

SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 8
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Report of the Executive Director of Operations

Contact Officer(s) – Simon Machen - Head of Planning, Transport and Engineering Services
Harj Kumar – Senior Strategic Planner

Contact Details - Tel. 453475, 863852

PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (PROPOSED SUBMISSION VERSION)

1. PURPOSE

- 1.1 The purpose of this report is to enable the Committee to comment on the Planning Policies DPD (Proposed Submission Version) (hereafter referred to as the 'Planning Policies DPD') before it is presented to Cabinet on 7th November. Cabinet will then be asked to recommend the document for approval by Full Council for the purposes of public consultation and submission to the Secretary of State. The draft of the Planning Policies DPD is attached at Appendix A.

2. RECOMMENDATIONS

- 2.1 The Committee is requested to offer any comments on the draft Peterborough Planning Policies DPD (Proposed Submission Version) before it is presented to Cabinet and then Council, for subsequent approval by Council for the purposes of public consultation and submission to the Secretary of State.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 The Planning Policies DPD feeds off the Peterborough Core Strategy which in turn was based on the Sustainable Communities Strategy (e.g. the latter two both share the same vision statement). The Planning Policies DPD sets out the detailed 'development management' (or 'development control') planning policies, which will be used day-to-day by planning officers and by the Planning & Environmental Protection Committee when considering the detailed aspects of planning applications.

4. BACKGROUND

- 4.1 The Planning and Compulsory Purchase Act 2004 introduced a system of plan-making, which is known as the Local Development Framework (LDF). One of the documents that the Council must produce as part of the LDF is the Planning Policies DPD, which itself sits beneath (and takes its lead from) the 'Peterborough Core Strategy'.
- 4.2 The Core Strategy, which Members will recall was adopted in February 2011, sets out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that are core to achieving or delivering that strategy. The Core Strategy is accompanied by a 'key diagram' which shows pictorially some of the key elements of Peterborough's development strategy, but it does not have a 'proposals map' drawn on an Ordnance Survey base.

4.3 The Planning Policies DPD is intended to provide detailed policy statements to help in determining planning applications. The policies in the Planning Policies DPD will help in delivering the overarching principles established in the Peterborough Core Strategy. At the end of each policy we have referred to the appropriate Core Strategy policy (or policies) and objectives which it supports.

4.4 Recognising the important role of the City Centre, a document that focuses specifically on this area is being prepared, known as the Peterborough City Centre DPD. Although policies in the Planning Policies DPD will apply throughout Peterborough (unless clearly stated otherwise in the policy), there will be additional specific policies for the city centre in the City Centre DPD.

Consultation Draft

4.5 The Consultation version of the Planning Policies DPD was approved by Cabinet in December 2010. It included full draft wording for each proposed policy. The six-week consultation on this version of the document took place in February/March 2011.

Summary of the Proposed Submission Version

4.6 All the comments made at Consultation Draft stage have been analysed and taken into consideration in formulating policies in this Proposed Submission version document. It is a statutory requirement that policies must be subject to formal sustainability appraisal (incorporating strategic environmental assessment), and, if necessary, Habitats Regulations Assessment, and this is a continuing, iterative process that also contributes to decisions on the final version. In summary, the outcome of all of this work is a Planning Policies DPD which stems from the Core Strategy agreed by the Council.

4.7 All of the policies in the Planning Policies DPD are summarised in a table below. This table provides a flavour of each policy and Members can then investigate any policy in detail in the document.

Draft Policy	Policy information
PP1 – Design Quality	This is a generic policy covering all types of new development. The objectives of the policy are to improve design standards and the sustainability of new development.
PP2 – Impacts of New Development	This policy aims to ensure that all development takes into consideration the impact that it will have on the occupiers and/or users of properties nearby
PP3– Amenity Provision in New Residential Development	The aim of this policy is to ensure adequate amenity provision is provided for future residents in all new development.
PP4 – Prestigious Homes	The policy seeks to prevent the loss of top-of-the market housing in order to enable business leaders to live locally.
PP5 – Conversion and Replacement Dwellings in the Countryside	This policy recognises the potential for conversion of redundant rural buildings to dwellings and sometimes the need to replace existing dwelling in the countryside. The policy specifies criteria that have to be met before planning permission can be granted.
PP6 – The Rural Economy	This policy sets out criteria that have to be met for tourism, leisure, cultural and employment development in villages and the countryside.

PP7 – District and Local Centres and their Primary Shopping Areas	This policy outlines what would be permitted in the Primary Shopping Areas and within the boundary of the District and Local Centres. It also defines the edges of the Primary Shopping Areas and the District centre boundary.
PP8 – Primary retail frontages in District Centres	The policy allows for the provision of a controlled number of non-A1 uses within primary frontages but prevents any proliferation that would adversely affect the amenity of neighbouring properties or the character of District Centres.
PP9 – Shop frontages, security shutters and canopies	This is a generic policy to improve the appearance of all shops.
PP10 – The Transport Implications of Development	This policy addresses all transport issues such as the effect of development on road safety, traffic congestion, access and circulation, parking, and the design of new infrastructure. These are all material considerations in determining a planning application.
PP11 – Parking Standards	Maximum car/van parking standards (except for C3 - dwelling houses and C4 – houses in multiple occupation where minimum parking standards apply) have been devised to reflect the approach to local parking standards in Planning Policy Statement (PPS) 4. Minimum parking provision for cycle, powered two wheelers and spaces for disabled users are included in the parking standards. We have also included a need to provide a charging point for an electric vehicle where appropriate.
PP12 – Open Space standards	The primary purpose of the open space standards is to secure adequate provision of open space for all new residential development. The standards set out a hierarchy of open space which builds up to a total requirement of open space per 1,000 population and which will be applied to all relevant development proposals.
PP13 – Nene Valley	The Nene Valley is viewed as an important asset for Peterborough; its use should be encouraged in some locations near the city centre but protected in more rural locations.
PP14 – The Landscaping and Biodiversity implications of Development	The policy deals with provision for landscaping and biodiversity in connection with new development and elements and provision to include when submitting a scheme.
PP15 – Heritage Assets	A generic policy designed to protect any heritage assets including their settings.
PP16 – Buildings of Local Importance	This policy is included to protect a number of buildings of 'local importance', which are

	considered to make a positive contribution to the character of the area in which they are situated or have local significance.
PP17 – Ancient, Semi-Natural Woodland and Ancient and Veteran Trees	The policy protects these areas from development that would adversely harm these areas.
PP18 – Habitats and Species of Principal Importance	We are required by law to protect Habitats and Species of Principal Importance in Peterborough. Any development proposal that would cause demonstrable harm to a legally protected species or habitat will be refused permission.
PP19 - Flood and Water Management	All proposals will be required to address issues of drainage and flood risk management in accordance with the policy unit approach to be explained in a subsequent Supplementary Planning Document.

4.8 The Planning Policies DPD is less sensitive than other statutory planning documents for Peterborough, such as the Core Strategy and Site Allocations DPD, for the simple reason that it does not include new land allocations for development. Rather, it is something which, in general terms, is usually of greater interest and scrutiny by the ‘professional’ industry of planners, architects and developers. Members of the public do get involved but these tend to be those who are already familiar with the planning system and/or have made representations on other planning documents.

4.9 Despite this likely low profile whilst in preparation, the policies themselves, once adopted, become extremely important when determining planning applications. They give the Council the powers and justification to either refuse or grant planning applications, especially on detailed design matters (which can be very sensitive in local communities). It is important that the Council gets these policies right otherwise it could be storing up problems for the future, making life very difficult when determining planning applications.

4.10 In 2008, as part of the preparation for the Planning Policies DPD, we provided residents, landowners, developers, agents and parish councils with an opportunity to suggest changes to any village envelope. A number of changes were put forward for consideration. These were considered and the criteria along with the result of the assessments are included in the ‘Village Envelopes in Peterborough - A Report into Suggested Changes’ document. This is a background document that has been used in preparing the Planning Policies DPD and will be made available for inspection on Peterborough City Council’s website.

5. KEY ISSUES

5.1 The Planning Policies DPD is generally less sensitive than other statutory planning policy documents for Peterborough, such as the Core Strategy and Site Allocations DPD, for the simple reason that it does not include new land allocations for development. Rather, it is something which, in general terms, is usually of greater interest and scrutiny by the ‘professional’ industry of planners, architects and developers. The public generally do not get too concerned about this document.

5.2 However, despite this likely relatively low profile whilst in preparation, the policies themselves, once adopted, become extremely important when determining planning applications. They give the Council the powers and justification to either refuse or approve something, especially on detailed design matters (which can be very sensitive in local communities). As such, if we get this document wrong, we could be storing up problems for the future, making life very difficult when determining planning applications

5.3 The areas where we have received most comments from consultees are listed below.

- Parking standards (policy PP11 and Appendix A) - which includes the need to provide, where practical, facilities for charging plug-in and other ultra-low emission vehicles. We have amended the policy and the parking standards in light of the comments made.
- Open Space Standards (policy PP12 and Appendix B) - this was objected to as the standards were not based on most up-to-date information. We had anticipated this problem and therefore commissioned Atkins to update the 2006 Open Space study to bring it up-to-date taking account of what had occurred in the interim period. New Open Space standards will be based on this study which is due to be completed shortly.

5.4 A number of objectors did not agree with the absence of minor changes to the village envelopes that they had suggested. We have considered their objections and any new suggestions that were put forward, and are recommending a few minor changes

6. IMPLICATIONS

6.1 The Planning Policies DPD will have implications for all sectors of the community throughout the Local Authority area.

6.2 **Legal Implications** - The Council must follow due Regulations in preparing the Planning Policies DPD. Eventually, once the final document is adopted in 2012, the Council has a legal duty to determine planning applications in accordance with those policies.

6.3 **Financial Implications** - There are some immediate direct financial implications flowing from the approval of the Planning Policies DPD (Proposed Submission), and these relate to consultation costs and, in due course, paying the Planning Inspectorate for their services in examining the submitted document. However, these are items that have been anticipated and planned for, and budgets are set aside for this purpose

7. CONSULTATION

7.1 In preparing this Proposed Submission Planning Policies DPD, we consulted on the Consultation Draft document (February--March 2011). All the comments made at this stage have been analysed and taken into consideration in formulating policies in this Proposed Submission document. A summary of the comments made and our response to these is attached at Appendix B.

7.2 The Planning and Environmental Protection Committee considered the Proposed Submission version of the document at its meeting on 11 October 2011. Any changes arising from comments made at this meeting will be incorporated into the version presented to Cabinet.

7.3 When approved by the Cabinet and the Full Council, the document will be published for 6 week public consultation, starting in February 2012.

8. NEXT STEPS

8.1 In November, Cabinet is going to be recommended to approve the revised version for consideration by full Council, and then, following public consultation, submission to the Government. The following will have an input into the DPD before it goes out for public consultation in early 2012.

- Cabinet (7 November)
- Council (7 December)

9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 9.1
- Peterborough Planning Policies DPD - Issues and Options (Oct/ Nov 2008).
 - Peterborough Planning Policies DPD – Consultation Draft (Feb/ Mar 2011)
 - Reports on Comments Received and responses to the Key Issues (April2010).
 - Village Envelopes in Peterborough - A Report into Suggested Changes (November 2010).

10. APPENDICES

- 10.1 Appendix A – A copy of Planning Policies DPD – Proposed Submission version
Appendix B - A summary of the comments made on the Planning Policies DPD (Consultation Draft) and our responses