

Application Ref: 22/01510/FUL

Proposal: Erection of a Class E foodstore and three Class E(g)(iii)/B8 employment units with car parking, landscaping and other associated works

Site: Tranche TC2, London Road, Peterborough,
Applicant: Peveril Securities Limited
Agent: Ms Sophie Drury, Carney Sweeney
Referred by: Cllr Lindsay Sharp
 Cllr Chris Wiggin

Reasons: As set out in Section 4 of this report
Site visit: 06.02.2023

Case officer: James Croucher
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Recommendation: **GRANT** subject to relevant conditions, a Section 106 agreement to secure offsite highway mitigation works, and the submission of an acceptable preliminary Hampton Avenue/A15 London Road junction design and associated Stage 1 Road Safety Audit

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

Introduction

This is a full application on a broadly rectangular 2.8 hectare site in central Hampton which proposes a mixed-use commercial development comprising 3no. commercial units (Uses Classes E(g)(iii)/B8) and 1no. foodstore (Use Class E). Use Class E(g)(iii) is defined as "any industrial process which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash dust or grit" and Use Class B8 is storage/distribution. Ancillary office floorspace is proposed within all 3 of the commercial units.

The application site lies on the northern side of Hampton Avenue, with residential development (including houses and a retirement complex) to the south. To the south-east is a public house and an Aldi supermarket, the latter being accessed directly off the A15. To the east is a health club and its car park, with drive-through food premises and a further public house beyond. On a higher land level to the north is the Serpentine Green shopping centre car park. Cleared land, similar in character to the application site, is to the west.

The site itself is generally flat, comprising cleared land with no physical features of any particular note.

The Proposed Development

The application proposes 10,441sqm of employment space in three commercial units:

Unit 1 (detached): 4,468sqm (48,100sqft) comprising 4,087sqm warehousing/distribution/residential-compatible industrial and 381sqm ancillary offices
 Unit 2 (semi-detached): 2,522sqm (27,150sqft) comprising 2,229sqm warehousing/distribution/residential-compatible industrial and 293sqm ancillary offices
 Unit 3 (semi-detached): 3,451sqm (37,150sqft) comprising 3,159sqm warehousing/distribution/residential-compatible industrial and 293sqm ancillary offices

Additionally a standalone foodstore is proposed:

Unit 4 (detached): 2,275sqm (24,488sqft) gross including stockrooms, back office and staff welfare facilities.

The applicant has advised that they are in advanced discussions with Lidl and that the store has been designed to their standard format, but that as yet no letting agreement has been signed. The identity of the operator is not a material consideration in this instance which would influence the principle of development.

A dual means of vehicular access is proposed:

- Access to the commercial units' service yards would be via the A15 London Road roundabout, by extending the existing stub access of Ashbourne Road (between the Krispy Kreme unit and the Premier Inn hotel) into the site. This access road would also provide the first of two accesses into the supermarket car park

- Access for the commercial units' main car parking areas would be taken directly off Hampton Avenue, albeit not in locations where access bellmouths already exist. The second of the two supermarket car park accesses would also be taken directly off Hampton Avenue, again by creating a new access rather than using an existing bellmouth. Replacement parking bays would be formed on Hampton Avenue to replace those lost by the proposed new accesses.

A new pavement is proposed along the northern site access road, which the submitted plans make clear would remain in private ownership.

Two electric vehicle charging points are proposed for each of the 4 units, together with disabled parking bays and cycle parking.

2 Planning History

Outline planning applications

91/P0556 Permitted 09/03/1993

Development of a township to include approximately 5,200 homes together with community, educational, social, industrial and commercial areas and associated open spaces, roads and service infrastructure.

as renewed by:

04/01927/WCPP Permitted 26/04/2006

Variation of condition A3 of 91/P0556 and 91/0815 to extend the time periods for submission of reserved matters relating to all the phases of the development except Phase 1 and Junction 3A.

98/00160/OUT Refused 24/03/1999, appeal withdrawn 24/01/2000

Retail warehouse units (9,290sqm)

99/01163/OUT Appeal dismissed 20/07/2000

Erection of retail warehouse units totalling 6,500sqm gross floor area and provision of highway access to London Road and pedestrian links to Serpentine Green

3 Planning Policy

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

Peterborough Local Plan 2016 to 2036 (2019)

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

The council will take a positive approach that reflects the presumption in favour of sustainable

development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP02 - The Settlement Hierarchy and the Countryside

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

LP03 - Spatial Strategy for the Location of Residential Development

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

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.

LP05 - Urban Extensions

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

LP07 - Health and Wellbeing

Development should promote, support and enhance the health and wellbeing of the community. Proposals for new health facilities should relate well to public transport services, walking/cycling routes and be accessible to all sectors of the community.

LP12 - Retail and Other Town Centre Uses

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

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

an appropriate scale.

LP13 - Transport

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

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

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

LP14 - Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development. Developers will be expected to contribute toward the delivery of relevant infrastructure.

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.

LP18 - Shop Frontages, Security Shutters and Canopies

LP18 a) Shop Frontages (including signage)- Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

LP18 b) External Shutters- Permission will only be granted where there is demonstrable need in terms of crime; the property is not listed or within a conservation area; the shutter is designed to a high standard and is perforated.

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.

LP31 - Renewable and Low Carbon Energy

Development proposals will be considered more favourably where they include measures to reduce energy demand and consumption, incorporate sustainable materials, incorporate decentralised or renewable energy or carbon off setting. Proposals for non wind renewable energy will be considered taking account of the impact of the landscape including heritage assets, amenity, highways and aviation. Wind proposals will also only be considered if in addition to these factors the site is in an adoptable Neighbourhood Plan and the proposal has local support.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP33 - Development on Land Affected by Contamination

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

LP35 - Urban Extensions Allocations

Identifies the site allocated for urban extensions in accordance with policy LP05.

LP43 - Strategic Employment Allocations

Identifies urban extensions to deliver a mix of uses including employment.

LP45 - Employment Allocations

Identifies the sites to be developed primarily for development within use classes B1, B2 and B8.

National Planning Policy Framework (September 2023)

Section 2: Achieving Sustainable Development

Section 4: Decision-making

Section 6: Building a strong, competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Community Infrastructure Levy (CIL) Regulations 2010
Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Cllr Sharp - comments:

- Questions whether Use Class E is suitable in this location, given the lack of a Development Area Brief for this part of Hampton and the requirements of Local Plan Policy LP12, particularly in demonstrating a need for the additional retail space element over other locations or over more suitable developments such as affordable housing.
- Raises concerns in respect of compliance with Local Plan Policy LP4; the General Employment Area for Hampton allows for B1, B2 and B8 development with regards to employment but this does not mean that this site is suitable for such uses and other more suitable sites may be available.
- Questions whether it has been demonstrated that the application is for an efficient use of land and whether a modal shift from car use has been demonstrated.
- Transport concerns do not appear to have been adequately addressed, including wider impacts on the highway network such as the Hampton Avenue/A15 junction, noting that this development may promote car use not reduce it.
- The proposed development could result in a significant loss of amenity for the residents fronting and accessing onto Hampton Avenue, being not in keeping with the residential nature of the area; specifically noting the impacts from noise and air quality.

Cllr Wiggin - comments:

- The provision of these units will increase the number of car journeys to this area rather than reducing the need to travel, especially by car". There is a considerable distance between the proposed supermarket and the nearest bus stop, at either Silver Hill or Serpentine Green, which is too far for anyone to reasonably carry more than a small amount of shopping.
- The information on buses in the Travel Plan is inaccurate and does not reflect the service changes by Stagecoach at the end of November, for instance the number 6 bus is now every 20 minutes during the day and the 904 has never run at a 30 minute frequency is now a 90 minute frequency with no evening service.
- Traffic at the Serpentine and on London Road is already under considerable strain, exacerbated by the large numbers of traffic lights, and the traffic demand is continuing to grow as the Hamptons East and Hampton Heights developments continue to be occupied. These roads also act as a main diversionary route when the A1139 and A1(M) are closed due to either planned maintenance or accidents, and congestion will only increase as the Great Haddon development continues, especially until the shops in that area come forward in future phases.
- Hampton already has the highest car ownership per household in Peterborough at over 2 per household. To enable this development to be considered, London Road between the Serpentine

and Eagle Way would need considerable improvement to manage traffic demands, as well as remodelling of the junction at Hampton Avenue to prevent vehicles turning right. Consideration should be given to having all vehicle access for the supermarket via Ashbourne Road rather than Hampton Avenue.

- The adjacent health club car park has a long history of issues with antisocial behaviour from car meets and other gatherings, resulting in complaints about noise and litter amongst other issues, and both police and council enforcement officers have been involved. The car parks at the proposed development may provide a further location for antisocial behaviour, making it harder to control across the multiple sites.

- Cranberry Court is a retirement housing complex opposite the proposed supermarket site. Concerns have been raised that the increased traffic movements, both from customers and delivery vehicles, may adversely affect the residents of Cranberry Court and other residents around Hampton Avenue a due to the increase noise early in the morning and later into the evening.

Hampton Parish Council

Objection:

- Scheme will generate a volume of traffic within an area that already has ongoing issues particularly around the McDonalds roundabout

- All supermarket traffic should be solely via the proposed service access road.

- The Hampton Avenue exit onto the A15 should be a left turn only, on safety grounds

- The traffic survey does not accurately reflect the distance of walking/cycling to nearby bust stops or other amenities and propose that an access path connecting the service road to serpentine green cycle path would be beneficial.

- There have been issues with car meets in a nearby location and the Parish Council would like to suggest that ANPR cameras are installed in all the car parking locations to limit this.

Local Highway Authority

Offsite highway mitigation works are required. The left-turn-only restriction from Hampton Avenue onto the northbound A15 London Road is acceptable from a modelling perspective, albeit a preliminary design and a Stage 1 Road Safety Audit would be required before full acceptance could be confirmed.

A range of site layout issues have been identified which would need to be addressed.

Details of associated works to Hampton Avenue are currently absent and would need to be addressed.

A footway along the full length of the proposed Ashbourne Road extension is required.

Wider capacity constraints on the A15 London Road corridor, associated with the committed development from Great Haddon, remain outstanding notwithstanding the proposed junction mitigation works proposed in association with this application.

Peterborough Cycling Forum

No objection in principle. Requests a cycleway link through the site and along the proposed Ashbourne Road extension, as well as cycle-friendly detailed design elements

PCC Pollution Team

No objection subject to conditions in respect of noise, lighting and contaminated land.

Police Architectural Liaison Officer

No objection subject to conditions.

PCC SUDS Officer

Requested additional details

Officer note: these were subsequently provided and the SUDS Officer made no further comment when reconsulted

Anglian Water

No objection subject to conditions

PCC Tree Officer

No objection subject to conditions

PCC Wildlife Officer

No objection subject to conditions

Archaeological Officer

No objection. The proposed development site is located in an area of former clay extraction which has removed potential buried remains.

PCC Travel Choice

No comments received

Local Residents/Interested Parties

108 objections received across two rounds of consultation:

Principle of development

- Objections in principle to commercial and/or retail development on this site
- Land would be better developed for housing
- Land would be better put to community uses
- Land would be better used for leisure facilities
- Land would be better as a purpose-built GP surgery
- Plenty of foodstore provision already nearby
- An additional discount foodstore is not needed at Hampton
- An additional Lidl store is not needed in Peterborough
- Warehousing is inappropriate so close to people's homes
- Surplus of existing warehousing floorspace already exists
- Better locations are available for the proposed commercial development

Traffic & transport

- Increased traffic using the already busy Hampton Avenue/A15 junction
- Increased congestion, including on the A15
- Additional commercial accesses onto Hampton Avenue unnecessary
- Commercial access should be solely via Ashbourne Road, to the north
- Staff likely to use the visitor bays on Hampton Avenue
- Potential for overspill parking on adjacent residential streets
- No safe way nearby to cross the A15 from Hampton East
- If permitted, Hampton Avenue exit onto the A15 should be left-turn only

Amenity

- Noise and disturbance to nearby residents, particularly from heavy goods vehicles movements, reversing beepers, hum from refrigerated trailers etc
- The commercial units' operating hours relied on in the noise report are inconsistent with those stated elsewhere in the application
- Light pollution
- Potential odour pollution
- Disruption during construction
- Insufficient new planting is proposed to properly shield the development from nearby properties
- Particular concern for the safety of both children and the elderly living near or passing the proposed development

- Overbearing impact and loss of outlook
- If approved, the warehouses should have operating hours restrictions and not be 24/7

Crime & disorder

- Potential for additional antisocial behaviour in the car parking areas, as experienced in the adjoining health club car park

Ecology

- Harmful effect on wildlife
- Loss of grassland habitat
- No Biodiversity Net Gain Assessment has been demonstrated

Other

- Design is out of character
- Height, scale and massing are all inappropriate
- Warehouses do not fit with the character of this residential area
- Apartments should not have to face an industrial estate
- Welcomes the foodstore but not the warehouses
- Insufficient screening is proposed
- Additional litter
- If approved, the car parks must be fenced and gated off at night

Note: a number of consultees have raised concerns as to the effect of the proposed development on their own private property values. This is a not a material consideration.

3 letters of support received

- The area is in danger of just being a rotting wasteland
- Housing developers have obviously rejected it so why not put it to commercial use
- A full review of traffic conditions on or around the roundabout by McDonalds is required in any event as the flow needs regulating in the evening
- It can never hurt to have more jobs in the area and anything would be better than the wasteland the ground currently is
- Hampton is a growing place with more and more residents, a new store would be beneficial and would save lengthy travels to alternative stores in the area

5 Assessment of the planning issues

Main matters for consideration:

- a) Principle of Development
- b) Highway matters
- c) Visual impact
- d) Neighbour Amenity
- e) Other matters
- f) The planning balance

a) Principle of Development

The site falls wholly within the Hampton Urban Extension, where Local Plan Policy LP5 confirms that residential, employment and retail uses should all be provided. Unusually for Hampton, the parcel is not subject to an approved Development Area Brief and consequently there is no additional layer of policy guidance as to which urban extension uses will or will not be appropriate in this location.

In terms of the proposed employment elements, Local Plan Policy LP4 confirms that employment development will be mainly focussed in the City Centre, General Employment Areas/Business Parks, and in the urban extensions. The policy specifically encourages mixed-use developments that incorporate employment, residential, leisure and retail uses. The proposed Use Classes of the

commercial elements include E(g)(iii), a light industrial use class which the Use Classes Order defines as being acceptable within residential areas., and B8 warehousing/distribution, which typically generates lower levels of employment per sqm and tends to be associated with large goods vehicle movements. The proposed ancillary office elements are also appropriate within residential areas.

Members may recall the recent outline planning application at Horsey Bridge (21/01002/OUT), where it was demonstrated and accepted that there is a forecast shortfall in employment land in the City for the remainder of the Local Plan period. Be that as it may, Local Plan Policies LP4 and LP5 both confirm that employment development in this location accords with the Local Plan's spatial strategy in any event.

Consequently, subject to a detailed assessment of all other material considerations, the proposed employment units are considered acceptable in principle and in accordance with Policies LP4 and LP5 of the Adopted Peterborough Local Plan (2019).

The proposed foodstore is subject to different policy tests, and has been justified by the applicant by way of a Retail Statement. Local Plan Policy LP12 explains that the overall strategy for retail in the City is to:

- support and regenerate the City Centre in order to promote its viability and vitality and to maintain its position at the top of the retail hierarchy
- protect, support, and where necessary regenerate existing District Centres and Local Centres to ensure they continue to cater for the needs of the communities they serve
- provide appropriate development in the form of new centres in the emerging and proposed urban extensions , to serve the needs of the new communities created

The application site is not within any District Centre or Local Centre, and therefore it is incumbent on the applicant to demonstrate that:

- (i) There is sufficient capacity for the proposed additional retail floorspace such that there would no be material adverse effect on existing defined District Centres or Local Centres; and
- (ii) Having demonstrated this, that there are no sequentially preferable locations within or adjacent to a defined District Centre or Local Centre.

The Council has appointed an independent retail consultant to assess the case made by the applicant. The consultant has confirmed that sufficient capacity exists such that there would be no significant adverse impact on existing defined District Centres or Local Centres, this being the relevant test at paragraph 91 of the National Planning Policy Framework (September 2023). Having reviewed the consultant's commentary on potentially sequentially-preferable alternative sites, Officers are satisfied that none are reasonably available for the proposed foodstore.

Consequently, subject to a detailed assessment of all other material considerations, and a condition restricting the range of goods that can be sold to those which the retail report assessed, the proposed foodstore is considered acceptable in principle as an evidenced and justified departure from Policy LP16 of the Adopted Peterborough Local Plan (2019).

b) Highway matters

The Local Highway Authority, having initially issued a holding objection seeking additional information, has worked proactively with the applicant to address their initial concerns in respect of both traffic modelling and the design of the proposed development:

Traffic modelling

- Justification for the suitability of local junction modelling for the study area was initially inadequate, but has since been addressed
- The Great Haddon site was not initially included as a committed development within the traffic modelling and forecasting, which has since been addressed

- Yaxley was not initially included within the trip distribution exercise, which has since been included
- The TRICS data initially used included Scotland and Wales but did not include population size groups relevant to Peterborough, which has since been revised
- There was insufficient clarity on how MSOA intra-zonal trips have been considered within the trip distribution calculations, which has since been addressed
- Further analysis of the ATC Week 2 data was not initially included, which has since been provided
- Confirmation of whether the National Road Traffic Projections 2022 have been used to adjust TEMPro 8.0 growth was not initially included, but has since been provided
- The Behavioural Change Common Analytical Scenario was not initially included, but has since been provided
- No estimate was initially submitted in respect of the likely car parking accumulation for each unit, necessary in order to demonstrate the suitability of the proposed car parking provision. This has since been addressed.

In order to address these technical factors, adjusted traffic modelling was necessary to account for the required revisions to trip generation, distribution, committed sites, and background growth. Once this information had been submitted, the Local Highway Authority was able to confirm that mitigation works to the local highway network would be necessary to avoid an unacceptable impact on highway safety, and to mitigate an otherwise severe residual cumulative impact on the road network. The mitigation proposed by the applicant and supported in principle by the Local Highway Authority comprises a left-only turning restriction from Hampton Avenue onto the northbound A15 London Road, a measure also identified by the Parish Council in its consultation response. The Local Highway Authority has confirmed that this would significantly improve the performance of the A15 / Hampton Avenue junction, with only a very minor impact on the performance of the A15 London Road / The Serpentine Roundabout. A Traffic Regulation Order will be required to facilitate this mitigation, the cost of which should be borne by the applicant pursuant to a Section 106 agreement.

At the time of writing the applicants had submitted a further highways Technical Note, as well as an LTN 1/20 "Cycling Level of Service (CLoS) Tool" assessment of local cycling infrastructure, the response to which from the Local Highway Authority will be reported on the Update Sheet.

The Local Highway Authority has raised wider concerns in respect of the capacity of the A15 London Road corridor, associated with traffic from the committed development at Great Haddon, noting that this additional traffic would result in the A15's capacity being exceeded without significant strategic interventions on the wider highway network. These would include the dualling of the Hampton Western Peripheral Road (Natures Way) and improvements to Fletton Parkway Junction 2.

Layout considerations

The Local Highway Authority raised a number of initial concerns in respect of the site's layout and design, which the applicant has elected not to revise during the course of their application but which can be addressed through conditions or within a Section 106 agreement as follows:

- (i) There is a significant under-provision of parking (22 spaces) for the retail unit in comparison to the maximum standards set out in LP13. The site is not on a bus route and is in excess of the advised maximum walking distance to the nearest bus stops. This being the case, and given the nature of the retail use (supermarket) it is likely that parking demand will be high for this unit. In order to address this concern (in the context of National Planning Policy Framework paragraph 112 on maximum parking standards), a condition is recommended requiring a Car Park Management Plan allowing the use of the commercial units' car parking areas for overspill shopper parking during times of peak demand.
- (ii) Whilst the retail unit currently has an under-provision of car parking and staff cycle parking, all other units have an under-provision of visitor cycle parking. A condition requiring details of additional cycle parking is recommended accordingly.

(iii) The application proposes a connecting route through the supermarket site from Hampton Avenue through to Ashbourne Road. This may end up being used as a short-cut by people who do not want to join London Road to get to the businesses in Hadfield Road and Ashbourne Road. A condition requiring the monitoring of through-movements, with an associated mechanism for the closure of the car park through-route in the event that movements are manifestly excessive, is therefore recommended.

(iv) The applicant has failed to provide detailed drawing(s) of the works proposed to Hampton Avenue, with all dimensions, visibility splays, affected street furniture and landscaping, relocated pedestrian crossing points etc. clearly shown to demonstrate that there is no loss of parking as a result of the proposals. A condition requiring the submission and approval of this information is recommended.

(v) It remains unclear as to whether there is to be a reduction in lay-by parking on Hampton Avenue, and if any such reduction is proposed it needs to be demonstrated that it will not cause vehicles to park on the carriageway. This detail could be covered within the condition recommended above.

(vi) A 2m footway (with crossing point(s) as required) would be required along the full length of the Ashbourne Road extension, to enable connectivity between the new units and the existing businesses on Ashbourne Road and Hadfield Road. This new footway must extend alongside the existing length of Ashbourne Road to connect to the existing footway at the Hadfield Road junction. The specification and delivery of the footway extension is recommended to be controlled and secured by Section 106 agreement, which is also required in order to ensure the footway is available for public use in perpetuity and to ensure its proper ongoing maintenance.

(vii) The proposed access to the retail unit from Hampton Avenue appears excessively wide for a customer access point and suggests that this may be used by delivery vehicles, rather than solely the proposed Ashbourne Road entrance. A revised bellmouth design can be secured by the condition recommended at (iv) above.

(viii) The positioning of the pedestrian crossing points within the car park could cause queuing onto the public highway at busy times. A revised pedestrian crossing position can be secured by condition.

(ix) Vehicle-to-vehicle visibility splays (in accordance with MfS2) have not been provided or shown on the drawings. These splays should be calculated using the 85th percentile speeds from the speed survey, and the formula including HGV/Buses as these make up at least 5% of the traffic along the route. A condition requiring the submission of this information, and for the identified splays to be kept free of obstructions (such as vegetation or signage) can be conditioned.

Additionally, the Local Highway Authority has recommended that the foodstore service yard is accessed separately to the customer car parking to prevent conflict between manoeuvring vehicles, albeit the proposed servicing solution is understood to be common at Lidl stores. This recommendation is not an absolute requirement.

The new accesses would have to be constructed in accordance with LTN 1/20 to ensure adequate provision for cyclists (including visibility splays). The condition recommended at (iv) above could secure these details.

The Peterborough Cycle Forum has requested that vehicular access to the entire development is taken solely via the Ashbourne Road extension, with pedestrian and cyclist access from Hampton Avenue and a new footway/cycleway link through the site to Ashbourne Road. Whilst the Local Highway Authority's consultation response does not echo this request in its entirety, they do support a new footway on the Ashbourne Road extension and raise concerns at the potential for the foodstore car park to be used as a vehicular through-route which may have adverse safety implications.

In summary on highway considerations, National Planning Policy Framework (December 2023) paragraph 115 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Local Highway Authority, mindful of this, is satisfied that the with the proposed left-only exit from Hampton Avenue onto the northbound A15

London Road is acceptable from a traffic modelling perspective. However, wider concerns in respect of the effect of Great Haddon development traffic on the highway network, including the A15 London Road, remain. It is relevant that the application site is allocated for development in the Adopted Local Plan, has an extant outline planning permission, and that the highways impacts of development in this location have already been modelled and appropriately mitigated as an integral part of the Hampton Urban Extension. Given these factors, and that the Local Highway Authority has no objection in principle to the proposed off-site highway mitigation works, on balance the proposed development is considered to comply with Policy LP13 of the Adopted Peterborough Local Plan (2019).

c) Visual impact

Hampton Avenue is an important gateway route into Hampton, deliberately designed as a wide tree-lined street to be framed by built development on both sides.

The height of the proposed development (both the commercial units and the foodstore) would generally be lower than the residential development on the opposite side of Hampton Avenue, particularly the Cranberry Court retirement scheme which rises up to 4 storeys. Whilst this imbalance is unfortunate, it could be argued that the proposed scale and form of development would read as a continuation of the existing health club on the corner of Hampton Avenue/London Road, and that the extent of set-back behind existing street trees and proposed additional onsite tree planting would help to counteract any visual imbalance. The planting scheme has been amended to reflect the Tree Officer's request for additional planting, whilst the elevations of the proposed commercial units have also been amended to better reflect the horizontality, rhythm and materiality of the residential development opposite. Double-height glazing has been added to give the impression of additional height, break up the buildings' horizontality, and to create a focus at the building's corners. The design of the proposed foodstore has remained unchanged throughout the course of the application, but nonetheless when considered in context on balance the proposed development is not considered to be so discordant in the Hampton Avenue streetscene as to warrant refusal on design grounds.

When viewed from the proposed Ashbourne Road extension, the northern elevations of the commercial units would be notably plain and visually uninspiring. This is not unusual in itself for such uses, and the northern elevations would to a large extent be screened by landscaping (including tree planting) and the service yard boundary treatments in close views, and by the existing perimeter landscaping to the Serpentine Green car park in longer views. The foodstore delivery bay would be prominent when viewed from the north, with some limited opportunities for it to be softened with tree planting.

No tree planting is proposed anywhere within any of the car parking areas, such planting instead being focused on the site's boundaries. The side elevation of the proposed commercial building at Unit 3 would be both dominant and largely blank when viewed from the supermarket car park, and additional tree planting would be required to avoid an unacceptable visual impact at this location.

Similarly, the proposed side elevation to the proposed commercial building at Unit 1 would be prominent when viewed at both close and longer ranges from the undeveloped land to the south of the Serpentine Green rotunda, which is crossed by two busy footpaths. Scant landscaping is proposed along the western site boundary and the proposals do not offer any ability for additional tree planting to screen what is proposed to be a blank and utilitarian side elevation. Development of the parcel to the west would need to be relied upon to mitigate this visual impact in due course, whilst in the interim a condition requiring details of enhanced visual interest on Unit 1's western elevation (through, for example, a mural or other public art) is recommended.

Overall then whilst the visual impact of the proposed development does contain some deficiencies, these could be mitigated through conditions and careful control over the design of development on the parcel to the west in due course. On balance therefore the visual impact of the proposed development is considered acceptable and in accordance with Policy LP16 of the Adopted Peterborough Local Plan (2019).

d) Neighbour Amenity

The application has attracted significant public objection, with many respondents concerned that potential noise and disturbance from the proposed development could harm their living conditions. Several point out that Cranberry Court is a retirement complex, where residents can be expected to spend a much greater proportion of their time than in non-retirement residential accommodation.

The applicant points out that heavy goods vehicles would use the Ashbourne Road extension to access the commercial units' service yards and the supermarket delivery bay, all of which have been sited on the furthest side of the site from existing dwellings and with the proposed buildings providing intervening acoustic screening. The Council's Pollution Control team has studied the Noise Impact Assessment submitted by the applicant and is satisfied that, subject to conditions, noise levels would be acceptable. The following conditions have been proposed to provide protections during both daytime and nighttime hours:

- The rating level of noise emitted from the site shall not exceed 47 dB LAr, 1 hour between 08:00 and 22:00 Monday to Friday and 40 dB LAr, 1 hour at any other time at the nearest noise sensitive receptors. This should be assessed in accordance with BS 4142:2014+A1:2019.
- Vehicle reversing alarms shall not be used outside the hours of 08:00 to 22:00 on any day.
- A Noise Management Plan (NMP) shall be submitted to outline how noise from the new commercial units will be controlled, including but not limited to, HGV movements, the operation of reversing alarms, the operating hours of the units, and conditions of access to the car park between Hampton Avenue and the new commercial buildings. Where the recommendations of the NMP require tenant co-operation the NMP will describe how this will be achieved.

Subject to these conditions the Council's Pollution Control team has no objection on noise grounds. Further conditions are recommended to restrict construction hours, require a Piling Method Statement, and to require the approval of a Construction Management Plan.

The proposed development would be sited to the north of the existing dwellings on Hampton Avenue and would not cast any shadow over those properties.

There would be no unacceptable new overlooking, given the nature of the proposed uses and the level of physical separation from nearby dwellings. That level of physical separation would also in itself mitigate any overbearing impacts to an acceptable extent.

A number of respondents have also raised concerns about light pollution, which could be mitigated and minimised by condition in order to ensure an appropriate level of illumination achieved by way of directional luminaires.

In order to avoid sterilising the vacant land to the immediate west from potential future residential development, a condition is recommended to secure an acoustic barrier along the western site boundary of the service yard.

Given all of the above assessment, the proposed development is considered to comply with Policy LP17 of the Adopted Peterborough Local Plan (2019).

e) Other matters

Air Quality

An Air Quality Assessment has also been submitted, which the Council's Pollution Control team has studied and has raised no objection on air quality grounds.

Biodiversity

The Wildlife Officer has no objection to the proposed development, noting that loss of biodiversity (in terms of the Biodiversity Metric) can be mitigated by a condition which requires an overall 10% biodiversity net gain through off-site provision of biodiversity units.

Contamination

The Pollution Control team has studied the Phase II Geo-environmental assessment submitted by the applicant and has confirmed that this provides an accepted Site Characterisation. However, the document notes that asbestos fibres were identified in one sample, and although highly localised, further asbestos contamination may be present on the development site. Furthermore the document advises that the presence of asbestos should be suitably mitigated during the construction and occupation phases. In view of this, contaminated land conditions are proposed.

Crime & disorder

A number of respondents have raised concerns at the uncontrolled nature of the proposed car parking areas, particularly given anti-social behaviour in the adjacent health club's car park.

Cambridgeshire Constabulary have been consulted and have advised that they consider this to be an area of medium vulnerability to the risk of crime. Shoplifting and anti-social behaviour are the two most prevalent types of recorded crime in this ward over the past 2 years. The police propose conditions in respect of lighting, gating of the car parks out-of-hours, secure cycle parking for staff, and secure cycle parking from foodstore customers. Conditions are recommended accordingly. The applicant can be advised on other matters such as the specification of curtain walling, locks, glazing, alarms and CCTV provision by way of informative notes.

In response the applicant has confirmed that yard areas would be fenced and gated with 2.4m secure boundary treatments, whilst the commercial units' car parks would be protected out-of-hours with drop-down bollards; these features could be secured by condition. The food store would have 24 hour security/CCTV.

Drainage

The Council's SUDS Engineer issued a holding objection, seeking clarification on a number of matters of detail:

- Calculations for 1:1 Greenfield runoff rates for the site
- Limit the discharge rate to 1:1 Greenfield runoff for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change
- Provide detailed engineering drawings of each component of the drainage scheme.
- Provide a drainage plan which details exceedance and conveyance routes, FFL and ground levels.

The applicant has responded with the requested additional information, upon which the SUDS Officer has made no further comment. It should be noted that the entirety of the Hampton urban extension is subject to an approved high-level drainage strategy, comprising the Hampton Phase 2 Study Water Drainage Strategy as described in the Hampton Strategic Flood Study June 2002 and November 2004 addendum. Matters of detail for parcel-specific drainage systems are considered appropriately dealt with by condition.

Water quality is dealt with in part by condition L7 of the original outline planning permission for Hampton (91/P0556):- 'Surface water from impermeable vehicle parking areas shall be passed through petrol/ oil interception facilities designed and constructed to the satisfaction of the LPA'. This is a full planning application rather than reserved matters pursuant to the original outline planning permission, and consequently the same condition would need to be reapplied.

Consequently, subject to a condition relating to the detailed drainage design the proposed development is considered capable of complying with Policy LP32 of the Adopted Peterborough Local Plan (2019).

Infrastructure

The proposed off-site highway mitigation works (left-turn only from Hampton Avenue onto the northbound A15 London Road) should be secured by Section 106 agreement, along with the

specification and delivery of the footpath extension along the full length of Ashbourne Road including its availability for public use in perpetuity and to ensure its proper ongoing maintenance.

Supermarkets are chargeable development in the City Council's Community Infrastructure Levy Charging Schedule.

f) The planning balance

The proposed development is considered to be in accordance with the Adopted Development Plan but nonetheless, it is appropriate to identify any factors which might counter that policy compliance or outweigh the Development Plan in this instance.

The proposed development comprises a mix of uses which, in principle, are appropriate at Hampton. The employment generated by the proposed development carries some weight in the planning balance, as does a current shortfall in overall employment land provision to the end of the current Local Plan period. These factors weigh in the applicant's favour and in particular, National Planning Policy Framework (December 2023) paragraph 85 requires that significant weight should be placed on the need to support economic growth and productivity. The proposed offsite highway mitigation works would significantly improve the performance of the A15 / Hampton Avenue junction, with a very minor impact on the performance of the A15 London Road / The Serpentine Roundabout; this significant improvement carries similarly significant weight.

Neutral factors are those which do not cause any significant or demonstrable harm, or where conditions can appropriately mitigate such harm. In Officers' view these factors include the effect on neighbouring amenity, air quality, biodiversity and crime & disorder.

Factors weighing against the application are the scheme's reliance on the future development of the adjacent land to the west to mitigate the scheme's long-term visual impact, which carries some negative weight.

National Planning Policy Framework (December 2023) paragraph 12 confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application accords with an up-to-date development plan, once this has been demonstrated the application should be approved without delay. In light of the above assessment, there are no factors which are considered to outweigh the proposed development's compliance with the Adopted Development Plan.

6 Conclusions

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

- * The principle of mixed use commercial redevelopment on this brownfield site within a defined Urban Extension is acceptable and accordance with Policies LP2 and LP5 of the Adopted Peterborough Local Plan (2019)
- * The applicant has satisfactorily demonstrated that the proposed retail foodstore would not cause any material harm to vitality or viability of any defined centre, and that no sequentially-preferable alternative location is available, in accordance with Policy LP12 of the Adopted Peterborough Local Plan (2019)
- * The traffic impacts of the development are capable of mitigation. and the development is therefore considered to comply with policy LP13 of the Adopted Peterborough Local Plan (2019)
- * The visual impact of the proposed development is acceptable, in accordance with Policies LP16 and LP18 of the Adopted Peterborough Local Plan (2019)
- * The development will not have any unacceptable ecological impacts. Compensatory habitat improvements will be provided offsite. The development therefore accords with Policies LP28 and LP29 of the Adopted Peterborough Local Plan (2019)
- * The site can be adequately drained in accordance with Policy LP32 of the Adopted Peterborough

Local Plan (2019)

* The applicant has satisfactorily demonstrated that acceptable living conditions can be provided for existing nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019)

7 Recommendation

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

- (i) The conditions listed below;
- (ii) A Section 106 agreement to secure (i) improvement works at the Hampton Avenue/A15 London Road junction, including a left-turn-only exit restriction; and (ii) provision of a 2.0m wide footway along the full length of the Ashbourne Road extension; and
- (iii) The submission of an acceptable Hampton Avenue/A15 London Road preliminary junction design and associated Stage 1 Road Safety Audit

If the required Section 106 legal agreement is not completed or an acceptable Hampton Avenue/A15 preliminary junction design and associated Stage 1 Road Safety Audit has not been submitted within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Executive Director of Place and Economy on the grounds that the development has failed to adequately mitigate its impacts.

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

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

- C 2 The development must be carried out in strict accordance with the following approved plans/documents:

Approved plans:

- Drawing P1-S-0.065 Revision A - Site location plan
- Drawing S-0.072 Revision B - Site as existing
- Drawing S-0.060 Revision I - Proposed site plan
- Drawing 01-0.04 Revision D - Unit 1, elevations
- Drawing 01-0.05 Revision B - Unit 1, sections
- Drawing 01-0.10 Revision D - Unit 1, general arrangement floorplans
- Drawing 01-0.12 Revision D - Unit 1 office floorplans
- Drawing 0.020 Revision A - Units 2 and 3, general arrangement floorplans
- Drawing 0.021 Revision B - Units 2 and 3, elevations
- Drawing 0.023 Revision A - Units 2 and 3, sections
- Drawing 0.024 Revision A - Units 2 and 3, office floorplans
- Drawing HA-SEL-LL-GF-DR-DV-0.056 Revision B - Unit 4, general arrangement floorplan
- Drawing HA-SEL-LL-FF-DR-DV-0.060 Revision B - Unit 4, floorplan
- Drawing HA-SEL-LL-XX-DR-DV-0.057 Revision B - Unit 4, elevations
- Drawing HA-SEL-LL-XX-DR-DV-0.059 Revision B - Unit 4, sections
- Drawing S-0.062 Revision H - Site plan, surfaces and edges
- Drawing S-0.067 Revision C - Site long elevations
- Drawing S-0.071 Revision B - Site sections
- Drawing S-0.073 Revision D - Proposed landscaping
- Drawing P1-S.0.073 Revision C - Proposed landscaping (site)

Approved documents:

Retail Statement (February 2023)

Design and Access Statement (undated)
Planning Statement (October 2022)
Air Quality Screening and Dust Risk Assessment (February 2023)
Noise Impact Assessment (February 2023)
Transport Assessment (January 2023)
Framework Travel Plan (November 2022)
Preliminary Ecological Appraisal (January 2023)
Biodiversity Metric Assessment (January 2023)
Crime Prevention Statement (May 2023)
Drainage Strategy Report (November 2022)
Flood Risk Compliance Note (March 2023)
Phase 2 Geo-Environmental Assessment (November 2018)

Reason: In order to ensure that the development complies with that which has been applied for, for the avoidance of doubt and in the interests of good planning.

- C 3 The materials to be used in the external surfaces of the development hereby approved shall be based on those specified on the approved drawings referenced in condition C2 above. Prior to the commencement of any works above slab level for each building, confirmation of and samples of the following materials to be used in the external surfaces of that building shall be submitted to and approved in writing by the Local Planning Authority:-

- Bricks or brickslips
- Cladding (including its RAL)
- Windows and doors
- Rainwater goods
- Trolley bays
- Flues

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

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

- C 4 The materials to be used in the hardsurfacing of the development hereby approved shall be based on those specified on the approved layout drawing number S-0.062 Revision H (Site plan, surfaces and edges). Prior to the commencement of any works above slab level, confirmation of and samples of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and shall be retained thereafter.

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

- C 5 Notwithstanding the submitted landscaping details, prior to the commencement of any works above slab level full details of landscape planting (including but not limited to detailed planting plans showing species, size and density of planting, details of establishment measures including soil volumes, tree/shrub planters, and a detailed maintenance/aftercare schedule) to the following areas have been submitted to and approved in writing by the Local Planning Authority:

- (i) Ground level landscape planting, to be based on approved drawings number S-0.073 Revision D (Proposed landscaping) and P1-S.0.073 Revision C (Proposed landscaping - site)

The scheme as approved shall be carried out in the first planting season following the first occupation of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

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

- C 6 The rating level of noise emitted from the site shall not exceed 47dB LAr, 1 hour between 08:00 and 22:00 Monday to Friday and 40 dB LAr, 15 minutes at any other time. The noise levels must be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS:4142:2014.

Reason: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C 7 Vehicle reversing alarms shall not be used outside the hours of 08:00 to 22:00 on any day.

Reason: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C 8 Prior to the commencement of any works above slab level a Noise Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall provide details of how noise from the new commercial units will be controlled, including but not limited to goods vehicle movements, the operation of reversing alarms, the operating hours of the units, and conditions of access to the car park between Hampton Avenue and the approved commercial buildings. Occupation and operation of the units shall thereafter be in strict accordance with the approved Noise Management Plan.

Reason: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C 9 Prior to the first occupation of Unit 1, details of an acoustic barrier to the western perimeter of its service yard shall be submitted to and approved in writing by the Local Planning Authority. The acoustic barrier shall be designed to facilitate the potential future residential development of the currently vacant land to the immediate west. The acoustic barrier shall be erected in accordance with the approved details prior to the first occupation of Unit 1 and shall be retained thereafter for the lifetime of the development.

Reason: In order to safeguard the amenities of future nearby residential occupiers, in accordance with Policies LP5 and LP17 of the Adopted Peterborough Local Plan (2019).

- C10 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not

qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason: In order to ensure suitable ground conditions, in accordance with Policy LP33 of the Adopted Peterborough Local Plan (2019).

- C11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 10.

Reason: In order to ensure suitable ground conditions, in accordance with Policy LP33 of the Adopted Peterborough Local Plan (2019).

- C12 Prior to the commencement of any works above slab level full details of a Lighting Scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted Lighting Scheme shall include but not be limited to:

- (i) details of column locations, luminaire design/specification, lux level plans, light spillage prevention measures;
- (ii) demonstration of 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;
- (iii) compliance with BS EN 12464-2 external lighting for workplaces.

The use of external lighting at the development and individual premises, shall not exceed the obtrusive light limits specified for environmental zone E4 in the Institution of Lighting Professionals document "Guidance Note 01:21, The Reduction of Obtrusive Light". No lighting shall be installed other than in strict accordance with the approved Lighting Scheme.

Reason: In order to safeguard the amenities of nearby residential occupiers in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019), and in the interests of highway safety in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).

- C13 No construction deliveries or external construction works (including works involving the erection cladding or external completion of any building) shall take place other than within the following hours:

Monday - Friday: 08:00 - 18:00
Saturday: 09:00 - 13:00

No external construction works shall take place on Sunday or Bank Holidays.

Reason: In order to avoid any significant noise nuisance from the development to nearby sensitive premises in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C14 No internal construction works within partially-completed building(s) shall take place other than within the following hours:

Monday - Friday: 07:30 - 18:00
Saturday: 08:00 - 13:00

No internal construction works within partially-completed building(s) shall take place on Sundays without the prior written approval of the Local Planning Authority.

No internal construction works within partially-completed building(s) shall take place on Bank Holidays.

Reason: In order to avoid any significant noise nuisance from the development to nearby sensitive premises in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C15 No piling or any other foundation designs using penetrative methods shall take place until details including plans and a method statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.

Reason: In order to safeguard the amenity of nearby residents in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

- C16 No development shall take place until a Construction and Environmental Management Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The statement must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting during construction. The statement shall include but not be limited to:
- a) provision of a plan at not less than 1:500 to show space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided
 - b) location on site for storage of plant and materials used in constructing the development
 - c) the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
 - d) any footpath closures or road closures needed during construction
 - e) wheel washing facilities on site
 - f) a scheme for recycling waste resulting from the construction works
 - g) Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - h) All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

- i) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works
- j) Control measures for dust and other air-borne pollutants.
- k) Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The measures within the approved Construction and Environmental Method Statement shall be maintained and adhered to throughout the construction phase of the construction of the development.

Reason: In the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies LP13, LP16 and LP17 of the Adopted Peterborough Local Plan (2019).

C17 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) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction on possible nesting birds and bats 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.
- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In order to mitigate the effect of construction works on biodiversity, in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C18 No development shall take place until an ecological design strategy (EDS) addressing the creation of mitigation and compensation habitat both on and off site, in order to reach at least 10% Biodiversity net Gain. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of biodiversity in accordance with Policy LP28 of the Adopted Peterborough Local Plan (2019).

C19 No development shall commence until details of the design, implementation, maintenance and management of a sustainable drainage scheme (based on the submitted and approved site-specific drainage strategy) have been submitted to and approved by the Local Planning Authority. The details shall include but not be limited to:

- (i) Detailed engineering drawings of each component of the drainage scheme;
- (ii) A drainage plan which details exceedance and conveyance routes, finished floor levels and ground levels;
- (iii) The results of site investigations carried out specifically to determine the possibility of infiltration as recommended in the sustainable drainage hierarchy, such results to include verification of the suitability of infiltration of surface water for the development. Infiltration tests shall be undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of the CIRIA SuDS Manual C753;
- (iv) Full details of permeable paving;
- (v) Details of petrol/oil interception facilities for any and all impermeable vehicular parking or turning areas;
- (vi) A timetable for the implementation of the approved drainage scheme;
- (vii) A management and annual maintenance plan for the lifetime of the development which shall include any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved sustainable drainage scheme details.

Reason: In order to mitigate the risk of flooding onsite and elsewhere, in accordance with Policy LP32 of the Adopted Peterborough Local Plan (2019).

C20 No development above slab level shall commence until a Waste Collection Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how waste collection operations will operate on the development and shall include but not be limited to:

- (i) Heads of Terms of a Commercial Waste Collection contract to be entered into by the developer or their agent, or confirmation that the Local Authority will be responsible for waste collections;
- (ii) Frequency of waste collections, such frequency to be not less than twice-weekly
- (iii) Management of refuse bins prior to, during and following each collection
- (iv) Onsite recycling facilities to be provided in association with the retail store at Unit 4
- (v) Arrangements for the storage and collection of commercial waste from the commercial units

The development shall thereafter be undertaken and retained in accordance with the approved Waste Collection Strategy, no later than first occupation of the development.

Reason: In accordance with the requirements set out at Appendix E of the Adopted Peterborough Local Plan (2019).

C21 The retail store hereby permitted at Unit 4 shall not be open to customers outside the following hours:

- Monday to Saturday: 0800 - 2200 hours
- For no more than 6 continuous hours between 1000 - 1800 hours on Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

C22 The food store hereby permitted at Unit 4 shall only be used by a food supermarket operator and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). The following services shall not be provided for customers at the Unit 4 food store:

- (i) Banking facilities (excluding ATM);
- (ii) Dispensing Pharmacy;
- (iii) Dry cleaning or Post Office services;
- (iv) Photographic shop or booth;
- (v) Café / restaurant;
- (vi) Sales of cigarettes or tobacco.

Reason: In order to ensure compliance with the retail need and sequential site availability evidence submitted in support of the application, in accordance with Policy LP12 of the Adopted Peterborough Local Plan (2019).

C23 Service vehicles to the food store hereby approved at Unit 4 shall use its service area solely between the hours of 7.00am and 10.00pm Mondays to Saturdays and 09.00am to 12 noon on Sundays and public holidays. No deliveries shall be made to the food store outside these hours.

Reason: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

C24 No development shall take place unless and until detailed technical drawings for the proposed left-turn only restriction from Hampton Avenue at its junction with the A15 London Road, and any associated statutory undertaker's diversions, have first been submitted to and approved in writing by the Local Planning Authority. None of the buildings hereby approved shall be brought into use until the approved scheme has been implemented.

Reason: In the interests of the safety and convenience of users of the local highway network and in order to avoid any severe residual impacts on the highway network, in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019) and paragraph 115 of the National Planning Policy Framework (December 2023).

C25 No development shall take place unless and until detailed technical drawings for works to Hampton Avenue required to facilitate the development, and any associated statutory undertaker's diversions, have first been submitted to and approved in writing by the Local Planning Authority. The submitted detailed technical drawings shall include but not be limited to:

- (i) Design compliance of the new accesses in accordance with LTN 1/20 to ensure adequate provision for cyclists (including visibility splays);
- (ii) Vehicle-to-vehicle visibility splays (in accordance with MfS2) which must be calculated using the 85%ile speeds from the speed survey, and the formula including HGV/Buses as these make up at least 5% of the traffic along the route. The identified visibility splays must be permanently kept free of any obstructions over 600mm in height above ground level;
- (iii) Full details of the replacement of any existing car parking bays on Hampton Avenue proposed to be removed;
- (iv) Full details of any affected street furniture and landscaping;
- (v) Full details of the relocation of existing pedestrian crossing points;
- (vi) A reduced bellmouth size for the retail car park access to the food store approved at Unit 4.

None of the buildings hereby approved shall be brought into use until the approved scheme has been implemented.

Reason: In the interests of the safety and convenience of users of the local highway network and in order to avoid any severe residual impacts on the highway network, in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019) and paragraph 115 of the National Planning Policy Framework (December 2023).

C26 No part of the development hereby approved shall be occupied until a Car Park Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Scheme shall include but not be limited to:

- (i) Means to allow the use of not less than 22 car parking spaces in the adjacent commercial units' car parking areas for overspill shopper parking during times of peak demand;
- (ii) An automated scheme which monitors vehicular through-movements through the Unit 4 retail food store car park, including a proposed maximum number of allowable through-movements on an hourly and daily monitoring basis, and a mechanism for the closure of the car park through-route in the event that the allowable through-movements quantum is exceeded;
- (iii) Closure of the retail food store car park to all vehicles outside the approved opening hours specified at condition 21 of this permission and the approved delivery hours specified at condition 23 of this permission;
- (iv) The location of access control measures including but not limited to gates or rising bollards, with all such features being located 6m or more from the back edge of the highway and in the case of gates shall open inwards;
- (v) A timetable for the provision of the car parking and turning which must in all events be prior to the first occupation of the building to which it relates (including any required overspill shopper parking).

No part of the development hereby approved shall be occupied other than in strict accordance with the approved Car Park Management Scheme. The approved car parking and turning once provided in accordance with this condition must thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.

Reason 1: In the interests of the safety and convenience of users of the local highway network and in order to avoid any severe residual impacts on the highway network, in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019) and paragraph 115 of the National Planning Policy Framework (December 2023).

Reason 2: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

C27 No building hereby approved shall be brought into use until a Delivery, Servicing and Waste Management and Routing Plan for the lifetime of that building has been submitted to and approved in writing by the Local Planning Authority. The Routing Plan shall detail measures to ensure that all service, delivery and other goods vehicle routing shall solely be via the A15 London Road / The Serpentine Roundabout and to prevent any service, delivery or other goods vehicles entering or leaving the site via Hampton Avenue. The approved Delivery, Servicing and Waste Management and Routing Plan shall be implemented in perpetuity.

Reason 1: In the interests of the safety and convenience of users of the local highway network and in order to avoid any severe residual impacts on the highway network, in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019) and paragraph 115 of the National Planning Policy Framework (December 2023).

Reason 2: In order to safeguard the amenities of nearby residential occupiers, in accordance with Policy LP17 of the Adopted Peterborough Local Plan (2019).

C28 Notwithstanding the submitted details, prior to the first occupation of each building hereby approved full details of cycle parking facilities associated with that building shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include but not be limited to:

(i) Demonstrable compliance that the number of cycle parking spaces for each building accords with the minimum provision level set out at Policy LP13 of the Adopted Peterborough Local Plan (2019);

(ii) The design, specification, appearance, siting, materials and security measures for all covered long-stay/staff cycle parking, including measures for natural surveillance and access control;

(iii) The design, specification, steel bar construction, foundation depth, lighting and natural surveillance for all visitor/customer cycle parking, including demonstrable measures to ensure that both the wheels and the crossbar of each cycle can be secured.

Cycle parking shall be provided in accordance with the approved details prior to first occupation of the building) which they will serve, and shall thereafter be retained as such.

Reason: In order to ensure that sufficient and suitable cycle parking is available in accordance with Policy LP13 of the Adopted Peterborough Local Plan.

C29 Notwithstanding the approved site plan details of the location and specification of the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Every car parking space shall be constructed with ducting to allow the future installation of additional electric vehicle charging points. Vehicle charging points shall be installed and be available for use prior to the first occupation of the building they serve and shall thereafter remain available in working order for public use for the lifetime of the development.

Reason: In order to encourage the use of zero emission vehicles and in accordance with Policy LP13 of the Peterborough Local Plan (2019)

C30 Notwithstanding the submitted details, prior to the first occupation of the retail food store at Unit 4 details of a revised siting and alignment of the pedestrian crossing facilities within the Unit 4 car park shall be submitted to and approved in writing by the Local Planning Authority. The revised pedestrian crossing siting and alignments shall be implemented prior to the first occupation of the retail food store.

Reason: As submitted the positioning of the pedestrian crossing points within the Unit 4 car park could cause queuing onto the public highway at busy times, harming the safety and convenience of users of the local highway network and with the potential to result in severe residual impacts on the highway network, contrary to Policy LP13 of the Adopted Peterborough Local Plan (2019) and paragraph 115 of the National Planning Policy Framework (December 2023).

- C31 No unit hereby approved shall be occupied until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan for each Unit shall be written in accordance with industry best practice and shall include SMART targets and a mechanism for review. Prior to the first occupation of each Unit a Travel Plan Coordinator shall be appointed.

The development shall thereafter be occupied/operated in accordance with the approved Travel Plan and the review practices set out therein.

Reason: In the interests of promoting sustainable travel to and from the site, and to ensure that there is sufficient car parking provided on-site in accordance with Policy LP13 of the Adopted Peterborough Local Plan

- C32 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) no enlargement by way of extension, installation of a mezzanine floor or other alteration to any building the subject of this permission shall be carried out without express planning permission first being obtained from the Local Planning Authority upon an application made for that purpose.

Reason: To ensure that sufficient car parking is provided in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).

- C33 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) none of the premises hereby approved at Units 1 - 3 shall have any public Trade Counter or any retail space available to trade or general customers, whether or not ancillary to the primary Uses Classes E(g)(iii)/B8 use of that unit.

Reason: To ensure that sufficient car parking is provided in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).

- C34 The office floorspace hereby permitted shall not be occupied at any time other than for purposes ancillary to the Uses Classes E(g)(iii)/B8 use of the unit within which it falls and shall not be independently occupied or used for any other use falling within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that sufficient car parking is provided in accordance with Policy LP13 of the Adopted Peterborough Local Plan (2019).

- C35 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 development.

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

- C36 Notwithstanding the details show on approved drawing 01-0.04 Revision D, prior to the commencement of any works above slab level on Unit 1 details of a public art installation on the western elevation of Unit 1 shall be submitted to and approved in writing by the Local Planning Authority. The approved public art installation shall be implemented in full accordance with the approved details prior to the first occupation of Unit 1.

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

Copies to Councillors- Councillor Marco Cereste
Councillor Lindsay Sharp
Councillor Chris Wiggin