

10/00508/FUL: CONSTRUCTION OF 3 X TWO-STOREY 5 BED DETACHED DWELLINGS AND ASSOCIATED GARAGES AT CHURCH FARM, 7 CHURCH STREET NORTHBOROUGH, PETERBOROUGH

VALID: 22 APRIL 2010

APPLICANT: THE HEYES GROUP LTD

AGENT: MRS LYDIA RUSSELL-DEMISSE, ARCTICA

REFERRED BY: NORTHBOROUGH PARISH COUNCIL

REASON: GIVEN THE PROXIMITY TO THE CONSERVATION AREA AND IN LIGHT OF RECENT POLICY CHANGES IMPROVEMENTS COULD BE MADE TO THE HOUSE DESIGNS IN RESPECT OF THE ELEVATIONS, PARTICULARLY FENESTRATION, ROOFLINE AND MATERIALS

DEPARTURE: NO

CASE OFFICER: MRS J MACLENNAN

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development
- Impact on the setting of a the Listed Building
- Impact on the character and appearance of the Northborough Conservation Area
- Residential Amenity
- Highway Implications

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)

- CBE3: Development affecting conservation areas** - Proposals for development which would affect a Conservation Area will be required to preserve or enhance the character and appearance of that area.
- CBE7: Development affecting the setting of a Listed Building** – Planning permission will not be granted for any new building if it would be detrimental to the setting of the Listed Building.
- DA1: Townscape and Urban Design** - Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.
- DA2: The effect of a development on the amenities and character of an area** - Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

- H10: Limited rural growth settlements** - The villages of Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Northborough, Thorney and Wittering are designated as limited rural growth settlements where small estates, housing groups and infill will be permitted.
- 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.
- 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.
- T1: Transport implications of new development** - Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.
- 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.

Material planning considerations

Planning Policy Statement (PPS) 3 'Housing'

Planning Policy Statement (PPS) 5 'Planning of the Historic Environment'

Draft Northborough Conservation Area Appraisal and Management Plan

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;
- 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.

3 DESCRIPTION OF PROPOSAL

The application seeks permission for the erection of three 5-bed two storey detached dwellings and associated garages, in a paddock associated with Church Farm. The application is a resubmission of a previously approved scheme (ref. 05/01772/FUL) and is identical in siting, layout and scale. House C has a two storey element fronting the west of the site with single storey wings running west to east and attached double garage to the west. House D also has a two storey element fronting to the west with a single storey element to the east and detached double garage to the side/rear (east). House E has a two storey elements fronting north with a single storey element to the east and attached double garage

to the west. Changes are proposed to the materials to that of the previous scheme which now proposes reconstituted stone to the principle two storey elements and the number of windows within the elevations fronting the conservation area has been reduced. The site is accessed via a private gravelled driveway off Church Street which currently serves Church Farmhouse and the Barnhouse (formerly used as an office), with extant consent for conversion to dwelling. A gravelled yard is provided to the front of the dwellings as a turning area.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site area is approximately 0.35 ha, currently an area of paddock associated with Church Farm, located within the village settlement boundary of Northborough and just outside the Northborough Conservation Area Boundary to the west. The site is part of the curtilage of the listed building and adjacent to the site to the north-west is Church Farmhouse a Grade II Listed Building with a stone built double garage and to the south west is a curtilage listed barn formerly used as an office with extant planning consent for conversion to a dwelling and consent for the erection of a stone built garage (05/00468/LBC and 05/00469/FUL) which abuts the application site. The surrounding area is predominantly residential in character with a two storey modern development abutting the site to the north, Northborough Primary School is located directly to the south, school playing fields to the east and there is a Public Right of Way to the east and south of the site. The site is bounded to the north with a 1.8m close boarded fence and to the east and in part to the south by post and rail fencing the remainder of the southern boundary formed by 1.8m fencing beyond which is a stone wall with pantile edging. The site is accessed via a private drive approximately 4m in width leading from Church Street adjacent to St Andrews Church which is enclosed by a 1.6m high wall stone wall.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
04/01666/FUL	Single and one and a half storey extensions to Barn House	20.12.2004	WDN
04/01667/LBC	Single and one and a half storey extensions to Barn House	20.12.2004	WDN
05/00468/LBC	One and a half storey extension to Barn House	06.06.2005	PER
05/00469/FUL	Change of use to dwelling, one and a half storey extension and detached double garage to Barn House	06.06.2005	PER
99/00436/FUL	Conservatory	18.06.1999	PER
99/00441/LBC	Conservatory	18.06.1999	PER
05/01772/FUL	Erection of three two-storey detached dwellings and associated garages	28.02.2006	PER

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objection, but makes the following observations: The current visibility at the junction of the private access road with Church Street is not to current standards; however the Church Farm site used to house an office which generated more traffic than that of the total potential number of houses on the site. In addition, the traffic travelling along Church Street appears to travel relatively slowly due to the narrowness and curvature of it. Taking all of this in to account the LHA consider the use of this junction (from an additional 3 dwellings) acceptable. The private access road scales a minimum of 4m wide where it runs between the cemetery and Church. Ideally the whole shared area should be a minimum of 4.5m wide to allow two vehicles to pass one another. However, as there is sufficient space for a vehicle to wait whilst the other takes priority, the LHA do not foresee any particular problems with this. PCC refuse collection vehicles will not consider entering this private drive, so collection must be carried out from within 25m of the back of the public highway meaning that residents have to take their refuse over some distance to the collection point. There is adequate parking and turning for each dwelling, however some of the lengths of driveways to those garages will result in the occupant having to reverse some considerable distance.

Rights of Way Officer – No objection, but make the following observations: Any new fencing replacing the 1.3m post and rail fencing should be on the same line. There are reservations with the replacement 1.8m fencing as this would make the path feel more closed in. A more open alternative should be considered (see section 7 (g)).

Waste Management - No objection, but makes the following observations: Currently the bins from the farmhouse are collected from the end of the private drive and our refuse collection vehicle (RCV) does not enter the drive. As the plans stand we would not be able to access the development as there is not sufficient space for a refuse collection vehicle to turn around in the farmyard. The bins will have to be placed at the bottom of the driveway or a turning head in put in and driveway brought up to adoptable standard or a disclaimer provided in which the Council would not be responsible for any damage caused by the RCV using the drive.

Landscape Officer – Requested Tree Survey/Tree Constraints Survey be undertaken. This was carried out and a report has subsequently been submitted. The Landscape Officer has no further objections subject to a landscaping condition. (see section 7 (f)).

Conservation Officer – No objections in principle, recommendations made. (see section 7(b and c)).

Archaeological Officer – No objections. Requests condition. (see section 7 (h))

Environmental Health – Comments awaited.

NEIGHBOURS

There have been 7 letters of objection to the proposal. The main issues are as follows:

- Removes the last remnant of open space in the village centre in the conservation area
- Views of the church from the public footpath and surrounding area will be removed.
- Houses out of keeping with the adjacent historic buildings and village setting.
- Insufficient quality of materials that do not match the existing historic adjacent buildings.
- Design is too dense
- Traffic implications, particularly around Church Triangle and a school times
- Increase in number of refuse bins at end of driveway
- Increase in pressure on drainage systems
- Impact on properties to the rear in Church view, House C will restrict light
- Loss of privacy to the property at 50 Church View due to upper storey windows of House C and large multi-storey window in stairwell.
- Noise impact from construction of dwellings and increase in vehicular movements once occupied
- Inadequate access especially for construction vehicles
- Impact on quality of life through development of paddock area
- Planning consent is to make the sale of the property and land more attractive and is disingenuous
- The land should be used for allotments
- Single storey dwellings would be more acceptable
- Additional children will put pressure on the local school
- Narrow entrance will cause problems for refuse lorries and emergency vehicles
- Proximity to properties in Church View should be a minimum of 25 metres.
- Nuisance caused by car headlights shining into bedroom windows at night
- Views will be spoilt
- Impact on property value
- Garden will be in permanent shade from size of the proposed development
- Drain on electricity supply
- Application to extend garden into paddock refused as the field was to be kept as open space
- Further development would increase risk of accidents along the curved access drive
- The triangle has become increasingly congested since 2005
- The triangle village green is one of the few foci in the village and merits special attention for conservation
- Vehicle users attending the church will cause obstruction to the entrance of Church Farm

- Impact from delivery vehicles
- Construction vehicles will cause disruption to the users of the triangle for parking
- Impact on the setting of the Church from refuse bins parking to the front
- Impact on trees
- Pressure on existing services
- The only direct access to development is across designated conservation area

PARISH COUNCIL

Northborough Parish Council has no objections in principle to the layout, however, given the proximity to the Conservation Area improvements should be made to the house designs in respect of the elevations, particularly fenestration, roofline and materials. The boundary treatment to the east of the site (1.8m fence) which abuts a public footpath should be detailed and landscaped and applicant should be required to bevel the south eastern corner to allow a degree of visibility.

7 REASONING

a) The Principle of Development

The application is a re-submission of a previously approved scheme and is identical in scale, siting and layout (ref. 05/01772/FUL). The consent has now lapsed. The site lies within the village settlement boundary of Northborough where the principle of infill development is supported and the erection of three dwellings on this site has previously been considered acceptable. As the proposal is essentially backland development, it is assessed primarily against policy DA6 of the Adopted Peterborough Local Plan (First Replacement). There have recently been changes to Planning Policy Statement 3 and garden land is no longer classed as Brownfield land. The site however, is a paddock as opposed to a garden, and therefore the proposal is unaffected by the change. The proposal is also assessed against Planning Policy Statement (PPS) 5 'Planning for the Historic Environment' and the Draft Northborough Conservation Area Appraisal.

b) Impact on the setting of the Listed Building

The properties will be set back approximately 18m from Church Farmhouse (Grade II listed) and are separated from the Grade 1 Listed Church by the Barnhouse. This is considered to be of sufficient distance to avoid harm to the setting of the Listed Buildings. The footprint of the dwellings is large although the main part of the footprint is occupied by single storey elements. The density is approximately 10 dph which is considered to be in keeping with the adjacent listed buildings and the surrounding context. The Parish Council has raised concern regarding the use of materials as it was proposed that the dwellings would be constructed with a 'buff' brick and artificial slate, as previously approved. The conservation officer has proposed that the principal buildings should be faced in limestone with Collyweston slate roofs. The Planning Officer has sought to improve the use of materials on the site, however, the previous permission agreed that the two storey elements of the dwellings be constructed in a reconstituted stone and the subservient elements to be constructed in a 'buff' brick as proposed. The samples will be agreed by condition. It is considered that the use of the reconstituted stone will be an enhancement on the appearance of the main bulk of the dwellings and would be an improvement on the use of brick, as previously approved.

The use of Collyweston replica for the two storey elements and pantile for the single storey elements was suggested to the Agent. The suggested changes to materials were resisted and it was argued that these materials were not present on site and their use may result in a cluttered appearance detrimental to the setting due to the variety of the materials. Furthermore, the immediate setting contains buildings roofed in slate including the listed Farmhouse and the Barnhouse. The double garage to the Farmhouse has artificial slate roofing and artificial slate has recently been approved for an extension to the barn and proposed garage abutting the site. On balance, therefore it is considered that a slate material for the roofs of the proposal development is acceptable. The material proposed is 'Redland Cambrian Blue'. Given the amount of artificial slate on approved developments abutting the site and in the Conservation area, it may be unreasonable to insist on the use of natural slate. However, it will need to be demonstrated that the proposed material is a suitable alternative to natural slate and this can be dealt with by condition. It is considered therefore; that the proposed palette of materials is sympathetic to those used within the context of the site and would not be detrimental to the setting of the Listed Buildings. Hence the proposal accords with policy CBE7 of the Adopted Peterborough Local Plan (First Replacement).

c) Impact on the Character and Appearance of the Conservation Area

The Townscape in the vicinity of Church Farm makes a positive contribution to the character and appearance of the Northborough Conservation Area. This is formed primarily by the presence of stone buildings, a continuous stone wall enclosing the church yard and a particular verdant character created by a number of mature trees within the site. The Northborough Conservation Area Appraisal and Management Plan has undergone a public consultation exercise and will be put forward for adoption by the City Council within the next few months. There is therefore sufficient weight to the document for it to be a material consideration in the assessment of the application. The site abuts the conservation area boundary at its western point however; the development will not be directly visible from any public vantage point within the Conservation Area. Notwithstanding this fact, the setting to the entrance to the site is pleasing and should not be harmed by the development.

The Parish Council objects to the proposed materials, the roof designs and the design of the elevations, particularly the number and size of windows. It is acknowledged that the purpose of the Conservation Area Appraisal and Management Plan is to ensure that the special qualities of the Conservation Area are preserved and enhanced. It encourages the use of traditional building materials and the use of replica Collyweston slates as a 'sympathetic alternative in the Conservation Area and the general landscape setting... and that there is insufficient contribution to the character of the conservation area or the village to justify the use of natural or replica Welsh slates within or beyond the conservation area'. This development however, has been previously approved with buff brick and slate materials and while the preferred roof material would be replica Collyweston, it is difficult to justify to what extent the use of slate will harm the character and appearance of the Conservation Area.

The applicant was advised by the planning officer to significantly reduce the number of windows within the elevations of the properties, many of which were considered to be unnecessary. The applicant has agreed to reduce the number of windows in the elevations to the properties which face the courtyard and Conservation Area boundary to the west in order to achieve a design which would be more in keeping with the surrounding character. Amended drawings have been submitted (ref. 42 rev. A, 43, rev A and 44 Rev A). House C: the proportion of window to masonry has been reduced within the west (front) and south elevations and rooflights deleted and House D: the proportion of window to masonry reduced in the west (front) elevation. While the proliferation of windows, particularly the number of roof lights, is not considered appropriate in design terms, the elevations to the rear of the site will not be visible from the conservation area. Furthermore the majority of windows are within the single storey elements and given the proposed boundary treatment comprising a 1.8m high boundary fence they will not be visible from any public realm.

The layout and design of the dwellings have been deliberately designed to be long and narrow in order to fit the character of the existing buildings. The open central area will retain the farm/crew yard feel while allowing vehicles to manoeuvre. It is considered that the reduction in the number of windows, combined with the use of materials, described above, the scheme is acceptable and would preserve the character and appearance of the Conservation Area in accordance with policy CBE3 of the Adopted Peterborough Local Plan (First Replacement).

d) Residential Amenity

There will be sufficient garden amenity space remaining to serve the Farmhouse and Barn and there is a good separation distance to the proposed dwellings avoiding any adverse impact on the amenity of the occupiers of these properties. Objections have been received from the neighbouring properties to the north of the site, in Church View, regarding the proximity of House C to their properties. There is a minimum of 16m separation distance to properties to the rear and as a standard a back to back distance of 21m is considered to be the minimum distance acceptable. However, as with the previous approved scheme, this is not a 'back to back' relationship; the north elevation of House C is a side elevation and the first floor windows which serve a stairwell will be obscured glazed and fixed shut, which is a requirement that shall be secured by condition to be retained as such in perpetuity. Therefore there will be no potential for overlooking from the first floor windows of House C and the separation distance of 16m is considered to be acceptable. All other aspects of the northern elevation of House C are single storey and the separation distance to properties in Church View combined with the boundary treatment are sufficient to avoid any unacceptable impact on the amenities of the occupiers of the neighbouring dwellings, both in terms of privacy, loss of light, noise and glare from headlights entering the site. Concern is also raised by objectors regarding the loss of views, in particular the view of St Andrew's

Church from the public footpath that runs along the rear of the site. Loss of view of the church from a public vantage point is a material consideration although there is no right of view from individual private properties. Any residential development of the site will have some impact on views of the Church from the public footpath. This has been accepted under the previous permission for development on the site. It is not considered that the loss of view from this particular vantage point justifies the refusal of the application. It is considered that the proposal will not unduly harm the amenities of existing neighbouring properties and hence the proposal accords with policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

The proposed dwellings would be afforded a good standard of amenity in terms of adequate parking provision, enclosed rear garden areas in excess of 100m², privacy in habitable rooms and the design of the dwellings benefits by natural lighting. Hence the proposal accords with policy H16 of the Adopted Peterborough Local Plan (First Replacement).

e) Highway implications

The site is accessed via an existing gravelled drive off Church Street. There have been a significant number of objections to the proposal with regard the sub-standard access, lack of visibility splays, potential congestion at the 'Triangle' and the increase in traffic likely to result from the new development. The LHA have considered the proposal and although the access is below the required standards the number of cars likely to be using the access post development would be less than could be the case under the current lawful use of the site as home and office. In addition due to the narrowness and curvature of the road, traffic tends to travel slowly along Church Street. It is accepted that the width of the access road should be 4.5m to enable vehicles to pass however, there is sufficient space for a vehicle at the start of the access for vehicle to while the other vehicle passes. The access is sufficient for emergency vehicles/construction vehicles to enter. There is more than ample parking and turning for each dwelling. Therefore the LHA do not raise any objection to the proposal. The proposal accords with policies T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

As the driveway will not be adopted a City Council refuse vehicle will not enter the site, so refuse bins will need to be located within 25m of the back of the public highway. This will be a considerable distance for the occupiers to walk there bins and will result in a number of refuse bins being located at the entrance on collection day. This issue has not been fully resolved at the point of writing this Committee Report and therefore a condition shall be appended to ensure the details are submitted and approved in writing by the Local Planning Authority.

f) Landscaping implication

The only two trees of note and that require consideration are the Horse Chestnuts adjacent to the driveway which are considered to be worthy of a TPO due to the visual amenity value they offer. They can be seen from the church frontage and also from the Public Right of Way at the rear to the paddock. A Tree Survey/Arboricultural Implications Assessment/Tree Protection Plan has been submitted subsequent to the registration of the application. The survey has concluded that both trees are at or virtually at the limit of their extension growth, have been subjected to high levels of soil compaction due to their proximity to the roadway and there is evidence of a good degree of resilience to further compaction. Both trees warrant the maximum recommended circular Root Protection Area (RPA). Neither of the trees concerned will be lost as a result of the proposal. The trees will require the crowns to be lifted to achieve a height clearance of approximately 6 metres over the roadway. Protective fences will be erected. The Landscape Officer raises no objections to the proposal subject to a landscape scheme to be agreed by condition which would include trees to the rear adjacent to the footpath to soften the visual impact on the development. The proposal therefore accords with policy LNE9 of the Adopted Peterborough Local Plan (First Replacement).

g) Public right of way

There is a public right of way to the east and south of the site and concern has been raised regarding the proposed erection of a 1.8m high fence adjacent to the footway which is also enclosed by the boundary fencing to the school playing field, albeit this has an open design. The agent has been advised that that the positioning of the fence should be at least 0.5m from the back of the footpath with appropriate landscaping between and that the 90° angle formed by the dog leg be splayed to allow visibility around the corner to ensure a more open feel for users of the public footway. This detail will be secured by condition.

h) **Archaeology**

The proposed development site is located some 50m to the north-east of the medieval church of St Andrew where a watching brief carried out to monitor groundwork between 2003 and 2004 identified an Anglo-Saxon pit and two undated ditches. Finds included a range of locally produced Early to Middle Saxon pottery. Early medieval and later remains may survive within the proposed development site. In accordance with PPS5 a condition shall be appended to the decision notice to secure the implementation of a programme of archaeological work.

i) **S106**

The development will give rise to a contribution of £27,000 in accordance with the Planning Obligations and Implementation Scheme and the applicant is entering into a S106 agreement with the Local Authority. This requirement accords with both national and local policy and in your officer's opinion complies with the 5 tests and the principles set out in ODPM Circular 05/2005 (see Section 2 above) and the Tesco/Witney case in which the House of Lords held that the planning obligation must at least have a minimal connection with the development.

j) **Miscellaneous**

Many of the points raised by objectors are covered in the report above. The following are comments on those points raised which may not be covered above:

- Removes the last remnant of open space in the village centre in the conservation area – the land is not designated as public open space
- Drainage/Services – Drainage will be assessed under the Building Regulations application.
- Noise impact from construction of dwellings – This is not a planning issue
- Planning consent is to make the sale of the property and land more attractive and is disingenuous – this is not a planning issue
- The land should be used for allotments – The application as presented is for housing
- Application to extend garden into paddock refused as the field was to be kept as open space – there is no history of a planning application for this use
- Impact on property value – This is not a planning issue

8 CONCLUSIONS

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

- the principle of residential development on this site has already been supported under the previous planning consent.
- the site lies within the settlement boundary of Northborough where the principle of windfall sites is supported
- the density, scale, layout, design and use of materials will be in keeping with the adjacent listed buildings and will not harm the character and appearance of the Northborough Conservation Area
- the proposal will not result in an unacceptable impact on the amenity of occupiers of neighbouring dwellings
- given previous use of the site the access is acceptable and will not result in any adverse impact on the adjoining highway.

Hence the proposal accords with policies CBE3, CBE7, DA1, DA2, DA6, H10, H16, T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

9 RECOMMENDATION

Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the needs of the area, the Head of Planning Services be authorised to grant planning permission subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.**
Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork in accordance with Planning Policy Statement 5 (Planning for the Historic Environment) and Policies CBE1 and CBE2 of the Adopted Peterborough Local Plan (First Replacement).
- C 3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C 4 In the event that unsuspected areas of contaminated land/materials are discovered during the implementation of the development hereby approved, work in the identified areas shall cease and the Local Planning Authority be informed in order that an assessment can be made of the remedial measures that would be required to either control, remove or negate the potential for harm from the contaminants that may be present. Development shall thereafter only proceed once a scheme for the control or monitoring of such contaminants has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**
Reason: To protect Human Health and Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard, in accordance with Planning Policy Statement 23 (Planning and Pollution Control).
- C 5 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C 6 Before the commencement of the development, a landscape scheme shall be agreed in writing by the Local Planning Authority. The scheme shall indicate those trees, shrubs and hedges which are to remain. The location, species and size of all new planting shall be shown. The scheme shall also include where relevant, details of screen walls and fences, surfacing materials and changes in ground level. Any trees, shrubs or hedges (including those shown as being retained) dying within 5 years shall be replaced during the next available planting season by the Developers, or their successors in title, to the satisfaction of the Local Planning Authority. Any replacement trees or shrubs dying within 5 years shall themselves be replaced to the satisfaction of the Local Planning Authority.**
Reason: In order to improve the visual amenity of the areas, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C 7 The dwellings shall not be occupied until the garages shown on the approved plans have been constructed. The garages shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the dwellings.**
Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policies DA2 of the Adopted Peterborough Local Plan (First Replacement).

- C8 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities 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 T1 of the Adopted Peterborough Local Plan (First Replacement).
- C9 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. 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.**
Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policies T1 of the Adopted Peterborough Local Plan (First Replacement).
- C10 Notwithstanding the details hereby approved the boundary treatment to the east and south boundaries shall be set back at least 0.5m from the back of the public footpath. The boundary treatment at the south east corner (House E) of the site shall be splayed to remove the 90° angle. The land between the back of the footway and the fence line shall be landscaped in accordance with details submitted to and agreed in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details and thereafter maintained by the owners of the respective plots abutting the footway.**
Reason: In order to ensure a greater degree of visibility and open aspect for users of the footway, and in accordance with policy T2 of the Adopted Peterborough Local Plan (First Replacement).
- C11 Prior to the first occupation of the development, or its completion, whichever is the sooner, details of the refuse collection procedures shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection procedure shall thereafter be carried out in accordance with the approved details.**
Reason: In order to protect and safeguard the amenity of the area and in accordance with policy DA2 of the Adopted Peterborough Local Plan (First Replacement).
- C12 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no garage, carport or domestic enlargement to the dwelling(s) shall be constructed other than as those expressly authorised by this permission.**
Reason: In order to protect the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C13 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into any elevation of any dwelling other than those expressly authorised by this permission.**
Reason: In order protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C14 The area indicated on the approved plans as "extended farm yard" shall be retained as a shared open area for the use of occupiers of the dwellings hereby permitted.**
Reason: In order to provide space for vehicle manoeuvring in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement); and to preserve the setting of the adjacent Listed Building in accordance with Policy CBE7 of the Adopted Peterborough Local Plan (First Replacement).

C15 Prior to first occupation of the dwelling identified as House C hereby permitted the North facing stairwell window of House C shall be obscure glazed and fixed permanently shut and shall remain as such in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Adopted Peterborough Local Plan (First Replacement).

Informatives

1. The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.
2. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
3. The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
4. The applicant is reminded that Building Regulation approval is required for this development. Please contact the Building Control Section on 01733 453581 for further information.

Copy to Councillor Hiller

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