

## Item 1

### Planning and EP Committee

**Application Ref:** 18/01101/R3OUT

**Proposal:** Outline application for residential development of up to 20 dwellings (all matters reserved)

**Site:** Land North Of, Thistle Drive, Stanground, Peterborough

**Applicant:** Medesham Homes LLP

**Agent:** NORR Consulting

**Referred by:** **Called in by Councillors Hogg, Lillis and Whitby**

**Reason:** **Public Interest and Loss of Open Space**

**Site visit:** 17.07.2018

**Case officer:** Mr M A Thomson

**Telephone No.** 01733 453478

**E-Mail:** matt.thomson@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions, the signing of a Section 106 Legal Agreement and no new material planning issues arising as a result of the outstanding public consultation.

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

### Site Description

The application site comprises a parcel of land allocated for residential development in the Councils adopted plan. The site is accessed by vehicle traffic from the south via Wessex Close and Thistle Drive, and the road continues as a track north past the Stanground Lock into the Nene Washes. There is also a Public Right of Way which runs east - west along the south of the application site; this forms part of the Green Wheel and is only accessible by pedestrian and cycle traffic to Daffodil Gardens to the west.

The application site covers an area of 0.75ha, which includes part of the Public Right of Way to the west and the access road to the south, as well as an area in front of the Scout Hut. The site allocation area is 0.75ha and is identified in the plan as being able to indicatively accommodate up to 30 dwellings.

The site is predominantly laid to grass. The land falls from the road towards Back River, a tributary of the River Nene.

The land to the north of the site is a dedicated area of Public Open Space (POS), identified as Informal Parkland and amenity open space. Beyond that is the Nene Washes designated Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and a Ramsar site.

There is a Scout Hut situated to the eastern end of the site bounded by secure fencing and a car park beyond. To the south-east is the Thistle Drive Community Centre, the Showman's Guild Site (used for the storage of large apparatus and vehicles). To the south, east and west of the site is residential development.

The surrounding residential character and context of the area is mixed with a strong built form along North Street to the west, more traditional two-storey semi-detached and terraced dwellings to the south, and there are a pair of semi-detached dwellings which face onto the application site to

the south-east.

## **Proposal**

This application seeks outline planning permission, with all matters (access, appearance, layout, scale, and landscaping) reserved for future applications, for the erection of up to 20 dwellings.

An indicative plan has been submitted in support of the application, illustrating one possible way that 18x dwellings each with two off-street parking spaces could be accommodated on site. However, Members are not being asked to determine the layout at this stage.

## **Amended Plans**

An amended site plan and indicative layout have been received, as the site area originally submitted with the application exceeded the size of the housing allocation in the Local Plan. On the receipt of these amended plans, letters were sent to neighbours and contributors, three new site notices were erected around the site and a new press notice was placed in the paper.

## **3 Planning Policy**

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

### **Planning (Listed Building and Conservation Areas) Act 1990**

#### **Section 66 - General duty as respects listed buildings in exercise of planning functions**

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

#### **Section 72 - General duty as respects conservation areas in exercise of planning functions.**

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

### **National Planning Policy Framework (2018)**

#### **Paragraph 11 – The Presumption in Favour of Sustainable Development**

For decision taking this means approving development proposals that accord with an up-to date development plan without delay.

#### **Paragraph 47 - Determination of Applications**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

#### **Paragraph 130 - Poor Design**

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an areas and the way it functions. Conversely where the design accords with clear expectations in plan policies, design should not be used by the decision marker as a valid reason to object to development. Local Authorities should seek to ensure that the quality of the development approved is not materially diminished between permission and completion.

#### **Paragraph 97 - Open Space**

Existing open space, sports and recreational buildings and land including playing field should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or the loss resulting from the proposed

development would be replaced by equivalent or better provision in a suitable location or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

#### **Paragraph 108 - Transport Impacts**

Any significant impacts from development on the transport network (capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

#### **Paragraph 117 - Making Effective Use of Land**

#### **Paragraph 155 - Flood Risk**

Inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. Development should be subject to a sequential test and if appropriate an exceptions test.

#### **Paragraph 175 - Habitats and Biodiversity**

Permission should be refused if significant harm to biodiversity would result which cannot be avoided, adequately mitigated or as a last resort compensated for. Development on land within or outside of a Site of Special Scientific Interest and which is likely to have an adverse effect on it should not normally be permitted. The only exception is if the benefits clearly outweigh both its likely impact on the features for which it is designated and any broader impacts on the national network of Sites of Special Scientific Interest. Development resulting in the loss of or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional circumstances and suitable compensation strategy exists.

#### **Paragraph 175 - Biodiversity Enhancement**

Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to incorporate biodiversity in and around developments should be encouraged.

#### **Paragraph 180 - Pollution**

New development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life, identify and protect tranquil areas which have remained relatively undisturbed by noise and limit the impact of light pollution from artificial lighting on local amenity, intrinsically dark landscapes and nature conservation.

#### **Section 2b - There is a presumption in favour of sustainable development**

There is a presumption in favour of sustainable development. For decision takers this means approving development proposals that accord with an up to date development plan without delay, and where there are no relevant policies or a policies are out of date granting permission unless there are other policies within the framework which provide a clear reason not to or any adverse impacts of doing so would significant and demonstrably outweigh the benefits when assessed against the Framework as a whole.

#### **Section 9 - Promoting Sustainable Transport**

Transport issues should be considered from the earliest stages so that the potential impacts on the network can be assessed, opportunities from existing and proposed transport infrastructure can be realised along with opportunities for walking and cycling, the environmental impacts can be assessed and the patterns of movement are integral to the design.

#### **Section 12 - Achieving well-designed places**

Decisions should ensure that development will function well and add to the overall quality of the

area over the life time of the development, are visually attractive as a result of good architecture, layout, appropriate and effective landscaping, are sympathetic to the local character and history, establish or maintain a strong sense of place, optimise the potential of the site, create places which are safe, inclusive and accessible.

## **Section 12 - Impact on Designated Heritage Assets**

Local Planning Authorities should take account of the desirability of sustaining and enhance the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to or loss of the significance of the designated heritage assets should require clear and convincing justification. Where a proposed development will lead to substantial harm to the designated heritage assets permission should be refused unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Where harm is less than substantial this harm should be weighed against the public benefits including securing an optimum use of the asset.

### **Peterborough Core Strategy DPD (2011)**

#### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

#### **CS02 - Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

#### **CS08 - Meeting Housing Needs**

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% life time homes and 2% wheelchair housing.

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

#### **CS17 - The Historic Environment**

Development should protect, conserve and enhance the historic environment including non-scheduled nationally important features and buildings of local importance.

#### **CS19 - Open Space and Green Infrastructure**

New residential development should make provision for/improve public green space, sports and play facilities. Loss of open space will only be permitted if no deficiency would result.

#### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

### **Peterborough Site Allocations DPD (2012)**

#### **SA03 - Urban Area**

Identifies sites within the Urban Area that are allocated primarily for residential use

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

#### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

#### **PP04 - Amenity Provision in New Residential Development**

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

#### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

#### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

#### **PP14 - Open Space Standards**

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

#### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

### **PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

### **PP20 - Development on Land affected by Contamination**

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

### **Peterborough Local Plan 2016 to 2036 (Submission)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making process, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

### **LP02 - The Settle Hierarchy and the Countryside**

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

### **LP03 - Spatial Strategy for the Location of Residential Development**

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

### **LP08 - Meeting Housing Needs**

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes may be accepted provided that it meets an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

### **LP13 - Transport**

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

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

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

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

### **LP16 - Urban Design and the Public Realm**

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

### **LP17 - Amenity Provision**

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

### **LP19 - The Historic Environment**

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

### **LP27 - Landscape Character**

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscaping setting, retaining and enhancing the landscape character.

### **LP28 - Biodiversity and Geological Conservation**

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

#### Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

#### Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

### **LP32 - Flood and Water Management**

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

### **LP33 - Development on Land Affected by Contamination**

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

### **LP37 - Urban Area Allocation**

Identifies sites within the Urban Area that are allocated primarily for residential use.

## **4 Consultations/Representations**

### **PCC Peterborough Highways Services**

No objection - The Local Highway Authority (LHA) advise that the existing Bridleway Public Right of Way passing through this development area should be retained, ideally on the existing alignment. Should it need to be moved from the existing alignment this could be done either through the Town and Country Planning Act or the Highways Act; the LHA would require a 3 metre wide grassed route for a bridleway.

This is an outline application therefore the access and parking provision has not been considered by the LHA. However, the impact to the Highway network has been assessed along with the implications to the Public Right of Way.

The Council's Public Right of Way Officer has raised no objection to the proposal in principle, advising that the public bridleway which passes through the site is a valuable link for users coming into the city on cycle and walking and obviously also for use by equestrians.

I understand that it is proposed that the existing bridleway is to be the access road and a provision made available alongside this road for use equestrians and other users if required. If the existing line of the bridleway was to remain and incorporated into the road and a suitable open space area for the bridleway be constructed adjacent to the road then I would support the application.

Details of construction materials for the "bridleway" element would need to be advised on and if the route is to be closed during construction then a temporary traffic regulation order would be required and a diversion route to be signed and checked regularly.



## **PCC Waste Management**

Comments – Although all matters are reserved, it is worth noting at this stage our concerns in relation to this application.

### *Waste Collection*

The access road to the properties is absolutely not suitable for a waste collection vehicle, which is vital for the multiple access requirements for the collection of waste and recycling that households would receive on a weekly basis. Even if the vehicle could be accommodated to an extent, the site fringe does not have turning areas for the vehicle to safely manoeuvre a 3 point turn in and so (as the vehicle would not be expected to reverse more than 12m) it is likely there will be properties that will exceed the 30m they would be expected to bring bins out to for collection. If the vehicle is expected to travel the extent of the distance in forward gear on to North Street, again the road would need to accommodate a refuse collection vehicle of the attached specification. We would also expect to see full tracking for this site as well as a waste management plan outlining what the plans are for collections on this site including the suitability of the road to withstand the collection vehicle on a regular basis.

However, I would also be extremely wary of allowing a collection vehicle full access on to this ever popular bridleway which forms part of the Green Wheel route.

### *Bin Collection Points*

If required, bin collection points should be large enough for at least 2 bins and a food waste unit per property. Residents should not be expected to pull bins further than 30m, collection crews should also not be expected to pull bins further than 25m from collection point to the back of the collection vehicle.

## **Natural England**

No objection – Subject to satisfactory measures to mitigate recreational pressures on the Nene Washes. These measures shall include zoning recreation areas within Tenterhill POS, signage highlighting the importance of the washes for wildlife and on the Trust reserve, and the installation of dog proof fencing around the sensitive to-be improved pond area to limit dog access to the pond and Back River. Leaflet and online information shall also be made available for existing and future occupiers of the area. These measures shall be secured as part of the Habitat Regulation Assessment and S106 funding.

## **PCC Wildlife Officer**

No objection – The Applicant has agreed to assist in delivering the objectives of the Peterborough City Council Wildlife Sites Management Statement (2017 to 2027) for Tenterhill Recreation ground (Wildlife Trust, 2017), specifically a pond and surrounding habitat situated 50 metres to the north-east of the application site, behind the Scout hut. Works would include scrub removal, de-silting of the existing pond and the creation of new ponds.

*With respect to protected species* I am satisfied that no bat roosts are likely to be affected by the proposal, however, although not identified in the ecology report, I consider that this site is likely to be used by foraging/ commuting bats. I would therefore recommend the following measures in relation to bats:

- a) Provision of a range of integral bat roosting features to be incorporated into the new dwellings to provide suitable bat roosting habitat; and
- b) External lighting to be carefully designed to be baffled downwards away from the retained areas of open space.

The above detail should be provided by the applicant which would be acceptable via a suitably worded condition.

## **The Wildlife Trust**

No objection – Subject to satisfactory measures to mitigate recreational pressures on the Nene

Washes. These measures shall include zoning recreation areas within Tenterhill POS, signage highlighting the importance of the washes for wildlife and on the Trust reserve, and the installation of dog proof fencing around the sensitive to-be improved pond area to limit dog access to the pond and Back River. Leaflet and online information shall also be made available for existing and future occupiers of the area. These measures shall be secured as part of the Habitat Regulation Assessment and S106 funding.

The Wildlife Trust maintain their concerns for the loss of open space in an area of deficiency which in their view would appear to set a dangerous precedent, for both the City Council and private developers in the future.

### **PCC Open Space Officer**

Objection – As the site is dedicated Public Open Space maintained by Peterborough City Council (PCC) and adhering to policy within the Peterborough Local Plan it should be protected. This is historic public open space dating back to the 1800's. No encroachment or development (apart from the erection of the Scout hut in the 1970's) has taken place on this historic site since the 1800's. Added to the above the Fletton & Stanground Ward currently has a 5.61ha deficiency of public open space.

### **Anglian Water**

No objection - Anglian Water (AW) have advised that they have assets either within or close by to the application site, and sought an informative be attached advising the Applicant, Agent or Successor in title of this.

AW have advised that the foul drainage system is capable of accommodating this development, and that they will need to enter into a S106 drainage agreement to connect. With respect to surface water AW have advised the proposed method of surface water management does not relate to AW operated assets and the Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

### **Environment Agency**

No objection

### **PCC Conservation Officer**

No objection - There is a concern regarding the impact of the proposals upon identified significant views from the highway of Peterborough Cathedral. There are two distinct views from the highway and it would be considered sufficient that only one is retained. It is noted that the indicative plan envisages a gap between the dwellings for the purposes of an Anglian Water pipe, which has potential to be realigned, if necessary to be used as a required viewing arc.

Any full or reserved matters applications would be required to include a heritage statement which assesses the impact of the proposals upon views on Peterborough Cathedral and demonstrate that a sufficient view will be retained

From a heritage consideration there is no substantial objection to the proposals at this stage. There is clear potential for the scheme to be acceptable and to not detrimentally impact upon identified significant views provided the above recommendation is taken in to consideration.

### **PCC Archaeological Officer**

No objection - There are a wealth of Roman remains recorded and/or excavated within a 250m radius, the site has the potential to contain features of this period. The existence of earlier remains should not be discounted, as prehistoric ring-ditches are recorded in the general area.

As the proposed development site appears to have witnessed no major development, the preservation of potential buried remains is expected to be reasonably good, even allowing for some degree of truncation of the uppermost layers as the result of historic and more recent agricultural practices.

On the basis of the available evidence, given the high potential for the presence of Roman remains, it is recommended that an evaluation by trial trenching is secured by condition.

**PCC Pollution Team** No objection - The site appears to be used as a spoil heap pre-1960, and conditions are sought with respect to a contaminated land assessment has been undertaken, which may require remediation scheme and associated validation report. An unsuspected contamination condition shall also be attached for the avoidance of doubt.

**Police Architectural Liaison Officer (PALO)**

No objection – I have noted that all matters will be reserved but having read available documents am happy to support the outline application. I would request further consultation in regards to design, layout and boundary treatments including lighting when available. I would also ask that the developer considers Secured by Design principles and this office can assist with that.

**PCC Travel Choice**

No objection - No Travel Plan is attached to this application. I would not expect this to be provided for a development of this size. The only requirement is that the developers would need to provide a Welcome Packs of travel information to each unit that is built. These can be purchased from PCC for at a cost of £10 per pack. Alternatively, the developer can create their own pack, which must be approved by PCC.

As part of the Welcome Pack either one bus taster tickets from Stagecoach (the main bus provider in Peterborough) or a £50 cycle voucher should also be purchased for each unit in new residential developments

**PCC Strategic Housing**

No objection - Policy CS8 of the Peterborough Core Strategy seeks the provision of affordable housing on sites of 15 or more units. As it currently stands, we would expect a contribution of 30% on this site of 20 dwellings. The total number of dwellings we require would be 6.

The current tenure split we would expect to see delivered for affordable housing in Peterborough is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 4 affordable rented homes and 2 intermediate tenure in this instance. I am happy to discuss the details of the tenure mix at a later date, if required. The affordable housing mix will need to be agreed at a later date.

In accordance with the Policy CS8 of the Peterborough Core Strategy, 20% of units should meet Building Regulations Part M (Volume 1), Category 2 (the lifetime homes standard) which equates to 1 dwelling in this instance.

**Cambridgeshire Fire & Rescue Service**

No objection – Should the Local Planning Authority be minded to approve the application adequate provision of fire hydrants shall be secured. The number and location of Fire Hydrants will be determined following a Risk Assessment and with reference to the guidance contained within the ‘National Guidance Document on the provision of Water for Fire Fighting’, 3<sup>rd</sup> edition (2007).

**Lead Local Drainage Authority**

No objection - The Lead Local Flood Authority have raised no objection, subject to seeking a number of conditions with respect to the provision of a full drainage system for the site, infiltration tests and discharge rates, as well as ownership and responsibility of maintenance.

**Peterborough Local Access Forum**

No comments received

**Ramblers (Central Office)**

No comments received

### **Middle Level Commissioners**

Comments - Middle Level Commissioners have raised comments advising that they own the Stanground Lock, and that access is restricted to their facilities when events are being held within the locality. There is also a deed of easement of underground service media within the extent of the planning application. MLC have advised that the development should not detrimentally affect the availability of operation of this underground service.

### **Cllr Hogg**

Objection:-

- The area concerned is greatly used by the neighbouring Scout and Beaver groups, who meet most nights of the week, for activities including, although not exclusively, orienteering training, setting up of tents, outdoor sports and social events
- The area has previously been designated by the council as a nature haven in 2014 as part of the councils' biodiversity strategy (as reported in Peterborough Telegraph 17 Apr 2014)
- There are concerns regarding the already heavy use of parking in this area, when the nearby community centre is in use.
- There seems to be a groundswell of public opinion against this application, evidenced by a number of public meetings and petitions being completed.

### **Cllr Whitby**

Objection:-

This is completely the wrong area for this type of development. It is the last open piece of land to the north of Coneygree Rd/Thistle Drive, and as such is a valuable resource for the local community which will be destroyed by this development. Despite the actions to prevent its use (not cutting the grass) it is still well used across much of the year. Its loss will remove the only grassed area accessible to younger people living in the Viking Court and environs.

In addition, the access at both ends of the proposed site is poor and will increase traffic flow (especially if it is open at both ends forming a cut through) this will create a danger for users of the Scout facility, Gymnastics Club, Community Centre and Nursery. There is not good reason for this to go ahead. What is needed is for the area to be taken off of the Biodiversity list and regularly cut so that it becomes an accessible community asset once more.

Councillors Hog, Lillis and Whitby have objected to the application, and requested the application be considered by Planning Committee.

### **Local Residents/Interested Parties**

#### *First Round*

Initial consultations: 83  
Total number of responses: 124  
Total number of objections: 124  
Total number in support: 0

A petition with 1508 signatures has been signed by local residents who are against the proposed development.

124 letters of representation have also been received from 81 addresses raising the following concerns;

- This proposal would result in a loss of open space, which will impact the Community and Scout activities;
- Out of keeping with the character of the area;

- Loss of light, privacy and impact on the amenity to neighbouring residents (2 Pumping Station Cottage);
- Impact on biodiversity and the adjacent Nene Washes, including surface run off. The submitted ecological information is inadequate;
- Increase in traffic, highway safety, impact on the green wheel and displacing parking using the adjacent Scout Hut;
- The road infrastructure cannot cope with an additional 20x dwellings and construction traffic
- The access is used by a variety of agencies and bodies which maintain the Nene Washes, not limited to Middle Level Commissioners, Network Rail, The Environment Agency, Wildlife Trust, Woodland Trust, residents and farmers. (And boatyard?). Scout hut, community centre and gymnastic centre;
- Increase of flood risk;
- The site was used as a dumping ground and could be contaminated;
- The site is host to buried archaeology;
- Views of the Cathedral would be impacted upon;
- Crime and anti-social behaviour;
- There are issues of drainage being blocked on Thistle Drive;
- The application site states it is within 800m of community facilities (Community Centre, Aldi Superstore and Stanground Doctors);
- Impact on human rights;
- There are better places to build elsewhere in the City;
- The site is an asset of community value, it was given to Stanground as a recreation area and the site is common land;
- Lack of consultation on the application;
- Devaluation of property;
- Noise and disruption caused by construction traffic;
- Government are seeking healthy communities, and this would remove a place for children to play
- Peterborough does not have the infrastructure to keep growing; and
- The development would be situated over services.

### *Second Round*

At the time of writing this report 7x responses were received raising the following matters;

- We trust that the Council are complying with the new Government Directive with respect 'Save our Parks' (article provided from the Daily Mail);
- 1,580 Residents who signed the Petition objecting to the application; many wish to speak however are unable due to the timings of Planning Committee;
- The Public Open Space was beautiful until it was labelled a biodiversity site. The land should be reinstated and mown regularly;
- residents in North Street have had to cut Highway verge;
- The revised details do not address the previous comments on the supporting infrastructure and vehicular access or loss of valuable public amenity;
- The planned access through Wessex Close is inadequate for an additional 40 vehicles (see Skanska's objections);
- A 'rat run' would be made of North Street and Church Street that already suffer from inconsiderate parking, blocking of pavements;
- This development cannot be sustainable or made to work with the existing access from either end of the site;
- Bringing a public bridal way in contact with vehicular access is unsafe;
- Dog walkers will park at the sluice and walk onto the Nene Washes;
- The new road would pose a highway safety risk;
- it would increase the demand on childcare and other services in the area;
- the amount of houses on the Scout Hut side of the new development is too high and needs to be halved;
- At certain times over the month there is not enough parking currently there; and
- Each house has to have two car parking spaces.

**The amended plans were subject to public re-consultation (21 days) on the 12<sup>th</sup> October 2018 by way of letter, and three new site notices were erected around the application site. The consultation for these ends on the 2<sup>nd</sup> November 2018, and any representations received further to writing this report will be included within the Update Report.**

**The Local Planning Authority was required to submit a new press advert which expires on the 8<sup>th</sup> November 2018, after the Planning Committee meeting date. Officers are therefore recommending approval subject to no new material planning considerations arising as a result of this public consultation.**

## **5 Assessment of the planning issues**

### **The Principle of Development**

Paragraph 11 of the National Planning Policy Framework (NPPF) 2018 states that 'for decision taking this means approving development proposals that accord with an up-to-date development plan without delay...' This is echoed by Paragraph 47 of the NPPF (2018).

The application site is an allocated site for residential development within the Site Allocations DPD (2012), identified as SA3.35 (Land off Wessex Close, Tenter Hill), and is situated within the urban area of the City. This 0.75ha allocated housing site has been identified as being able to provide indicatively up to 30 dwellings. The Site Allocations DPD (2012) is the up-to-date development plan and has been deemed sound by the Planning Inspectorate; the allocation of this site is a material planning consideration in the determination of this application.

As such the principle of residential development is considered to be acceptable, subject to satisfactory assessment against the following matters.

### **Access and Parking**

A Transport Statement has been submitted in support of this application. This is an outline planning application with all matters, including access, to be considered under future detailed reserved matters applications. Therefore the only issues to be considered at this stage is whether in principle a safe access could be achieved to serve the level of housing development proposed.

The Local Highway Authority (LHA) have raised no objection to the principle of this level of housing development or to vehicles accessing the site via Wessex Close. However the LHA have sought clarification as to how the proposed access road would interact with the Bridleway Public Right of Way (PROW), which runs along the south of the site and forms part of the Green Wheel, and highlighted that the width of the Wessex Close currently appears substandard. The Council's Waste team have also highlighted that sufficient space would need to be provided for the access and turning of a refuse collection vehicle.

Further to discussing the proposal with the Local Highway Authority it is understood that the Bridleway Public Right of Way could be relocated to run along a grass verge to the immediate south of the existing road, and achieve 3 metres in width, and the road widened to facilitate two way vehicle traffic, as well as provide sufficient width and space within the proposed layout for a refuse collection vehicle to enter, turn and leave in a forward gear.

With respect to access widths the junction of Wessex Close and Thistle Drive is 6.4 metres, which reduces to 5.5 metres within 10 metres of the junction. It is considered that there is sufficient width leading up to the application site, however full details of the access would need to be secured as part of any future reserved matters application.

A letter of representation has advised the development would result in a highway safety hazard to pedestrians and users of the green wheel, and the road cannot cope with additional traffic or construction traffic. This area of concern includes North Street and Church Street. Further, it is

understood that the access road is used by a variety of agencies and bodies which maintain the Nene Washes, not limited to Middle Level Commissioners, Network Rail, The Environment Agency, Wildlife Trust, Woodland Trust, residents and farmers, as well as the Scout hut, community centre and gymnastic centre.

Officers are aware the road is heavily parked during events, associated with the adjacent Community Centre and Scout Hut, however these would be for time limited periods. For the reasons set out above the Local Highway Authority have raised no objection to the proposal, and any disruption generated by construction traffic would be for a short period of time only. Whilst it would increase the amount of trips within the local network, it is not considered an additional 20x dwellings would result in such harmful levels which could affect the local highway network. 2x off-street parking spaces would need to be provided as part of the reserved matters application.

Whilst indicative, the amended illustrative plan does show that satisfactory parking could be provided on the basis of 2 parking spaces serving each dwelling, as well as space for the turning of refuse collection vehicles. Conditions are recommended to be appended in respect of the provision of full access details, the provision and retention of parking and turning, tracking for a refuse collection vehicle, the retention or re-provision of the bridleway, a construction management plan and temporary facilities. Subject to these conditions, it is considered that the proposal would not constitute a highway safety hazard and would accord with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 and PP13 of the Peterborough Policies DPD (2012).

## **Biodiversity**

An Extended Phase 1 Habitat survey and Habitat Regulations Assessment was submitted in support of the planning application. The Council's Wildlife Officer, Natural England and the Wildlife Trust originally responded with an objection to the proposal on the basis that the submitted Ecological Report and Habitat Regulations Assessment had not fully assessed the potential adverse effect on the Nene Washes SSSI, SPA, SAC and Ramsar site, specifically through the disturbance by people and dogs on the Nene Washes. There were also concerns raised with respect to the lack of biodiversity enhancements, surface water drainage and pollution into the adjacent water course.

Further to these concerns Officers have worked with PCC Wildlife Officer, Natural England and the Wildlife Trust and have agreed a range of measures to help mitigate the recreational pressures on the Nene Washes. As a result all three consultees have removed objections.

The Council's Wildlife Officer suggested that the developers assist in delivering the objectives of the Peterborough City Council Wildlife Sites Management Statement (2017 to 2027) for Tenterhill Recreation ground, specifically to improve a pond and surrounding habitat situated 50 metres to the north-east of the application site, behind the Scout hut. Works would include scrub removal, de-silting of the existing pond and the creation of new ponds. It has been agreed that an off-site contribution would be secured to undertake these works via a Section 106 Legal Agreement. This biodiversity enhancement has been supported by Natural England and the Wildlife Trust.

To mitigate the recreational pressures on the Nene Washes, particularly dog walking, Natural England and the Wildlife Trust have sought dog proof fencing to be installed adjacent to the pond and part of the Back River, as well as signage and zoning of the Public Open Space (POS). These measures form part of the updated Habitat Regulations Assessment and would be secured as part of the S106 agreement.

The Council's Wildlife Officer has raised no objection with respect to impact on bats or nesting birds subject to a condition with respect to the provision of bat roosts and bird boxes, and the submission of an external lighting scheme to serve the development. A precautionary approach to reptiles have been recommended, and that all site clearance works are undertaken during the reptile active period, overseen by a qualified ecologist. Details of hard and soft landscaping would be secured by condition.

The matters of surface water drainage and pollution are discussed in further detail below.

## **Design, Layout and Landscaping**

This is an outline application with all matters reserved, however an indicative plan has been submitted to demonstrate one possible way this level of development could be achieved on site.

Policies CS16 and PP2 seek to ensure any development would not have an adverse impact on the character of the area.

Reviewing the pattern of development of the area properties surrounding are generally two storey semi-detached properties with good sized gardens set back slightly from the road with car parking situated to the front or side. Properties along Thistle Drive to the south are more traditional post-war style, whereas properties along North Street are turn of the century; the application site is considered to better relate to properties on Thistle Drive, therefore any proposal would be required to be consistent with this established pattern of development.

Whilst the scheme has sought up to 20x dwellings, 18x dwellings have been illustrated on the amended indicative plan, including the provision of off-street parking and garden sizes. It would also appear that a satisfactory turning area could be provided for refuse collection vehicles, subject to details being submitted.

A condition is recommended to be appended to limit the height of the proposed dwellings to two storeys in height, as a 2.5 storey town house style would be out keeping with the prevailing character of the surrounding area.

A topographical survey has been submitted which demonstrates the application site can be read in two halves. The western part of the site drops in the region of 300mm-500mm from the Bridleway Public Right of Way (PROW), whereas the central and eastern half of the site increases slightly or is level. Full details of levels would be secured at the reserved matters stage, where careful consideration of finished floor levels, gardens and boundary fences would need to be considered.

Overall levels drop 6 metres across the site from the PROW to the edge of the river bank, therefore any scheme will need to take into account the boundary treatment and respect the transition from the proposed residential development and public open space to the north.

A letter of representation has been received advising that the number of dwellings should be halved. However as set out above the housing site allocation in the plan is for up to 30x dwellings, and this planning application is only for up to 20x dwellings, therefore it is not considered necessary to reduce the numbers in this instance. Details of the scale, appearance and layout would all be secured as part of any future reserved matters application.

Any such reserved matters application would need to, but not limited to, provide satisfactory off-street parking, turning for a refuse collection vehicle, satisfactory relationship with the Bridleway Public Open Space, provide suitable garden sizes as well as take into consideration views of the Grade 1 listed Cathedral and neighbouring amenity.

## **Open Space**

The application site is located within the Fletton and Stanground Ward. Under the Peterborough Open Space Strategy (2016), the application site is categorised as a 'neighbourhood park'. The Strategy sets out that Fletton and Stanground Ward has a deficiency of approximately 5.7 hectares of neighbourhood parks, 0.3 hectare deficiency in Children's Play and sufficient allotment provision.



Policy CS19 of the Peterborough Core Strategy DPD (2011), the emerging Policy LP23 of the Peterborough Local Plan (Submission Stage) (2018) (which can be given weight) and paragraph 96 of the National Planning Policy Framework (NPPF) seek to protect and retain existing areas of open space as they are acknowledged as being vital to the quality of the environment serving communities. The emerging Policy LP23 requires when considering the acceptability of loss of open space that *“open space should make an important contribution to the green infrastructure network; and that the proposal could be accommodated without causing significant detrimental impact to the character and appearance of the area, ecology or to any heritage assets”*.

It is acknowledged that this proposal would result in the loss of an area of open space, in a Ward where there is currently a deficiency. The Councils Landscape Officer has objected on this basis. However this loss of open space has already been accepted when the site was allocated as being a suitable site for housing development in the Site Allocations DPD in 2012. At that time, if the land had been judged to be of significant value and importance for open space provision, its loss for housing development would have been resisted, and it would not have been allocated for housing development. Therefore whilst the loss of the land for open space purposes is regrettable, particularly in a Ward where there are open space deficiencies, this application could not be resisted on this basis as the site has already been allocated as being suitable for housing development.

Policy PP14 states that ‘all residential development will be required to provide open Space ... the precise type of on-site provision that is required will depend on the nature and location of the proposal and the quantity/type of open space needed in the area’.

In this instance a financial contribution is recommended to be sought for offsite public open space enhancements to meet the needs of future residents, and this is to be secured as part of the Section 106 Legal Agreement (see below).

### **Heritage Assets**

The application site is located 1.6km from the Cathedral, which is a Grade 1 listed building. The Council's Conservation Officer has assessed the views of the Cathedral and noted that some parts of the site do provide some of the best views of the Cathedral from Stanground.

Matters of design and layout are not sought to be committed at this time and are details that would be considered under future reserved matters applications. However the Council's Conservation Officer has advised that there would be site layouts which could retain the identified significant views of the cathedral. Any subsequent full plans or reserve matters planning applications would be required to include a heritage statement which assesses the impact of the proposals upon views on Peterborough Cathedral and demonstrates that a sufficient views would be retained.

The Councils Archaeologist has advised that there is a wealth of Roman remains recorded and/or excavated within a 250m radius, therefore the site has the potential to contain features of this period. The existence of earlier remains should not be discounted, as prehistoric ring-ditches are recorded in the general area. As the proposed development site appears to have witnessed no major development, the preservation of potential buried remains is expected to be reasonably good.

Therefore Officers recommend the imposition of a condition to secure a heritage statement, which would take into consideration views of the Peterborough Cathedral, and this would subsequently be reflected in the final design and layout of the site. In addition an archaeological condition is recommended to seek trial trenching and any necessary archaeological mitigation. On this basis it is not considered that the proposed development would not result in any unacceptable harm to the significance of the Peterborough Cathedral, or known/unknown buried archaeology, and therefore would be in accordance with Policies CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Policies DPD (2012).

## **Neighbour Amenity**

This is an outline application with all matters reserved, however an amended indicative plan has been submitted to demonstrate one possible way this level of development could be achieved on site.

The site is constrained by a number of neighbouring residential properties, these are as follows;

- 1 & 2 Pumping Station Cottages;
- Properties along Thistle Drive to the south
- 59 Thistle Drive and outbuilding to rear
- 84 Thistle Drive

Any detailed layout would need to comply with Policy PP3 and ensure that any development would not result in an unacceptable overbearing impact, loss of privacy, light or amenity.

## **Drainage and Contamination**

The Lead Local Flood Authority have raised no objection subject to seeking a number of conditions with respect to the provision of a full drainage system for the site, infiltration tests and discharge rates, as well as ownership and responsibility of maintenance. The Environment Agency have raised no objection to the proposal. Anglian Water have advised they have assets either within or close by to the application site, and that their foul drainage system is capable of accommodating this development if necessary. Conditions have been sought with respect to foul drainage.

Letters of representation have raised concerns of surface water run-off into the Back River, and that the site was used for dumping historically. Further to consultation with the Council's Environmental Health team there was a spoil heap that ran along the bank in the 1970's, in an almost identical location to the application site, and a full contaminated land investigation has been sought by planning condition. The concerns of contaminated waters entering the river were echoed by Natural England, and a condition shall be attached seeking a mitigation strategy to ensure contaminants do not enter the watercourse during any necessary contamination remediation and construction.

Letters of representation have advised that the site floods, however the application site is situated within Flood Zone 1. As set out above there have been no objections from the Environment Agency, and conditions would be attached ensuring a suitable scheme would be achieved to prevent surface water runoff.

Subject to these conditions being secured at the reserved matters stage the development would provide a satisfactory surface water and foul drainage scheme for the site, would prevent contaminants from entering the watercourse and would ensure that the development would not harm future occupiers, in accordance with Policies CS22 of the Peterborough Core Strategy DPD (2011) and PP4, PP16 and PP20 of the Peterborough Policies DPD (2012).

## **Section 106 Legal Agreement and the Community Infrastructure Levy (CIL)**

Peterborough City Council have an adopted CIL Charging Schedule and this development is CIL liable.

In addition to the CIL contribution there would be a Section 106 legal agreement securing the following;

### *Affordable Housing*

As the development is for more than 15x dwellings this triggers the need to provide affordable housing. On the basis of a 30% affordable housing provision 6x dwellings would be required to be provided.

The current tenure split Officers would expect to see delivered for affordable housing in Peterborough is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 4x affordable rented homes and 2x intermediate tenure in this instance. In accordance with the Policy CS8 of the Peterborough Core Strategy, 20% of units should meet the lifetime homes standard.

#### *Off-site public open space and biodiversity enhancements*

The Council's Open Space Officer has advised a contribution of £24,858.30 + 5 years Maintenance costs (to be worked out) is sought towards off-site Public Open Space. £16,313.74 would go towards the retained Tenter Hill Historic Public Open Space and measures to mitigate pressure on the Nene Washes, £2,063.45 would go towards the enhancement of Chapel Street Recreation Ground Play Area, £829.51 would go towards the Anglian Close Allotment site and £5,651.60 would go towards the Tenter Hill Pond Management scheme. This will be secured as part of a Section 106 legal agreement and the mitigation measures as part of the Habitat Regulations Assessment and appropriate assessment.

#### **Other Matters**

The following matters were also raised as part of this application;

##### *First Round*

- The site is an asset of community value, it was given to Stanground as a recreation area and the site is common land – If the land is allocated as an Asset of Community Value (ACV) this would be a material planning consideration. An application to allocate the land as an ACV has been received further to the receipt of this planning application, however at the time of writing this report the land has not been allocated as such. Officers contacted the Legal Team as to whether the land was given to Stanground, however no response has been received at the time of writing this report but this will be given in the update report.

- The development would result in an increase in crime and anti-social behaviour - There is nothing to suggest that this development would result in increased levels of crime or anti-social behaviour.

- Impact on human rights – The matter of neighbour amenity would be assessed at the reserved matters stage.

- There are better places to build elsewhere in the City - The application site is allocated for residential development within the Peterborough Site Allocations DPD (2012).

- Lack of consultation on the application – 83x letters have been posted to adjoining properties, and 3x site notices have been placed on site. The consultation process has taken place in accordance with the Town and Country Planning (Development Management Procedures) Order 2015 (as amended).

- Devaluation of property - This is not a material planning consideration and therefore cannot be legally be taken into considered.

- Noise and disruption caused by construction traffic - Any noise or disruption generated by construction would be temporary and a Construction Management plan could be imposed to control and mitigate the construction phase.

- Government are seeking healthy communities, and this would remove a place for children to play - This is an allocated site within the Site Allocations DPD (2012); the area of public open space to the north would remain, and is within a short walk to the Nene Washes.

- Peterborough does not have the infrastructure to keep growing – The application site is situated within the City of Peterborough, therefore has access to essential infrastructure such as gas, electric and water, as well as roads, public transport, a public right of way and footpaths.

- The development would be situated over services - This would be the responsibility of the land owner and interested parties and any future detailed layout would need to take this into account.

### *Second Round*

- We trust that the Council are complying with the new Government Directive with respect 'Save our Parks' (article provided from the Daily Mail) - Officers are aware of the campaign, however there has not been a change to planning policy. Therefore whilst there may be a new directive towards Council's managing its assets, this does not impact the determination of planning applications against adopted Local and National planning policies.

- Residents in North Street have had to cut Highway verge – I would advise that this matter that should be raised with the Local Highway Authority.

- Dog walkers will park at the sluice and walk onto the Nene Washes – There is nothing to suggest that the number of dog walkers who drive their dogs to the Nene Washes would increase as a result of this development.

## **6 Conclusions**

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

- the principle of residential development is acceptable as it an allocated housing site within the Urban area of the city, and the use of the land for residential development would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area. The proposal would accord with Policies CS1 and CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- The proposed development would not unacceptably harm the setting or views of the Peterborough Cathedral or buried archaeology, subject to an acceptable layout secured at the reserved matters stage, and would accord with Policies CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to the safety of the public highway and satisfactory access, parking and turning could be provided, in accordance with Policy PP12 and PP13 of the Peterborough Planning Policies DPD (2012); and
- the proposal would satisfactorily mitigate the impact on the Nene Washes and existing open space, and improve off-site biodiversity value, and would with Policy PP16 of the Peterborough Planning Policies DPD (2012).

## **7 Recommendation**

The case officer recommends that Outline Planning Permission (Regulation 3) is **GRANTED** subject to the following conditions:

- C 1 Approval of details of the access, appearance, landscaping, layout and scale (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.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the access, appearance, landscaping, layout and scale 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.

- C 3 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).

- C 4 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).

- C 5 The plans and particulars to be submitted under Condition 1 above, shall include details of the proposed external materials to be used for the houses e.g. walling, roofing, windows and doors. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 6 No development shall take place/commence until a programme of archaeological work including a written scheme of investigation for proposed trial trenching of undisturbed areas on site has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD, the National Planning Policy Framework, particularly paragraphs 128 and 141 and PP17 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as the details need to be agreed before development commences on site.

- C 7 Prior to the commencement of development the plans and particulars submitted under Condition 1 shall include the submission of a heritage statement and an assessment of views of the Peterborough Cathedral, which shall in turn determine the final scale and layout of the site. The development shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of safeguarding views of the Cathedral, in accordance with Policies CS17 of the Peterborough Core Strategy DPD (2011) and PP17 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C 8 The plans and particulars to be submitted under Condition 1 shall include a scheme for the hard and soft landscaping of the site. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels

- Planting plans including retained trees, species, numbers, size and density of planting
- Details of any boundary treatment
- Bin storage areas

Particular attention should be paid to the garden levels and landscaping to the Public Open Space to the north.

The approved hard landscaping scheme shall be carried out prior to the occupation of the dwellings, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) 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 and enhancement of biodiversity in accordance with Policies CS16 of the Peterborough Core Strategy DPD (2011) and PP2 and PP16 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details needs to be agreed before development commences on site.

- C 9 Prior to the occupation of the first dwelling hereby approved, or on completion of the development whichever is sooner, a scheme for the provision of bird boxes (House Sparrow, Starling & Swift) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to the first bird nesting season following occupation of the dwellings, and shall be maintained and retained as such in perpetuity.

Reason: To provide biodiversity enhancement to the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C10 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 all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C11 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 all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C12 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C13 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 2 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 10, 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 11.

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 12.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 178-180, and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C14 Prior to the commencement of any development or any demolition, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include (but not exclusively the following):-

- o Hours of working;
- o Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles;
- o Site compounds/storage areas;
- o Temporary Access points;
- o Wheel cleansing facility details;

- o A noise management plan including a scheme for the monitoring of construction noise;
- o A scheme for the control of dust arising from building and site works;
- o Details of remedial measures to be taken if complaints arise during the construction period;
- o Any temporary fencing; and
- o Any temporary lighting.

The demolition and construction works shall thereafter only take place in strict accordance with the approved details.

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C15 The plans and particulars submitted under Condition 1 shall make provision for the Public Bridleway 3 - Stanground South, which may require its relocation along the southern boundary of the site. The provision of the public bridleway shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing a satisfactory public right of way and continuation of the Peterborough Green Wheel, in accordance with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012)

- C16 The plans and particulars submitted under Condition 1 shall make provision for the access and turning for a refuse collection vehicle (RCV). Details to be included shall include full tracking demonstrating it is possible for a RCV to access and turn, as well as a waste management plan demonstrating the suitability of the road and it could withstand collection on a regular basis. The development shall thereafter be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing satisfactory access for a refuse collection vehicle, in accordance with Policies CS14 of the Peterborough Core Strategy DPD (2011) and PP12 of the Peterborough Policies DPD (2012)

- C17 No development shall take place until a detailed design and associated management strategy and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. Thereafter the drainage system shall be implemented in accordance with the approved details prior to the use of the building hereby approved and thereafter maintained in accordance with the approved strategy and plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, and to accord with Policies CS16 and CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as these details need to be submitted to and agreed before work can commence on site.

- C18 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and PP20 of



the Peterborough Policies DPD (2012). This is a pre-commencement condition as these details need to be agreed before development commences on site.

- C19 The clearance of the site shall be implemented in strict accordance with the submitted Ecological Report (Royal HaskoningDHV, Ref I&BPB8160R001F001, Rev 001/Final, 24 May 2018).

Reason: In the interest of protecting reptiles, birds and the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C20 Prior to the occupation of the first dwelling a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall thereafter be implemented in accordance with the approved details prior to the occupation of the first dwelling, or on completion of the development, whichever is sooner, and retained and maintained in perpetuity.

In the interests of protecting the biodiversity value of the site, in accordance with Policy PP16 of the Peterborough Policies DPD (2012).

- C21 Prior to the commencement of development details of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the fire hydrants shall be implemented in accordance with the approved details.

Reason: In the interest of providing suitable fire appliance.

- C22 The plans and particulars to be submitted under Condition 1 shall show two storey dwellings only.

Reason: In the interest of protecting the amenity of adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP2 of the Peterborough Policies DPD (2012).

- C23 The development hereby approved shall be carried out in accordance with the following approved plans:

- A10-XX-01 Rev E – Site Location Plan

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

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