

Application Ref: 24/00711/FUL

Proposal: Change of use of land to use as residential caravan site for 4 gypsy/traveller families, each with two caravans including no more than one static caravan/mobile home, including laying of hardstanding, erection of 2 amenity buildings and improvement of existing access

Site: Land Adjacent To, 1705 Lincoln Road, Peterborough, PE6 7HH

Applicant: Mr Martin McDonagh
Philip Brown Associates Limited

Agent: Mr Philip Brown
Philip Brown Associates Limited

Referred by: **Assistant Director Place and Economy**

Reason: **Wider public interest**

Site visit: 28.06.2024

Case officer: Mr Asif Ali

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Recommendation: **GRANT** subject to relevant conditions

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

Site Description

The Application site is a field located adjacent to a small group of residential dwellings on Lincoln Road, with the site directly adjacent to 1705 Lincoln Road. The application site is located outside of the Peterborough Urban Area boundary as well as the Ginton village envelope which is the closest village located to the north of the application site. Therefore, the site is designated as open countryside. The access of the site comes off Lincoln Road via the Werrington Parkway (A15) which is located to the west of the application site.

The site is also located within the Green Wedge policy area, as identified on the Policies map under Policy LP26 of the Peterborough Local Plan (2019).

Proposal

The application seeks the benefit of planning permission for the change of use of land to use as residential caravan site for 4 gypsy and traveller families, each with two caravans including no more than one static caravan/mobile home, including laying of hardstanding, erection of 2 amenity buildings and improvement of existing access.

As observed by Officers on site, the development has partially begun and therefore the proposal is part-retrospective.

2 Planning History

No relevant planning history

3 Planning Policy

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

Planning Policy for Traveller Sites (2023)

National Planning Policy Framework (2023)

Paragraph 124

Paragraph 131

Paragraph 135

Paragraph 173

Paragraph 180

Peterborough Local Plan 2016 to 2036 (2019)

LP10 – Gypsies and Travellers and Travelling Showpeople

LP13 – Transport

LP16 – Design and the Public Realm

LP17 – Amenity Provision

LP19 – The Historic Environment

LP26 – Green Wedges

LP28 – Biodiversity and Geological Conservation

LP29 – Trees and Woodland

LP32 – Flood and Water Management

4 Consultations/Representations

Glinton Parish Council

Objection –

Glinton Parish Council strongly opposes this planning application for the following reasons:

This development is contrary to the policies contained in the Glinton Neighbourhood Plan (GNP) 2016-2036 and Peterborough Local Plan (LP) 2016-2036 and the National Planning Policy Framework (NPPF) in relation to principle, amenity, Green Wedge, wildlife, ecology, design and character impact.

Councillor Boyce and Hiller

Objection -

Please consider our objection to the application for the following reasons:

R1) Criterion E of LP10 not met, resulting in an adverse impact on the amenity of occupiers of nearby properties. Similarly, the character and appearance of the open aspect countryside here would indeed be unacceptably and permanently harmed, contrary to the purpose of adopted LP10 criterion e.

In accord with the latest GTAA analysis used to form the current Adopted LP it is determined no

additional need for Gypsy and Traveller sites provision in Peterborough. Therefore, there are no allocated sites for Gypsy and Travellers within the current Adopted LP 2016-2036

The applicant cites a 'need' for 35 G&T pitches in Peterborough by 2036, and a newly defined 'cultural' need which has to be allowed for. We suggest Peterborough's existing council-owned sites do indeed have spaces available currently and that additional, far more suitable sites will almost certainly become available within the next 11 years to satisfy the suggested total number for categories required in the current Adopted LP 2016-2036

R2) Policy LP11 Part C considers Mobile homes within the countryside. Applications for temporary and mobile homes will be determined in the same way as applications for permanent dwellings. LP11 not met.

R3) Policy LP2 or any exception for development within open countryside not met

R4) Policy LP17 of Peterborough Adopted Local Plan 2016-2036 determines policy regarding amenity provision, list of unacceptable impacts includes light pollution, privacy and noise disturbance considerations and, given the extremely close proximity of this proposed development, an overarching consideration for the quality of life impact this imposition will have on the existing residents which, in our opinion, will be very significant indeed.

Wildlife Officer

Initial concern raised over lack of Preliminary Ecology Appraisal and Biodiversity Net Gain details but on submission of these details no objection subject to condition.

National Gas Transmission

Proposal has been found to be outside the High Risk zone from National Gas apparatus and can proceed.

Health & Safety Executive

Does not appear to fall within our remit.

National Grid

No assets affected.

PCC Peterborough Highways Services

No objection subject to conditions.

PCC Pollution Team

Comments -

The issue of noise was raised as a factor for consideration within the overall acceptability of the scheme and for consideration of the design process for the site. The levels of noise are not such that planning permission should not normally be granted, but that noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.

Internal Noise

There is no dispute that with mitigation in place, the internal noise environment can be made acceptable being commensurate with the guidance in BS 8233:2014.

Site layout design, and orientation of habitable rooms such that they may be ventilated from less sensitive facades, may be part of that design process.

Outdoor Noise

It is recognised that levels specified in standards may not always be achievable and that a compromise with competing factors such as the need for the development may be appropriate. It is not necessary to protect the whole site.

Orientation of structures on site may provide protected areas for outdoor use.

Werrington Neighbourhood Council

No comments received.

Local Residents/Interested Parties

Initial consultations: 26

Total number of responses: 32

Total number of objections: 32

Total number in support: 0

32 Objections has been raised in regard to this application as detailed below, 27 of which have been made on behalf of residents from Ward Councillors.

The objections can be summarised as below:

- The works have started on site despite having no planning permission, showing a disregard for the planning system. Additionally on the application from it has been ticked that 'work has not started' which is false.
- The application site has previously had developments refused as the land was not to be used for 'development' residents feel the previous applications would have been of more benefit to the local community than the current application.
- The latest GTAA analysis used to from the currently adopted Local Plan indicated there was no additional need for Gypsy and Traveller site provision in Peterborough, as such there are no allocations in the current plan. The applicant sited the 'need' for 35 Gypsy and traveller sites by 2036 .There are existing sites which are more suited, and more sites will come forward within the next 11 years which are more suitable and will meet this need
- The application does not meet the required criteria as set out in LP10 criteria E.
- The application site is substandard as it does not have the facilities in regard to sanitation and utilities
- Will result in a significant loss of amenity for the surrounding dwellings contrary to LP17
- Privacy/overbearing
- Noise disturbance: due to the size of the proposed/ the increase in population surrounding. And the commercial activities/commercial vehicle/ industrial vehicle movements.
- Light pollution
- The placement of the proposed toilet block is immediately outside an existing dwelling dining room window
- Overshadowing
- The application does not meet the required tests of Policy LP11 or LP8
- The proposed will be to a detriment of local character contrary to Policies LP16, LP26, LP27 of the Peterborough Local Plan (2019). And GN2/3/5 of the Glinton Local Plan
- The proposed does not protect the view of the open countryside as seen from the A15 and Lincoln Road.
- The parcel of land is subject to extensive flooding for 5 months of the year
- The proposed would lead to an increased floor risk to the surrounding properties.
- The proposed would block an existing watercourse
- The established wildlife that previously resided on the site has been lost
- The validity of the bio/diversity form
- The proposal will impact upon highway safety in the area due to the intensification of the road
- The road is tight to turn in, given the high speed of the bypass traffic merging into the road. The presence of new lorries and large vehicles associated with the daily operations of the application site further exacerbates these risks.
- This road is/was used by many cyclists and the above had made the road increasingly dangerous for cyclists
- The roadway by the application site has debris from the installation of the hard standing (Tarmac/mud/gravel) to the detriment of highway safety

- The footpath and field are showing signs of deterioration due to the intensification of use
- Antisocial behaviour from the residents of the application site, including threatening residents, verbally assaulting, trespassing, riding motorbikes through public spaces, intimidating residents by slowly driving vehicles up and down dead-end roads
- Concerns that the approval of this site will lead to an influx of gypsy and travellers in the surrounding area
- Concerns that the local amenities cannot support the influx in population as there are already issues with the provision of school places
- concerns the application will lead to house depreciation in the surrounding area.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Design and character of the site and surrounding area
- Neighbour amenity
- Future occupier amenity
- Highways (to do)
- Ecology/biodiversity
- Flood Risk/Drainage
- Other matters
- Conclusion and Planning balance

a) Principle of development

There are two key policies relevant to the principle of development given the location of the site within the open countryside and the Green Wedge. Policy LP10 is relevant for the gypsy and traveller accommodation within the open countryside and LP26 is relevant for the Green Wedge status of the site. Both Policies LP10 and LP26 are strategic policies as set out within Appendix B of the Peterborough Local Plan, which means neither has supremacy and both must be read in conjunction, as part of a holistic application of the Local Plan's policies.

Policy LP10

The application proposes four residential pitches and associated development to facilitate a gypsy/traveller lifestyle as stated within the submitted Planning Statement. Peterborough has a specific policy for Gypsy, Travellers and Travelling Showpeople namely Policy LP10. LP10 outlines the criteria for proposals for sites to be used as a Gypsy and Traveller site or a Travelling Showpeople site. The requirements set out within LP10 can be split into two principal matters, the first set of criteria is for all proposal relating to gypsy and traveller sites, and the second set of criteria is for proposals located outside of any village envelope and the Peterborough Urban boundary i.e. located within the open countryside.

The proposal is assessed against the first set of criteria within LP10 as follows:

- a. the site and its proposed use does not conflict with other local or national planning policy relating to issues such as flood risk, contamination, landscape character, protection of the natural, built and historic environment or agricultural land quality;*

Officer Comment: The application site is located within Flood Zone 1, and is not located within any Critical Drainage Areas and the Environment Agency lists the flood risk from rivers/the sea as well as surface water as low risk. The Council's Pollution Control team raised no concerns about contamination but an appropriate condition relating to unexpected contamination can be secured, as such there is no reason for refusal on this basis. Further, the Council's Wildlife Officer provided comments in relation to the proposal, as well as the implications of Biodiversity Net Gain. Whilst initially details regarding Biodiversity Net Gain were not submitted these details have been provided and the Wildlife Officer was content with the submission of a Preliminary Ecological Assessment as well as the BNG information and recommended conditions as such there is no

reason to refuse on this basis. The impact on the character of the site and surrounding area is discussed further below. There is no adverse impact on agricultural land quality.

b. the site is located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school;

Officer Comments: The application site is located approximately 750m away from Werrington and 1km away from Glinton, therefore it is considered that the site is a reasonable travelling distance from both settlements and has sufficient local services and community facilities within a reasonable travelling distance.

c. the site can enable safe and convenient pedestrian and vehicle access to and from the public highway, and adequate space for vehicle parking, turning and servicing;

Officer Comment: The application site has an existing access into the site, but given the location of the site there is no defined footpath and only grass verge on the side of the public highway. However, it is considered that there would be no adverse impact on safe and convenient access to the site given existing developments around the application.

d. the site is served, or capable of being served, by adequate mains water and sewerage connections and should not place unacceptable pressure on local infrastructure; and

Officer Comments: There are existing developments around the application site which are served by sewerage treatment plants, and the proposal is for 4 residential pitches. The proposal would also be served by a sewerage treatment plant. It is considered given the scale of development there is no concern about unacceptable pressure on local infrastructure.

e. the site can enable development and subsequent use which would not have any unacceptable adverse impact on the amenities of occupiers of nearby properties or the appearance or character of the area in which it would be situated (in accordance with LP17).

Officer Comments: The proposal is located adjacent to 1705 Lincoln Road and would also be a part of a small cluster of residential units. Further, given the scale of development it is considered that the proposal would not adversely impact the amenity of the adjacent properties or on the appearance and character of the area.

Whilst Officers have summarised the application against the above set of criteria, the application site is located outside the urban area boundary and village envelopes and as such it is defined as being in the countryside. Policy LP10 requires sites within the countryside to include

evidence of a need, that the intended occupants meet the national PPTS definition of a Gypsy and Traveller, and provided that the above criteria (a) to (e) are met.

Firstly, with regards the need element, the Planning Statement makes reference to a recognised need and a personal need, and has provided a statement which summarises the need of the Applicant and their extended family as well as their personal circumstances. The Gypsy and Traveller Accommodation Assessment (GTAA) (October 2016) which covers most of Cambridgeshire, King's Lynn and West Norfolk, Peterborough and West Suffolk identifying no additional need for allocating sites. However, the GTAA did recognise that there may be an 'unknown' need for up to 16 pitches between 2016 and 2036. The Local Plan outlines the unknown need is to be met through the determination of planning applications, the applications would need to account for the requirements of the NPPF, PPTS and requirements set out in LP10. Therefore, the general need identified within the GTAA (2016) is sufficient to meet the requirements of LP10.

A recent appeal decision relating to a gypsy and traveller site at Northey Road has clarified the position. The inspector concluded that it wasn't necessary for the appellant to prove a personal

need as the general need is already clearly established within the local plan policy as informed by the GTAA.

Secondly, with regards the intended occupants meeting the national PPTS definition of a Gypsy and Traveller, the Peterborough Local Plan (2019) makes reference to the Planning Policy for Traveller Sites (PPTS) definition. An appropriate condition can be appended onto the decision notice ensuring that any occupants of the site meet the PPTS definition for a Gypsy and Traveller.

Therefore the proposal complies with the requirements of Policy LP10 of the Peterborough Local Plan (2019)

Policy LP26

Policy LP26 is the specific Green Wedge policy which have been identified to fulfil one or more of the following functions and policy aims:

- prevent the merging of settlements, protecting their setting and preserving their separate identity, local character and historic character;*
- provision of an accessible recreational resource, with both formal and informal opportunities, close to where people live, where public access is maximised without compromising the integrity of the Green Wedge*

The policy goes on to state that the permission will only be granted where it can be demonstrated that the development is not contrary or detrimental to the above functions and aims.

Officers consider that the proposal would not be detrimental to the first aim of LP26, and that the proposal would not result in any perceptible merging of settlements and the settings and separate identities of Werrington and Glinton would continue to be protected. The proposal is of a relatively small scale and low key nature, such that it would not dominate the locality and would be in keeping with the residential plots adjacent to the site. The proposal would maintain the separation between Werrington and Glinton settlements and would not be detrimental to both settings.

Further, LP26 also sets out 3 criteria which all proposals are expected to have regard to:

- a. the need to retain the open and undeveloped character of the Green Wedge and the physical separation between settlements;*
- b. opportunities to improve the quality of green infrastructure within the Green Wedge, with regard to the latest Peterborough Open Space Strategy, Peterborough Green Infrastructure and Biodiversity SPD, or subsequent replacement evidence and/or guidance;*
- c. the maintenance and enhancement of the network of footpaths, cycleways and bridleways and their links to the countryside, to retain and enhance public access, where appropriate to the function of the Green Wedge.*

With regards to criterion a, as mentioned above the proposal is of a scale and nature that would not be detrimental to the open and undeveloped character of the Green Wedge and the physical separation between Glinton and Werrington (part of the Peterborough Urban Area boundary) as well as other small settlements surrounding the site. Secondly, the proposal secures 10% Biodiversity Net Gain which has resulted in the Wildlife Officer raising no objection to the proposal subject to an appropriate condition securing a Habitat Management and Monitoring Plan. Finally, the scale of the proposal would result in a limited impact on the adjoining footpath, cycleway and bridleway connections so the expectation for maintenance and enhancement of these places would be onerous on the applicant.

Therefore given the above it is considered that the principle of development complies with Policies LP10 and LP26 of the Peterborough Local Plan (2019) subject to material considerations set out below.

b) Design and character of the site and surrounding area

The relevant policies for the consideration of the design and character impact would be Policies LP16 and LP27 of the Peterborough Local Plan. LP27 sub-divides the countryside of Peterborough into Landscape Character Areas with the site located within the Welland Valley Character Area, and the Welland Valley Fringe sub-area.

The landscape character is of quite an open flat area with small parcels of development fronting onto Lincoln Road spread throughout the Green Wedge area. The built development is limited to the area of the site fronting Lincoln Road but retains a green verdant character with a strong green corridor along the road frontage of Lincoln Road.

The proposal results in the change of use of land for the siting of caravans, and caravans are not a permanent structure requiring planning permission in themselves, but it is noted that the proposal also includes the laying of hard surfacing, fencing, single storey day rooms as well as associated alterations. The site remains in an open countryside location which was historically undeveloped and retained the character of an agricultural field. The laying of gravel, an access road, fencing, siting of caravans and day rooms does not retain or enhance the landscape character of the open countryside location of the application site. The proposal would not positively contribute to the local distinctiveness or local character of the area given the details of the proposed development. The proposal results in a large amount of hardstanding and unsympathetic development which would not sit comfortably with the open countryside setting.

The proposal does however introduce a scheme of soft landscaping which does go some way to mitigating some of the adverse impact of the proposal, but it is considered that this is not sufficient to completely mitigate the impact on the character and appearance of the open countryside.

The proposal would result in an adverse impact on the character and setting of the local area and as such would be contrary to Policies LP16 and LP27 of Peterborough Local Plan. Notwithstanding this conflict with policy the benefits of providing Gypsy and Traveller accommodation is a material consideration which needs to be considered within the overall planning balance. The overall planning balance will be set out in the final section of this report.

c) Neighbour amenity

The application site directly adjoins only one residential property to the north (No.1705), with sufficient separation distances from adjoining properties surrounding the site to the south, east and west. No.1705 Lincoln Road is a detached two storey dwelling located on a fairly sizeable plot. The proposal includes the siting of caravans and amenity buildings, however, the single storey amenity buildings are set off the shared boundary with No.1705 by at least 10m with the caravans sited off the shared boundary by approximately 22m. It is considered that the proposed development which would be single storey and be set off the shared boundary with No.1705 a sufficient distance which will not result in an adverse level of impact on neighbour amenity in terms of overbearing, overshadowing and overlooking impact.

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

d) Future occupier amenity

The application site is located on a large plot with sufficient amenity space both internal and external to serve the needs of the gypsy and traveller families using the application site. The site includes additional land to the rear which is within the same ownership of the applicant and is proposed to be used for grazing of animals, which can also be used as an external amenity area.

In terms of noise, the Council's Pollution Control team made comments noting that the levels of noise are not such that planning permission should not normally be granted, but that noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. The consideration on noise is split into internal noise and external noise, firstly the internal noise, the Council's Pollution Control

team has stated that with mitigation in place the internal noise environment can be made acceptable to BS233:2014 which sets out guidance on sound insulation and noise reduction. The appropriate way to secure these mitigations would be by way of two conditions; first would secure a condition requiring compliance of the static caravans to BS3632: 2015 in relation to sound insulation and ventilation requirements and the second condition would secure noise attenuation measures in relation to the site layout design and orientation of habitable rooms to mitigate against adverse noise impact.

With regards the external noise, the Council's Pollution Control team advised that it is recognised that levels specified in standards may not always be achievable and that a compromise with competing factors such as the need for the development may be appropriate. It is not necessary to protect the whole site. The second condition securing noise attenuation measures above would also be able to mitigate against the external noise levels.

Whilst noise levels are slightly above the recommended World Health Organisation levels, it is considered that the above conditions would mitigate against the adverse level of impact and provide a satisfactory level of future occupier amenity for future residents in accordance with Policy LP17 of the Peterborough Local Plan (2019).

e) Highways

The Local Highway Authority raised no objection to the proposal subject to appropriate conditions. Officers would agree with the LHA in that the proposal would result in a clear intensification of use for the site and as such the current access is sub-standard. The current access is 5m but would need to be increased to 5.5m to allow for the safe passage of pedestrian and vehicles into and out of the site access. The LHA did however note that the vehicle-to-vehicle visibility and on-site parking and turning is considered adequate for the site as such the access remains the only relevant issue.

A condition can be appended onto the decision notice which requires the submission of an amended access arrangement within 1 month of the date of permission this is considered an appropriate way to deal with the existing sub-standard access. The LHA have recommended compliance conditions in relation to parking and turning as well as retaining the residential use on site. With regards parking and turning this is considered appropriate and necessary to ensure the parking and turning provision is kept on site for safe entry and exit from the site and the application only seeks change of use of the site to a residential use.

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

f) Ecology/biodiversity

The proposal results in the loss of some vegetation in relation to the extending of the existing access and associated with the development, however, replacement planting has been proposed which is acceptable to the LPA. Further, the proposal meets the requirements to provide Biodiversity Net Gain with the further information provided along with a Preliminary Ecological Appraisal, these documents were submitted during the course of the application and satisfied the requirements of the Council's Wildlife Officer. As such the Council's Wildlife Officer was satisfied that the proposal would result in a minimum 10% Biodiversity Net Gain on site and an appropriate Habitat Management and Maintenance Plan shall be conditioned in accordance with the BNG requirements.

Therefore, in light of the above the proposal would not result in an adverse level of impact on biodiversity and ecology and would result in a minimum 10% Biodiversity Net Gain as such the proposal would be in accordance with Policies LP28 and LP29 of the Peterborough Local Plan (2019).

g) Drainage/Flood Risk

The application site is located within Flood Zone 1 and is not located within any Critical Drainage Areas, and the Environment Agency lists the flood risk from rivers/the sea as well as surface water as low risk. The proposal retains the grass finish along the boundary with neighbouring property of No.1705 Lincoln Road which is around 10m in depth. Further the proposed hardstanding across the site which includes the access road will be constructed using permeable surfacing. It is therefore considered that the proposal would not result in a significant increase in non-permeable surfacing with the use of soakaways and permeable hard surfacing would not result in an adverse level of impact on drainage or flood risk in accordance with Policy LP32 of the Peterborough Local Plan (2019).

Paragraph 173 of the National Planning Policy Framework (2019) states that flood risk should not be increase elsewhere. It is considered that given the use of permeable hard surfacing and soakaways appropriately deals with the surface water drainage on site and would not increase the flood risk elsewhere. However, it is considered appropriate to secure a condition requiring the submission of surface water details to ensure there is no adverse flood risk in light of the high water table within the area.

h) Other matters

The site does fall within the Outer Zone buffer of a National Grid Gas Pipeline, the Asset Protection Team of National Gas Transmission were contacted, and they advised that the proposal was outside of the High Risk Zone from the pipeline and can proceed.

In this section the material planning considerations raised by residents and Glinton Parish Council will be addressed below. Firstly the Parish Council comments raised the following matters:

- Contrary to NPPF para 124a resulting in net environmental loss. Officers have considered this and in light of the BNG information submitted are satisfied that the proposal result in a net gain of at least 10% in ecology.
- Contrary to NPPF para 131 as it will not create a high quality, beautiful and sustainable proposal and applicant has not engaged with the local community or other interested parties. Officers have considered the design harm and this is balanced with the benefits of the scheme below. In terms of engagement with wider stakeholders and community, whilst the LPA would always encourage early engagement and dialogue between all parties, the lack of engagement cannot form part of a refusal reason.
- Contrary to NPPF para 135 in relation to design and character impact. Officers have engaged the planning balance below in relation to the design harm identified above in the report and the benefits of the scheme.
- Contrary to NPPF para 180 in relation to conserving and enhancing the natural environment. Officers recognise that the proposal will result in the loss of some habitat on site, however, overall on submission of the Biodiversity Net Gain information it is demonstrated that the proposal results in a net gain of at least 10%.
- Site is within the open countryside and does not meet the requirements for development under LP2. The principle of the application is set out under LP10 which is a strategic policy alongside LP2 and sets out exemptions in which development within the open countryside can be supported.
- LP10 does not meet criteria d and e. The Parish has mentioned that the existing dwellings in the area are all served by septic tanks and not mains sewage. Whilst the proposal is served by a sewerage treat plant similar to the surrounding properties, Officers do not consider there would be an adverse impact on local infrastructure given the scale of development. Officers have considered the impact of neighbour amenity above. In relation to alleged incidents of antisocial behaviour and intimidation, alleged behaviour is not material consideration as this will vary and the planning application can only focus on the consideration of land use. Antisocial behaviour, intimidation or other alleged behaviour would be covered under separate legislation and dealt with by different bodies (Police, Environmental Health etc). Finally, the Local Plan acknowledges the known need and the expectation to meet this through the determination of planning applications, therefore there is a need in Peterborough identified through the GTAA which assessed the need in

- Peterborough in 2016.
- Unacceptable impact on 1705 Lincoln Road. Officers have considered this above in terms of loss of privacy, overshadowing and overbearing impact, in terms of noise the proposal introduces a residential use at an appropriate scale.
- Contrary to LP26. Officers have considered LP26 above.
- The Parish has also stated no archaeology survey and wildlife survey have been submitted. Officers note that a Preliminary Ecological Appraisal has been submitted during the course of the application. Also, with regards the archaeological survey, the site is not within an area of potential archaeological importance therefore there is no requirement for the submission of an archaeological appraisal.
- The issues of flood risk and drainage have been considered above.
- The application site is located outside of the Glington Parish Boundary
- Glington Parish Council have raised matters from the Glington Parish Neighbourhood Plan in terms of relevant policies, however, the application site lies outside of the Glington Parish Boundary and is not included within the area which the Glington Neighbourhood Plan. The area the Glington Neighbourhood Plan (GNP) is covered within Map 1 on page 5 of the GNP, as the site is outside the GNP is not a material consideration for this application.

In terms of neighbour comments, matters already addressed have not been repeated below and only matters not covered above are mentioned below:

- Retrospective application. Officers note that the application is part-retrospective but this has no bearing on the acceptability or otherwise of the application which is considered on its planning merits only.
- Noise and light disturbance from commercial use. A condition has been appended onto the decision notice which control the use of any commercial activity on site to avoid any adverse noise impact as well as requiring details of any external lighting scheme.
- LP11 and LP8 are not the relevant policies here, as the proposal would fall within the bounds of LP10 in establishing the principle of development.
- Existing watercourses blocked. When Officers went out on site only one ditch was observed to the front of the application site which remains not blocked.
- The roadway by the application site has debris from the installation of hardstanding to the detriment of highway safety. Officers note that any debris on the highway left by construction works would be covered by the Highways Act and the Local Highway Authority would be responsible in ensuring compliance with this.
- Concerns proposal will lead to an influx of gypsy and travellers in the surrounding area. Officers have considered the application including the scale proposed and appropriate conditions are recommended securing the number of caravans and pitches that can be placed on site.
- Local amenities cannot support the influx in population as there are already issues with the provision of school places. Officers consider that the scale of development would not be to such a scale that the local amenities would be adversely impacted.
- House price depreciation in the surrounding area. This is not a material consideration.

i) Planning balance

Under Section 70(2) of the Town and Country Planning Act 1990 all planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. As identified within the Principle section above, there is a need for gypsy and traveller accommodation within the Peterborough area and the proposal also meets the Government's aim to promote more private traveller sites. These benefits attract significant weight and whilst concerns relating to design and character impact are noted within section b of this Committee Report it is Officers recommendation that on balance, the benefits of the scheme outweigh the conflict with LP16 and LP27 of the Peterborough Local Plan.

Therefore, Officers recommend that the proposal is approved subject to appropriate conditions securing the number of pitches and caravans, soft landscaping scheme, noise attenuation scheme, compliance with BS3632:2015, Habitat Management and Maintenance Plan, detailed revised access scheme, and parking and turning provision on site.

6 **Conclusions**

Whilst a conflict was found with Policies LP16 and LP27 of the Peterborough Local Plan (2019) this harm has to be balanced against the benefits of providing Gypsy and Traveller accommodation and within this balance, Officers recommend that the benefits of providing the accommodation would outweigh the harm identified and would recommend approval subject to the below conditions.

7 **Recommendation**

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

C1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Proposed Site Plan (received 13 June 2024)
- Location Plan (received 10 June 2024)
- Proposed Floor and Elevation Plan (received 29 May 2024)
- Clear Water – Specification/details of treatment plant (received 13 June 2024)

Reason: For the sake of clarity.

C2 Prior to the construction of the amenity buildings hereby permitted above slab level, all the external finishes of the amenity buildings shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate external finish in accordance with Policy LP16 and LP27 of the Peterborough Local Plan (2019).

C3 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).

Reason: To secure provision of gypsy and traveller accommodation in accordance with Policy LP10 of the Peterborough Local Plan (2019).

C4 There must be no more than four pitches on the site. Each pitch shall comprise no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, stationed on the site at any time (of which no more than one shall be a static caravan/mobile home).

Reason: In the interest of design and character impact as well as neighbour amenity impact in accordance with Policies LP16, LP27 and LP17 of the Peterborough Local Plan (2019).

C5 Prior to the installation of any external lighting, details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then only be installed in accordance with the approved details.

Reason: In the interest of design, character and ecology in accordance with Policies LP16, LP27 and LP28 of the Peterborough Local Plan (2019).

C6 Within 2 months from the date of this permission, plans detailing the amended access arrangement shall be submitted and approved in writing by the LPA. The plans must show, but not be limited to, the following,;

- a bell mouth access design incorporating 6m junction radii
- an access width of 5.5m
- gradients/levels
- methods of construction
- details of the required extension of the existing culvert

The approved access arrangement shall be implemented in accordance with the approved plans within 4 months from this date of planning permission.

Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policy LP13 of the Peterborough Local Plan.

C7 The spaces shown on the proposed site plan shall be laid out for vehicles to park and turn clear of the public highway and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: In the interests of highway safety and adequate parking provision on site in accordance with Policy LP13 of the Peterborough Local Plan.

C8 No commercial or industrial activities, including storage of vehicles, equipment and materials, shall take place on the land, and no vehicles above 3.5 tonnes in weight shall be parked on the site.

Reason: In the interest of highway safety, design, character and neighbour amenity, in accordance with Policies LP13, LP16, LP27, LP17 of the Peterborough Local Plan (2019).

C9 Any static caravan shall comply with BS 3632:2015 in relation to sound insulation and ventilation requirements.

Reason: In the interest of future occupier amenity in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C10 Within 3 months from the date of this permission, a scheme for noise attenuation measures shall be submitted and agreed in writing with the Local Planning Authority. The approved details shall thereafter be implemented within 5 months from the date of this permission and maintained as such thereafter.

Reason: To ensure the site layout and design incorporates noise attenuation measures to minimise noise impact on future occupiers in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C11 Within 3 months from the date of this permission a Habitat Management and Monitoring Plan addressing the creation of mitigation and compensation habitat as

outlined within the Preliminary Ecological Appraisal and Biodiversity Metric. The HMMP must include, but not limited to, 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 HMMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

The use of the recently released Habitat Management and Monitoring Plan Template (HMMPT) would be acceptable in order to demonstrate how the habitats responsible for demonstrating a Biodiversity Net Gain are created, managed and monitored.

Reason: To ensure the proposal complies with the requirement for BNG and ecology in accordance with Policy LP28 of the Peterborough Local Plan (2019).

C12 Notwithstanding the submitted details, within 3 months a scheme for soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting
- An implementation programme
- Proposed planting plans including trees, species, numbers, size and density
- Position, type and recommended number of any biodiversity enhancements

The soft landscaping shall be carried out in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Development shall be carried out in accordance with the submitted details. Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual amenity of the area and the enhancement of biodiversity, in accordance with Policies LP16, LP28 and LP29 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework 2023.

C13 Within 3 months from the date of this permission, a surface water drainage scheme shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall include but not be limited to:

- Demonstration of the discharge surface run off being as high up the hierarchy of drainage options as reasonably practicable.
- Minimise the areas of hardstanding and if hard surfaces are necessary, incorporate permeable paving.
- Information regarding existing surface water risk of the site.
- Discharge rates should be limited to the greenfield 1 in 1 year rate or 1l/s, whichever is greater. Where it is not possible to meet the greenfield 1 in 1 rate, demonstration of its unfeasibility shall be provided, and rainwater re-use should be used to reduce the run off rate from the site.
- Sufficient water treatment for all the site.
- Sufficient storage should be provided to ensure no internal flooding as a result of the development during all storm events up to and including the 1 in 30 year storm event and no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Infiltration testing/ground investigation to assess the viability of using infiltration on site- there should be some ground testing for geology and then the worst case rates for that soil type should be used.
- If the site is directing water to a single point of infiltration, then we would need to see infiltration testing for that location. However, if the water is being distributed evenly across the site as the rain lands on the ground then we do not require infiltration testing as it is mimicking natural processes.
- A site layout, location of features, outfall location and conveyance.
- Exceedance flows should be considered to ensure potential off-site flooding is managed
- A 10% allowance for urban creep should be included within the storage calculations.
- Engineering drawings should be provided detailing the SuDS components used within the drainage system.

The development shall thereafter be implemented in accordance with the approved details and maintained as such thereafter.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policy LP32 of the Peterborough Local Plan 2019 and Chapter 14 of the National Planning Policy Framework 2023.

Copies to Councillors – Councillor Neil Boyce
Councillor Peter Hiller