluation Report (Cambridge Archaeological Unit, University of Cambridge, June 2022) shall be submitted to and approved in writing by the Local Planning Authority.

The WSI shall fulfil the requirements specified in a Brief issued by Peterborough City Council Archaeological Services. The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phased of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials. Thereafter, for the land that is included within the WSI, the development shall not take place except in complete accordance with the approved WSI, which shall be implemented in full prior to the commencement of any development.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of the ditch and rampart archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a precommencement condition as the works set out in the WSI must be submitted, approved and undertaken in order to inform the subsequent reserved matters application(s) in respect of internal means of access, siting and landscaping.

- C17 In respect of those parts of the site not included within conditions 15 and 16 above, no development shall commence until an archaeological mitigation strategy, including a Written Scheme of Investigation ("WSI"), has been submitted to and approved in writing by the Local Planning Authority. The WSI shall fulfil the requirements specified in a Brief issued by Peterborough City Council Archaeology Services. Thereafter, for the land that is included within the WSI, no development shall take place except in complete accordance with the approved WSI, which shall be implemented in full.

The WSI shall detail the programme of archaeological work and include a statement of significance, research objectives, the programme and methodology of site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works, with timetables and any phasing of work. It will also detail the programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of archival materials.

This condition may be discharged in stages but shall not be fully discharged until the whole mitigation strategy set out in the WSI has been fulfilled to the satisfaction of the Local Planning Authority. Stages for discharge may be as follows:

1. Submission and approval of the WSI

2. Completion of the agreed fieldwork and post investigation assessment, as applicable
3. Reporting/publication
4. Archiving

Should significant remains be encountered in the course of the fieldwork, the Local Planning Authority shall be immediately informed and the applicant shall ensure that any such exposed remains are undisturbed until their significance can be determined and consideration of their reburial/retention in situ or other mitigation is addressed.

Reason: To preserve archaeology in-situ and to ensure the investigation, recording, reporting and presentation of archaeological heritage assets affected by the scheme, in accordance with Policy LP19 of the adopted Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2021). This is a pre-commencement condition as the works set out in the WSI must be submitted, approved and undertaken before any development works take place.

C18 Development shall be undertaken in accordance with the Sustainability Strategy dated 14 February 2023.

Reason: In accordance with sustainability objectives set out at Policy LP31 of the Adopted Peterborough Local Plan (2019).

C19 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.

- Detailed engineering drawings of each component of the drainage scheme.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- An Implementation Programme sequencing the elements of and order within which the entirety of the approved strategy will be implemented

The scheme shall subsequently be implemented in accordance with the approved details.

Reasons:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development. - To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C20 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reasons:

- The National Planning Policy Framework paragraphs 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.
- Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. - To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.
- Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.
- In order to accord with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C21 Prior to the occupation of any part of the development a Drainage Maintenance Strategy detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Thereafter the surface water drainage provision within the site shall be maintained in perpetuity in accordance with the approved Drainage Maintenance Strategy. An annual Maintenance Log demonstrating compliance with the approved Drainage Maintenance Strategy must be kept and must be made available to the Local Planning Authority upon request.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk, in accordance with Policy LP32 of the Adopted Peterborough Local Plan (2019). Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

C22 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding.

C23 The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the following documents:

- o Preliminary Ecological Appraisal (James Blake Associates, September 2021)
- o Landscaping and Ecological Management Plan (James Blake Associates, March 2021)
- o Landscape Master Plan (James Blake Associates, March 2021)

These documents detail the methods for maintaining the conservation status of Ecological Constraints and must be complied with at all times.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C24 No development shall take place (including any ground works or site clearance) until a method statement for the resurvey of Badgers has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s), survey requirements and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance, as applicable;
- g. disposal of any wastes arising from works, as applicable.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C25 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a. Summary of potentially damaging activities.
- b. Identification of "biodiversity protection zones".
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction on possible nesting birds, reptiles and Great Crested Newts that may use the habitat (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons and lines of communication.

- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

- C26 No building or construction work or any kind shall take place within 30 metres of any part of the site containing material evidence of Barn Owl occupation unless survey-based evidence has been provided to the Local Planning Authority that no birds are nesting at the identified feature within 3 days of work commencing.

Reason: In order to safeguard ecological interests, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

- C27 Prior to the first occupation of any part of the development a Full Fibre Broadband Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall demonstrate how each of the premises is to be provided with a Full Fibre Broadband connection of not less than one gigabit (1,000 megabits) per second. The approved Full Fibre Broadband Scheme shall be implemented prior to the first occupation of each premises.

Reason: To ensure adequate telecommunications infrastructure was provided in accordance with Policy LP14 of the Adopted Peterborough Local Plan (2019).

- C28 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of existing and proposed site levels including the finished floor levels of all new buildings and any associated parking. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenity in accordance with Policies LP16 and LP17 of the Peterborough Local Plan.

- C29 The plans and particulars to be submitted as reserved matters under condition C1 shall include details of the following, as appropriate:

- Details of new footpaths and cycleways including how these tie into the existing foot/cycle ways and bridleways;
- Details of the internal access roads/cycleways/footways and junctions within the site
- Car parking, circulation, turning areas and loading and unloading areas.
- Electric charging points/infrastructure;

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the highway network is suitable for the traffic volumes predicted and to allow for safe/easy access by pedestrians, in accordance with Policy LP13 of the Local Plan (2019).

- C30 Notwithstanding the details shown on drawing Y411-PL-SK-202 C, prior to commencement of development above slab level a revised design for the western

pedestrian and cycle access to the site, connection(s) to the Green Wheel, new bus stops and crossing of Whittlesey Road along with the associated refuge island shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the means of access for pedestrians and cyclists has been constructed 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).

- C31 Construction shall not begin until detailed drawings (based upon drawing Y411-PL-SK-203 B) for the design of the junction between the proposed access road and the highway have been approved in writing by the Local Planning Authority; and the building(s) shall not be occupied until that junction has been constructed in accordance with the approved details.

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

- C33 Visibility splays clear of any obstruction over a height of 600mm above carriageway level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 120m measured along the channel line of the public highway from the centre line of the proposed access road. The channel line must be measured along the edge of the carriageway or the line of the face of the kerbs on the side of the existing highway nearest the new access.

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

- C34 The existing 'Crane Depot' access junction with the A605 shown on Location Plan reference 2472-AP0101 Revision D shall be permanently closed to vehicular traffic before the new access hereby approved has been brought into public use or in accordance with a timetable agreed in writing by the Local Planning Authority. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority. The permanent closure shall be carried out prior to the first occupation of any building on the site.

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

- C35 The gradient of the access shall not exceed 1:20 for a distance of 20 metres from the back edge of the existing public highway.

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

- C36 Development shall not commence until a fully operational jetted drive-thru bath type wheel cleaning apparatus has been installed within the site on all exits and the area between this and the public highway is hard surfaced in either concrete or tarmac and maintained free of mud, slurry and any other form of contamination whilst in use. All vehicles leaving the site shall pass through the wheel cleaning apparatus 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 apparatus shall be retained on site in full working order for the duration of the construction of the development.

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

C37 No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan shall include the following:-

- a. A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmac, to be maintained free of mud, slurry, and any other form of contamination whilst in use. A contingency plan including, if necessary, the temporary cessation of all construction operations to be implemented in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- b. Haul routes to the site and hours of delivery.
- c. Measures to ensure that vehicles can access the site upon arrival to ensure that there is no queuing on the public highway.
- d. Details of site compounds, storage area and contractor and visitor parking.
- e. A scheme for dealing with complaints.
- f. Details of any temporary lighting which must not directly light the public highway.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety in accordance with Policies LP13 of the Adopted Peterborough Local Plan. This is a pre-commencement condition as the Construction Traffic Management Plan needs to be in place before works start on site.

C38 Notwithstanding the details shown on the Illustrative Masterplan (drawing number AP0201 Revision U) this permission confers approval only for the first 20m of the new site access from channel line of the A605 as measured along the edge of the carriageway on the side of the highway in the location of the new access. Reserved matters application(s) submitted pursuant to condition C1 shall include details of the alignment and arrangement of the remainder of the internal access road required to serve the development.

Reason: The site layout shown on the Illustrative Masterplan does not take into account archaeological and other constraints and requires revision, meaning that that it is not appropriate to approve or fix the extent of the internal access road at this time.

C39 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any subsequent Order revoking or re-enacting that Order with or without modification) no occupation of any building or its curtilage shall take place other than within Use Class E (offices), B2 (industrial) or B8 (storage and distribution) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). No occupation with Use Class

E shall take place other than as offices falling within Use Classes (E)(c), E(e) or E(g).

Reason: A further assessment would be necessary to ascertain whether any alternative use would be acceptable in this location, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). Reason: The s

C40 The development hereby permitted shall be carried out in accordance with the following approved plans/details:

- Location Plan reference 2472-AP0101 Revision D
- Junction design drawing reference Y411-PL-SK-203 Revision B
- Landscape and Ecological Management and Maintenance Plan Revision A (James Blake Associates, May 2021)
- Flood Risk Assessment Revision V1 (Parsons Consulting Engineers, November 2022)
- Framework Travel Plan (Cannon Consulting Engineers, May 2021)

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

C41 Any reserved matters application which proposes in excess of 280sqm of office space (falling within Use Class E(c), E(e) or E(g)) which is not ancillary to a primary use falling within Use Class B2 (industrial) or B8 (storage and distribution) shall be subject to a Sequential Site Test.

Reason: In order to ensure a robust assessment of the effect of office development on nearby centres in accordance with Policy LP12 of the Adopted Peterborough Local Plan (2019).

5:24PM - At this point, the Committee took a short comfort break.

5:38PM – At this point, Councillor Harper joined the meeting and resumed Chairman duties. Members also **AGREED** to continue with the remaining agenda items.

6 **Local Plan Issues and Options Paper**

The Planning and Environmental Protection Committee received a report in relation to the Local Plan Issues and Options Paper.

The purpose of the report was to enable the Committee to comment on the Local Plan Issues and Options consultation document before it was submitted to Cabinet on 10 July for approval for the purpose of public consultation in July to September 2023

The Planning Policy Manager introduced the report and asked Members to consider the Local Plan Issues and Options consultation document before it was submitted to Cabinet on 10 July for approval for the purpose of public consultation from July to September 2023.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Members were advised that the consultation options document would be categorised into specific topics such as environment or transport and this could be a drop-down function on the website questionnaire. The consultation could also be themed to encourage public interest.
- Rather than organise workshops, the Team would send information packs to parish councils, libraries as well operate a communications campaign on social media to

promote the LP consultation options. In addition, the Team would organise events around the city at the draft stage of the LP consultation.

- The Government had been specific about Building Regulation minimum requirements, however LAs could include other elements such as rainwater harvesting, and energy efficiency schemes within its standard requirements. In addition, any standards set would be subject to an evidence-based viability test to ensure that the LAs required schemes were appropriate for a planning development.
- The LA could explore ways to identify carbon neutral sites as a standard but could not impose this requirement for allocated sites. Furthermore, carbon neutral sites could become a normal requirement, as Government policy changed.
- There were environmental building incentive schemes in operation, however, this had been in relation to employment development. In addition, developers could be encouraged to raise their carbon neutral standards for housing by way of LA endorsement if the building specification had met a required carbon neutral efficiency criterion.
- There was an assessment conducted to explore the school provision for site developments. In addition, a housing trajectory of a five-year land supply was shared with other Council departments such as education so that the city's future education provision was effective.

AGREED ACTIONS

The Planning and Environmental Protection Committee noted the Local Plan Issues and Options Paper.

7 Quarterly Appeals Report

The purpose of the report was to consider and note the contents of the report including Quarterly Appeals Report, which covered the appeal decisions received for the period from January to March 2023.

The purpose of the report was to enable the Committee to view the Planning Service's appeals performance and identify if there were any lessons could be learned from the decisions made. In addition, the report intended to help inform future decisions and potentially reduce costs for the Authority.

The Head of Planning introduced the report and asked Members to note past performances and outcomes.

The Planning and Environmental Protection Committee debated the report and in summary, key points raised and responses to questions included:

- Members commented that the appeal decision upheld for 22.01007.HHFUL 322 Oundle Road was the opinion of the Planning Inspectorate rather than a criticism of the Committee's decision.

AGREED ACTIONS

The Planning and Environmental Protection Committee noted the quarterly appeals report.

CHAIRMAN
END - 6.01PM