

11/01520/OUT: CONSTRUCTION OF CARE VILLAGE, COMPRISING OF CARE HOME, ASSISTED LIVING, SUPPORTED LIVING AND EXTRA CARE ACCOMMODATION – USE CLASS C2 (OUTLINE WITH MATTERS OF APPEARANCE, LANDSCAPING AND LAYOUT RESERVED) AT LAND TO THE REAR OF 207-239 PETERBOROUGH ROAD, STANGROUND, PETERBOROUGH

VALID: 29TH SEPTEMBER 2011

APPLICANT: MR P LEONG

AGENT: MR JOHN DADGE, BARKER STOREY MATTHEWS

REFERRED BY: HEAD OF PLANNING, TRANSPORT AND ENGINEERING SERVICES

REASON: DEPARTURE FROM PLANNING POLICY

DEPARTURE: YES

CASE OFFICER: MRS JANET MACLENNAN

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Acceptability of use in principle, specifically scale and density of development
- Highway implications, access and parking
- Impact on the setting of the Listed Building
- Character of the area and impact on neighbouring amenity
- Implications for wildlife and landscape
- Provision of infrastructure requirements

The Head of Planning Services recommends that the application is **APPROVED**.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Key policies highlighted below.

The Peterborough Local Plan (First Replacement) 2005

- DA16: Development on or in the Vicinity of Landfill Sites** - Planning permission will not be granted for any development on or in the vicinity of closed, existing, or proposed sites for waste disposal by means of landfill, unless the City Council is satisfied that there is no greater than a minimal risk to public safety from migrating gas, either during construction or following completion of the development.
- H15: Residential Density** - Seeks the highest residential density compatible with the character of an area, the living conditions of local residents, that is of good standard of design and that provides open space.
- H16: Residential design and amenity** - Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.

- H25: Residential Homes** – planning permission would be granted within the urban area provide the site is not within an Employment area, the site would be accessible by public transport and would be accessible to services and facilities, would not be detrimental to nearby properties and would not result in a concentration of residential homes.
- LNE2: Green Wedges** – within areas designated as green wedges, planning permission will not be granted for development that would reduce the degree of physical separation between settlements.
- LNE9: Landscaping implications of development proposals** - Seeks retention and protection of trees and other natural features that make a positive contribution to an area; and adequate provision of landscaping of sites.
- LNE10: Detailed elements of landscaping schemes** - Seeks provision of a landscaping scheme suitable for the development, which should include where appropriate, the retention of landscape or ecological features, suitable new planting, protection and management of scheme, provision for natural ecological regeneration and the completion of planting by first occupation or development completion, whichever is sooner.
- T9: Cycle parking requirements** - Seeks provision of high quality off-street cycle provision in accordance with approved standards.
- T10: Car and motorcycle parking requirements** - Planning permission will only be granted for development outside the city centre if it is in accordance with approved parking standards.

Adopted Peterborough Core Strategy DPD

- CS2: Spatial Strategy for the Location of Residential Development** – The overall development strategy is to focus the majority of new development in and around the urban area of the City of Peterborough, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most efficient and effective use of previously developed land, and enabling a larger number of people to access services and facilities locally.
- CS8: Meeting Housing Needs** - seeks to secure a variety of housing to meet local needs, including affordable housing.
- CS10: Environmental Capital** - Development must make a clear contribution to the Environment Capital aspirations.
- CS12: Infrastructure** – planning permission will only be granted if it can be demonstrated that there is sufficient infrastructure capacity to support/meet the requirements arising from the development.
- CS13: Developer Contributions and Infrastructure Provision** - These policies require that development makes a contribution towards related infrastructure requirements, in accordance with the Planning Obligations Implementation Scheme where appropriate.
- CS14: Transport** - Development should make transport provision for the needs it will create, in accordance with the Transport User Hierarchy.
- CS16: Urban Design and the Public Realm** - High quality and inclusive design is required, taking into account the disposition of buildings, the quality of the public realm, addressing vulnerability to crime, accessibility, safety, adaptability, and neighbour amenity.
- CS17: The Built Environment** - The Council will protect, conserve and enhance the historic environment throughout Peterborough, through the special protection afforded to listed buildings, conservation areas and scheduled ancient monuments and through careful control of

development that might adversely affect non-scheduled, nationally important archaeological remains; other areas of archaeological potential or importance; historic features and their settings; buildings of local importance; and areas of historic landscape or parkland (including, but not limited to, those on the English Heritage Register of Parks and Gardens of Special Historic Interest).

CS21 Biodiversity and Geological Conservation – The City Council, working in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the area.

CS22: Flood Risk - Development should be informed by a Flood Risk Assessment, and Sustainable Urban Drainage systems should be used on all suitable sites.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Central Government Guidance

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life; contributing to sustainable economic development; protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities; ensuring high quality development through good and inclusive design, and the efficient use of resources; and, ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

Planning Policy Statement (PPS) 3: Housing

The PPS states 'The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live.' Local Authorities should have regard to achieving high quality housing; ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people; the suitability of a site for housing, including its environmental sustainability; using land effectively and efficiently; ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

Planning Policy Guidance (PPS) 5: Planning and the Historic Environment

The PPS5 states: 'It is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside.'

PPS5 contains policies that seek to conserve and exploit the benefits of the historic environment. It recognises the value and importance of heritage assets, whether these are designated or not and provides protection for these through the planning system. They may be listed buildings or scheduled monuments, or currently undesignated or unidentified. Heritage assets can be identified by the local planning authority as having a degree of heritage significance meriting consideration in planning decisions. Non-designated assets may be identified (by a Buildings of Local Interest - local list) or during

the process of determining a planning application. Policy HE8 advises that “.the effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application.”

Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation - The PPS states that development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate. Planning authorities should ensure that species (identified as requiring conservation action as species of principal importance for the conservation of biodiversity in England) are protected from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.

ODPM Circular 05/2005 “Planning Obligations” Amongst other factors, the Secretary of State’s policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;
- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development);
- iv) fairly and reasonably related in scale and kind to the proposed development; and
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

Planning Obligations Implementation Scheme – The Peterborough Planning Obligations Implementation Scheme (POIS) Supplementary Planning Document (SPD) was adopted on 8th February 2010 (Cabinet Decision). Prior to adoption, the POIS was the subject of a 6 week public consultation period between March and April 2009. The POIS sets out the Council’s approach to the negotiation of planning obligations in association with the grant of planning permission. A planning obligation is a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended by Section 12(1) of the Planning and Compensation Act 1991).

Peterborough Site Allocations DPD Proposed Submission Document

3 DESCRIPTION OF PROPOSAL

The application seeks outline planning permission for a ‘care village’ comprising a 50-bed care home, a 40-bed dementia care unit, 22 supported living units, 22 assisted living units and 29 extra care/residential units. Access and scale are to be considered as part of this proposal; matters of appearance, landscaping and layout are reserved to a later stage. A general indicative layout as to how the development would be accommodated has been submitted and includes 2/3 storey development to the rear (west) of the site, 2 storey development to the east and to the rear of nos. 223 to 237 Peterborough Road and single storey development where units would abut tight to the boundaries of 217, 217a and 223 Peterborough Road. Access to the site would be gained by the demolition of nos. 219 and 221 Peterborough Road and a new 2 storey unit would front the site. The site would include landscaped areas and walkways and would include features such as vegetable, water and small sensory gardens.

The proposal would also include an administrative centre including an on site GP and other related medical services including a visiting chiropodist, optical, health care and well being councillors, care assistants, specialist doctors, nurses, and ancillary staff to service the various units. It is also proposed that within the development there would be a small convenience shop, coffee bar/lounge, hairdressers, laundry service, fitness suite, IT suite and a multi functional room for use solely by residents. Some accommodation would also be provided for 'overnight stays' for relatives or visitors. A mini bus service would be provided with disabled access for trips and visits and will co-ordinate home shopping.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is approximately 1.46 ha and is located on land to the rear of properties 207-239 on the west side of Peterborough Road. The site forms the central section of an allocated site for residential development within the Peterborough Site Allocations Submission Document DPD (ref. SA3.40), however part of the site is currently designated as green wedge under the Adopted Peterborough Local Plan (First Replacement) 2005. The site is overgrown and contains grassland, scrub and bramble. Directly to the north of the site are a number of brick built derelict kennels and outbuildings. The western boundary lies adjacent to the former Stanground landfill site and land designated as Green Wedge, beyond which is the new Stanground By-pass (Stanham Way). To the north and south there is currently open land and this land forms part of the site allocation discussed above. The character along Peterborough Road comprises ribbon development mainly detached properties of varied styles including two storey dwellings, chalet bungalows and single storey. Land opposite the site and on the eastern flank of Peterborough Road forms the Stanground south development. The site is on a main transport route with a regular bus service to and from the city. A Grade II listed windmill is situated approximately 50m to the south out the site.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
05/00067/FUL	Erection of 14 dwellings (including 6 semi-detached houses and 8 detached dwellings)	17.05.2006	Approved
11/00358/OUT	Proposed care village comprising care home, assisted living, supported living and extra care accommodation - use class C2 (outline with matters of appearance, landscaping and layout reserved)	01.06.2011	Withdrawn
11/00506/FUL	Extension of time of planning permission 05/00067/FUL - Construction of 14 dwellings (including 6 semi-detached houses and 8 detached dwellings)		Approved subject to S106

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – Clarification is sought regarding the availability of space within the site to provide required footways. It is not recommended that a shared-surface arrangement be provided for a development of this nature. The Local Highways Authority (LHA) request a contribution towards the improvement of cycle links in the Peterborough Road area. The LHA would expect that this site be developed in connection with the adjoining sites within the site allocation, and would therefore provide permeability between the areas by all modes of transport, particularly by pedestrians and cyclists. The care home would not prejudice the delivery of the northern part of the site allocation in terms of access.

Environmental Health – No objection - The proposed development is within 100m of Stanground Closed Landfill Site and comprises land that has had previous industrial usage. A ground investigation report submitted with the application does not demonstrate that monitoring has been conducted assessing risks posed by hazardous ground gases to buildings. Cambridgeshire County Council has conducted monitoring and applicant is advised to seek advice from them. In the absence of this information the officer suggests contaminated land conditions.

Minerals and Waste Officer - The site is adjacent to a closed landfill site, within a Minerals Safeguarding Area for Brickclay reserves and will impact upon the need for the provision of waste management services. The closed landfill site requires monitoring in accordance with policy DA16. The site falls within a Mineral Safeguarding Area for Brickclay, however, the proximity of the site to the existing residential area and the historic extraction of Brickclay from the adjoining landfill site to the west, indicate that this is not an economically viable reserve in an appropriate location for extraction. The developer should note that a potentially valuable mineral resource is likely to exist on site and due consideration should be given to its use within or as part of the development proposals. The Waste Planning Authority will require a waste management audit and strategy (or similar, such as a Site Waste Management Plan - SWMP) to be submitted (with the full application) to address the management of waste arising during the construction and operational phases to minimise waste arisings and ensure that waste is dealt with in a sustainable manner.

Strategic housing officer - Under PPS3 and Policy CS8 of the Peterborough Core Strategy 30% of self-contained units should be provided as affordable housing unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution to the council to enable some housing need to be met elsewhere.

Archaeological Officer – no objection – the proposal is unlikely to cause significant damage to archaeological remains.

Wildlife officer – no objection - The ecological report makes no reference to the presence of the Stanground Newt Ponds County Wildlife Site located to the north of the site which is known to contain a 'good' breeding population of Great Crested Newt (GCN). Discussions have taken place with the author of the report and Wildlife Officer is content that adequate mitigation measures to provide enhancements to the existing vegetation on site can be agreed at reserved matters stage.

Conservation officer – Concern regarding the setting of the adjacent windmill which is grade II listed. Long views are possible from Fletton Parkway, Stanham Way and the cycle path to the west of the site and parts of the development may impede views of the windmill. It would be useful to provide comparative heights of the windmill and the proposed development along with an assessment of vistas and viewpoints. Questions the availability of space to provide therapy gardens and car parking due to density of development. A comprehensive landscaping scheme would be required. Since these comments were made an assessment of the visual impacts of the development has been submitted. No information has been provided regarding the comparative heights of the windmill and the three-storey blocks. Whilst we can perhaps concede on the long views from the Parkway the medium to short distance views are clearly more important. The general character of windmills in their settings is that there is open space around them. A tree belt comprising medium to forest sized trees would provide an effective buffer between the mill tower and the Nursing Care home on the southern site boundary.

Landscape officer - No objection – The Arboricultural survey has been carried out as per BS5837:2005. Most of the trees on site do not provide a major landscape feature, however, they do provide for some biodiversity on-site which would benefit by additional landscaping. No objections subject to landscaping details being submitted at reserved matters stage.

Strategic Planning Officer – No objection - This application is for part of site SA3.40 in the Proposed Submission version of the Peterborough Site Allocations DPD. This document has been approved by full Council and has been subject to Public Examination. We anticipate the Inspectors report to be issued early next year and for the DPD to be officially adopted by the Council in February 2012. The document currently requires a coordinated approach to be taken to the development of this site to ensure individual applications that come forward are not prejudicial to the delivery of high quality schemes across the site as a whole, or to the provision of satisfactory access(es) from the public highway.

Travelchoice Officer - No objection - A travel survey should be undertaken within 3 months of first occupation and a full travel plan be submitted with results, new targets and an action plan for how they are going to achieve these targets no later than 6 months after first occupation. 5% of the total number of car park spaces allocated as car share bays. Cycle parking should be provided. Contribution is sought for monitoring the Travel Plan over a 5 year period.

EXTERNAL

Environment Agency – No objection – No information has been submitted regarding disposal of foul drainage, therefore suggest condition. Details of surface water management should be submitted for approval. Consider there is negligible risk to controlled waters from the proposed development site. Due to the proximity to the former Stanground Landfill site a full investigation and assessment of the potential for landfill gas migration should be undertaken and remedial measures should be submitted to and approved in writing.

Senior Police Architectural Liaison Officer – No objection – The resubmission has overcome concerns over the openness of the site. The site has only one entrance and a secure boundary. It has been stated that the site should be secure with controlled gated access and no pedestrian link to adjacent land.

Natural England – No objection – the site is in close proximity to Nene Washes SSSI however, given the scale and nature of the proposal no objection is made. Consideration should be given to protected species and the adjacent wildlife site. There may be opportunities to incorporate features in the design of the proposal which are beneficial to wildlife.

Fire Community Risk Management Group - Hydrants required by S106 or Condition

NEIGHBOURS

Two letters of objection have been received raising the following issues:

- The site is in a green wedge which is to contain urban sprawl
- The allocation should come forward as an agreed Masterplan as access from Buntings Lane is too narrow, putting public safety at risk
- Density is too high
- Concern regarding Great Crested Newts on the site to the north
- The site borders a former landfill site and within 50m of contaminated land
- Inappropriate site, the development should be located within a key service centre with facilities

7 REASONING

a) The principle of development

The site is a central part of a site allocation (ref. SA3.40) in the Proposed Submission version of the Peterborough Site Allocations DPD. This document has been approved by Full Council and has been subject to Public Examination. It is anticipated the Inspector's report will be issued early next year and for the DPD to be officially adopted by the Council in February 2012. Planning permission has been granted on the eastern section of the site for 14 no. dwellings (ref. 05/00067/FUL) and an extension of time application is currently under consideration (11/00506/FUL). This is a committed site within the Site Allocations Document DPD (SA3.3). The allocation of this site within the Site Allocations Document and the stages to which the site has progressed through the allocation process is therefore a material planning consideration; however, as part of the site currently lies outside of the urban area boundary, Members of the Planning and Environmental Protection Committee are empowered to determine the application.

The proposed use as care home falls under use class C2 'residential institutions'. The site allocation proposes residential C3 use and would contribute to the overall housing need figures for the Peterborough area. However, in considering the overall housing need for the city the accommodation of an increasingly elderly population forms part of that housing need. Therefore in your officer's opinion the proposed care village (C2) does provide for a housing need and accords with policy CS2 of the Adopted Peterborough Core Strategy.

The principle of the site being suitable for residential needs is already supported under the site allocation proposal. The site lies within a reasonable distance to facilities including the Aldi supermarket, Stanground Local Centre, Stanground Community Centre and local pharmacy and a range of facilities

would be available within the site to meet the needs of the future occupiers. The site is also served by a regular bus service along Peterborough Road and a bus service is to be provided as part of the Stanground South development providing a service to Stanground South Local Centre. The proposal therefore accords with policy H25 of the Adopted Peterborough Local Plan (First Replacement) 2005.

b) Scale and Density

The Site Allocations Proposed Submission Version proposes a total of 110 dwellings across the site. The density for the development would be considerably higher, however, the accommodation would not be provided as individual dwellings and as the indicative plans illustrate, would be provided within larger buildings within the site. Policy H15 of the Adopted Peterborough Local Plan (First Replacement) 2005 seeks residential development at the highest net density provided the quality of the environment and neighbouring amenity is not compromised. The indicative plans show taller buildings to the rear (west) of the site which are set back some 110m from the Peterborough Road frontage where there would be limited views and given the separation distance from the site to the neighbouring highway network to the north, west and south the scale of the development would not be unduly prominent from the public vantage point. It is considered that the site is of adequate size to accommodate the scale of development and the proposal makes efficient use of land in accordance with PPS3, H15 of the Adopted Peterborough Local Plan (First Replacement) 2005 and CS1 of the Adopted Peterborough Core Strategy.

c) Access, Parking and Highway Implications

The site is served by one access point which is central to the site off Peterborough Road and would be achieved through the demolition of two detached dwellings nos. 219 and 221 Peterborough Road. The principle of this access point on Peterborough Road is already supported under the previous approval for residential development (ref. 05/00067/FUL). Appropriate vehicle to vehicle and vehicle to pedestrian visibility spays can be provided at the access and is acceptable to the Local Highway Authority.

Parking would be provided within the site for up to 85 vehicles. The precise details of the parking provision would be considered at reserved matters stage when the layout for the development would be decided. Cycle parking would be provided on site, the precise positioning and details shall be secured by condition. The proposal therefore accords with policy CS14 of the Adopted Peterborough Core Strategy.

The LHA would prefer the site to be developed to allow permeability between the whole of the site allocation and linking to land to the north and south of the application site by all modes of transport, particularly by pedestrians and cyclists. However, given the nature of the development and the vulnerability of the future occupiers permeability through the site would not be appropriate. This is also supported by the Police Architectural Liaison Officer.

The transport statement has been submitted in support of this application. The traffic generation figures identify the need for a right-turn lane to access the development off Peterborough Road. However, it is the view of the LHA that as there would be limited numbers of vehicles accessing the site in peak hours, the impact of vehicles turning right at these times would not be sufficient to warrant the cost of this improvement.

It is unlikely that the majority of residents in the development would walk, cycle or use public transport to get to and from the site, however, it is likely that visitors and staff would be encouraged to do so. Improvement works are proposed along Peterborough Road which includes the provision of a footway/cycleway which would link into the cycle way network. As a result the LHA seek a contribution towards these works.

As part of the original submission of the site allocation the supporting text stated that the site must come forward with the benefit of an agreed 'Masterplan' for the whole site as the allocation raised concern regarding the number of land owners and the potential for individual accesses to be sought off Peterborough Road. It is now suggested that the need for a Masterplan is replaced with the wording of having a coordinated approach to be taken to the development of this site to ensure individual applications that come forward are not prejudicial to the delivery of high quality schemes across the site as a whole, or to the provision of satisfactory access(es) from the public highway.

The Highways section have confirmed that a suitable access would be available to serve the remainder of the allocated site to the south of the application site, off Peterborough Road and that access would be available off Buntings Lane to serve the remainder of the allocated site to the north. A survey of the junction of Buntings Lane with Peterborough Road has been undertaken by the LHA. Due to the constraint to development posed by the newt ponds to the north of the site allocation, the number of dwellings likely to be successfully accommodated on the northern part of the site allocation would be no more than 34 dwellings. Having undertaken the survey, the LHA are of the opinion that 34 dwellings would not cause detriment to the public highway and are of the opinion that the care home would not prejudice the northern part of the site allocation being delivered in terms of access. Hence the proposal accords with policies CS2 and CS14 of the Adopted Peterborough Core Strategy.

d) Impact on the Listed Building

There is a windmill located approximately 50m to the south of the application site. The windmill is a Grade II Listed Building. In accordance with policy CS17 of the Adopted Peterborough Core Strategy and indeed PPS5 the windmill is a heritage asset and the impact of the development on the setting of the Listed Building is a material planning consideration. A visual analysis of the impact of the development on the setting of the Listed Building has been undertaken and submitted for consideration as part of the proposal. The analysis indicates that the heights to parts of the buildings to the rear of the site would be limited to two storeys to allow views through the site towards the windmill. The windmill is visible when travelling along Fletton Parkway to the north, however the analysis has demonstrated that the development would not obscure all views of the windmill from this perspective. Analysis was also given for views when travelling along Stanham Way to the west and the A605 to the south which show no impairment of views of the windmill. The best views of the windmill are from Peterborough Road and the proposed development would be set behind the windmill from these viewpoints. It is therefore important to provide a backdrop to the listed building which has hitherto been provided by open landscape.

The Conservation Officer has advised that it is crucial that adequate space is left for landscaping which is appropriate to the height of the buildings. For a 3 storey development large forest sized trees would be suitable. A tree belt of this scale would provide an effective buffer between the mill tower and the nursing care home on the southern boundary. The impact of the care home on the setting of the listed building could also be addressed by lowering the height of elements of the care home to 2 storeys. It is considered with appropriate landscaping the setting of the Grade II listed building would be protected in accordance with policy CS17 of the Adopted Peterborough Core Strategy and PPS5.

e) Protected Species

An Ecological Assessment of the application site has been submitted as part of the proposal. The assessment concluded that the only species on site with legal protection were birds which were likely to be nesting in hedgerows. The site was of no ecological interest and contained no other protected species. The proposed development posed no constraints on wildlife. It is likely that the development will provide a net gain for wildlife through the landscape proposals which would introduce food sources for invertebrates and nesting birds. Concern was initially raised by the Wildlife Officer as the report made no reference to the presence of the Stanground Newt Ponds County Wildlife Site located some 160m to the north of the site which is known to contain a good breeding population of Great Crested Newt. A further statement has been provided and the Wildlife Officer is content that appropriate survey work had been undertaken at a suitable time of year to detect the possible presence of Great Crested Newts and no further survey work was required as no evidence of the presence of Great Crested Newts has been found.

It is acknowledged that the existing habitat within the site could be enhanced by the strengthening of hedgerow to the west of the site using native species and a strip of rich grassland. This detail can be provided at reserved matters stage. In addition there is opportunity to biodiversity gain in the provision of nest boxes for birds and roost boxes for bats. As this application is not considering the design aspect of the scheme these matters are reserved to the later stage.

A compliance condition is recommended to ensure that no hedgerow or trees are removed during the nesting season, unless a survey has shown that no nesting birds are present.

The proposal has considered the ecological constraints within the site and the proposal would not result harm to protected species. The proposal provides opportunity for biological gain within the site and accords with policy CS21 of the Adopted Peterborough Core Strategy and PPS9.

f) Landscaping Implications

There are some trees within the site however due to their location they offer little amenity benefit to the any public vantage points, however they do provide for some biodiversity within the site. There is opportunity to significantly improve the landscaping within the site which can be considered at reserved matters stage. Landscaping details shall be secured by condition in order to enhance the visual amenity and biodiversity and in accordance with policy LNE10 of the Adopted Peterborough Local Plan (First Replacement) 2005 and policy CS21 of the Adopted Peterborough Core Strategy.

g) The proximity to landfill site

The proposed development would be within 100m of Stanground Closed Landfill Site and comprises land that has had previous industrial usage. A geoenvironmental ground investigation report has been submitted in support of the application. However, it has not been demonstrated that any monitoring has been conducted to assess the risks posed by hazardous ground gases to buildings. Therefore land contaminations conditions shall be appended requiring an assessment of the nature and extent of contamination and potential risks and details of a remediation scheme to be approved in writing by the Local Planning Authority in accordance with policy DA16 of the Adopted Peterborough Core Strategy DPD.

h) Impact on surrounding character

The surrounding character is primarily two storey development and the indicative layout plan indicates a good separation distance from existing neighbouring properties. It is considered that the scale and mass of the development would respect the surrounding built form within the immediate context. Consideration shall be given to the entrance and vista into the site at reserved matters stage, particularly any landscaping features which would enhance views into the site from Peterborough Road. The proposal is compliant with policy CS16 of the Adopted Peterborough Core Strategy.

i) Neighbouring Amenity

The proposal has revised the indicative layout submitted under a previous scheme which now provides a greater separation distance from the two storey units and their alignment with existing dwellings fronting Peterborough Road. The indicative layout has orientated the buildings thereby reducing the bulk and mass of the development from views from these properties. Significantly improved the relationship. There is a minimum separation distance of 40m to these existing dwellings. In addition the units abutting the rear gardens to nos. 217a and 223 Peterborough Road have been reduced in height to single storey. It is considered that the development would not result in any adverse impact on the amenity of the occupiers of existing neighbouring properties in terms of overlooking, loss of privacy or overbearing impact and the proposal is compliant with policy H25 of the Adopted Peterborough Local Plan (First Replacement) 2005 and policy CS16 of the Adopted Peterborough Core Strategy.

j) Secure by Design

The site would be secure with controlled gated access and there would be no pedestrian access linkage to the adjacent land. Whilst it would be desirable to have linkage and permeability to all elements of the site allocation, in this instance, this would be incompatible with the needs of the future occupiers of the care village. The Police Architectural Liaison Officer is content that the proposal is a secure site. Hence the proposal accords with policy CS16 of the Adopted Peterborough Core Strategy DPD.

k) Affordable Housing

Due to the nature of the development the provision of affordable housing is not appropriate.

l) S106 contribution

In accordance with policy CS13 of the Adopted Peterborough Core Strategy the development would have a burden on the services and infrastructural needs of the city council and the following site related contributions, plus monitoring fee, are sought:

- Bereavement services £11,617,01
- Completion of Travel Plan and monitoring fee - £3,750

- Police - £40,000
- Contribution towards Peterborough Road improvements - £10,000

The contributions are considered to be reasonably related to the development and accord with the tests as set out under regulation 122 in respect of Community Infrastructure Levy.

m) Miscellaneous

Archaeological implications

The site does not fall within an area of archaeological interest.

Floodrisk and Drainage

The site lies within flood risk zone one (low risk). Details of surface water drainage will be required by condition.

Waste Management

It is anticipated that all waste from the site would be dealt with by private contractor. Although the residents of some units would be able to prepare their own food, waste disposal would be handled on a communal basis.

8 CONCLUSIONS

- The site forms part of a site allocation for residential development within the Site Allocations Submission Version DPD and would provide efficient and effective use of land;
- The proposal would provide for the residential needs of the elderly population;
- The scale of the development would respect the character and appearance of the surrounding area;
- the development would not result in any adverse impact on the amenity of occupiers of existing neighbouring dwellings;
- the proposal provides adequate parking provision within the site and would not result in any adverse highway implications;
- the proposal does not have an unsatisfactory impact on any ecological feature or trees of significant value; and
- the proposal makes satisfactory and justified off site provision towards improvement to the cycleway network and a contribution towards the social and physical infrastructure demands that it will place on the city.

Hence the proposal accords with policies DA16, H15, H16, LNE9, LNE10, T9 and T10 of the Adopted Peterborough Local Plan (First Replacement), policies CS2, CS10, CS8, CS12, CS13, CS14, CS16, CS17, CS21 and CS22 of the Adopted Peterborough Core Strategy and PPS1, PPS3, PPS5, PPS9.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to the following conditions:

- C 1 Approval of the details of the siting, appearance of the building(s), layout of the site and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.**
Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.
- C2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the details of the siting, appearance of the building(s), layout of the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.**

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

C3 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

C5 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23

C6 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.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23

C7 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within one month 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: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23.

C8 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 14 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 in accordance with the requirements of condition 5

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 6.

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 7.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with PPS23

C9 The landscaping scheme to be submitted as a reserved matter shall include the following details

- **Proposed finished ground and building slab levels**
- **Planting plans including retained trees, species, numbers, size and density of planting, and shall include details of the trees along the southern and eastern boundary to provide a backdrop to the listed building.**
- **An implementation programme**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE10 of the Peterborough Local Plan (First Replacement) and under Core Strategy Policy CS20 - Landscape Character.

C10 Any trees, shrubs or hedges forming part of the approved landscaping scheme that die are removed, become diseased or unfit for purpose [in the opinion of the LPA] 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 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 the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE10 of the Peterborough Local Plan (First Replacement) and under Core Strategy Policy CS20 - Landscape Character.

C11 Development shall be carried out in accordance with the recommendations contained within the Tree Survey, Arboricultural Implications Assessment & Arboricultural Method Statement (Doc Ref: 1879.Farcet.BSM.AIA).

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE10 of the Peterborough Local Plan (First Replacement) and under Core Strategy Policy CS20 - Landscape Character.

C12 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy.

C13 Notwithstanding the details hereby approved and in accordance with the recommendations provided in Ecological Assessment and letter dated 16th November 2011 enhancements shall be made to encourage biological gain within the site. The details shall be provided at reserved matters stage and the enhancements shall include:

- **a range of bird and bat boxes**
- **the strengthening of the boundary hedgerows with a range of native species and habitats such as species-rich grassland buffers**
- **the planting of locally native species or more ornamental species known to attract wildlife.**

Reason: To protect features of nature conservation importance, in accordance with Policy CS21 of the Core Strategy and PPS9

C14 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, a scheme for the provisions of fire hydrants

should be submitted to and approved in writing to the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full before the dwellings are occupied.

Reason: In the interests of the health and safety of occupiers of the site and in the vicinity and in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD.

- C15 The development shall achieve as a minimum, an energy efficiency of 10% above the Building Regulations standard at the time of Building Regulations being approved for the development, unless this requires a zero carbon development.**

As an alternative to the above energy efficiency requirement, a proposal which exceeds other requirements in policies CS10 and CS11 of the Adopted Peterborough Core Strategy and which is considered by the Local Planning Authority to be of greater benefit in achieving those policy objectives may 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.

Reason: In order to deliver energy efficiencies in accordance with Policies CS10 and CS11 of the Adopted Peterborough Core Strategy DPD.

- C16 Details of the surface water drainage system shall be submitted with the reserved matters application. Once approved the details shall be implemented prior to the first occupation of the development and maintained in perpetuity.**

Reason: In order to protect and safeguard the amenity of the area and of the water environment, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies U1 of the Peterborough Local Plan (First Replacement).

- C17 Prior to the commencement of development, a scheme for foul drainage disposal from the proposal development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved scheme.**

Reason: To protect the quality of water in the local area and in accordance with policy U1 of the Adopted Peterborough Local Plan (First Replacement) and PPS 23.

- C18 Notwithstanding the details hereby approved the design of the care home to the south of the site as indicated as Phase 3 on drg. no. AP0002_P04 shall incorporate 2 and 3 storey elements. The details shall be provided at reserved matters stage and development shall be carried out in strict accordance with the approved details.**

Reason: In order to protect the setting of the Listed Building and in accordance with policy CS17 of the Adopted Peterborough Core Strategy and PPS5.

- C19 An adequate space shall be provided within the site to enable vehicles to load and unload clear of the public highway. This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- C20 An adequate space shall be provided within the site to enable vehicles to enter and leave in forward gear, including a hard-surfaced area for the turning of refuse collection vehicles. This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

- C21 An adequate space shall be provided within the site to enable a minimum of 82 vehicles to park clear of the public highway, including 2 allocated (replacement) parking spaces for 217a Peterborough Road. This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policies T10 & T11 of the Adopted Peterborough Local Plan (First Replacement).

- C22 An adequate space shall be provided within the site to enable a minimum of 16 bicycles to be parked. This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority.**
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T9 of the Adopted Peterborough Local Plan (First Replacement).
- C23 Development shall not commence before details of the siting of the buildings and means of access thereto have been submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a replacement vehicular access to 217a Peterborough Road. The new buildings shall not be brought into use until these new accesses have been constructed, in accordance with the approved details.**
Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and T8 of the Adopted Peterborough Local Plan (First Replacement).
- C24 The building shall not be occupied until a means of access for pedestrians has been constructed in accordance with the approved plan (AP0001_P08).**
Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.
- C25 Notwithstanding the details shown on plan AP0001_P08, development shall not begin until details of the junction between the proposed access road and Peterborough Road have been approved in writing by the Local Planning Authority; and the buildings shall not be occupied until that junction has been constructed in accordance with the approved details.**
Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and T8 of the Adopted Peterborough Local Plan (First Replacement).
- C26 The existing access to 217a Peterborough Road shall be permanently closed to vehicular traffic before the new buildings are brought into use. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.**
Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.
- C27 The gradient of the access shall not exceed 1 in 20 for a distance of 5m from the edge of the existing carriageway.**
Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and T8 of the Adopted Peterborough Local Plan (First Replacement).
- C28 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:**
- a scheme of chassis and wheel cleaning for construction vehicles and a scheme for the cleaning of affected public highways. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site;
 - a scheme of working hours for construction and other site works;
 - a scheme for construction access from the Parkway system, including measures to ensure that all construction vehicles can enter the site immediately upon arrival, adequate space within the site to enable vehicles to load, unload and turn clear of the public highway and details of any haul routes across the site;
 - a scheme for parking of contractors vehicles, clear of the public highway;

- a scheme for access and deliveries including hours; and
- details of the proposed temporary construction access to the site.

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

Reason: In the interests of highway safety in accordance with Policy CS14 the Adopted Peterborough Core Strategy.

C29 The new buildings shall not be brought into use before a RTPI screen and sustainable travel information point have been installed in the main reception(s). This information point shall be kept up-to-date with the latest information leaflets for cycle and walking routes and bus timetables.

Reason: To ensure that the development is sustainable and will not generate adverse traffic to the area, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy, T4 of the Adopted Peterborough Local Plan (First Replacement) and Planning Policy Guidance (PPG13 Planning and Transport).

C30 If gates are to be provided to the vehicular access they should be set back a minimum of 15m from the edge of the carriageway.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

C31 A Waste Management Audit and Strategy (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: To aid waste minimisation, reuse and recovery of waste and in accordance with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

Copy to Councillors B Rush, I Walsh, M Cereste