

10/00787/FUL: CONSTRUCTION OF 4 BED DWELLING AND DETACHED GARAGE AT 54 CHURCH STREET, NORTHBOROUGH, PETERBOROUGH  
VALID: 11 JUNE 2010  
APPLICANT: MR & MRS PAUL & SHERI BOWNES  
AGENT: PDG ARCHITECTS LTD  
REFERRED BY: PARISH COUNCIL  
REASON: IMPACT ON CHARACTER AND APPEARANCE OF CONSERVATION AREA, IN PARTICULAR, PARADISE LANE, WOULD RESULT IN THE SUB-DIVISION OF A LISTED BUILDING, IMPACT ON TREES AND ADVERSE HIGHWAY IMPLICATIONS  
  
DEPARTURE: NO  
CASE OFFICER: MRS J MACLENNAN  
TELEPHONE: 01733 454438  
E-MAIL: janet.maclennan@peterborough.gov.uk

---

---

## **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
- Landscaping implications
- Highway Implications

The Head of Planning Services recommends that the application is APPROVED subject to the completion of a S106 agreement.

## **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.

**CBE8: Sub division of the grounds of a listed building** - Permission will not be granted for development which would sub divide the grounds or gardens of a listed buildings.

**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.
- DA6: Tandem, backland and piecemeal development** - Permission will only be granted if development can be satisfactorily accommodated within a site in terms of scale and density, would not affect the character of an area, would have no adverse impact upon the amenities of occupiers of nearby properties, can be satisfactorily accessed from the public highway and would not prejudice the comprehensive development of a larger area.
- 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**

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

#### **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; and
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

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

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

### **3 DESCRIPTION OF PROPOSAL**

The application seeks permission for the erection of a one and a half storey 4 bed dwelling and detached garage within the rear garden of 54 Church Street. The dwelling would be sited approximately 42m to

the south of the existing dwelling and access would be served off Paradise Lane. The dwelling would have a narrow plan form of 6m in width and a principal ridge height of 7.2m. The proposed materials are rough dressed artificial stone with Bradstone Conservation Slate. A single garage comprising a wooden barn style structure is proposed to the side/rear of the site.

#### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The site is situated on the southern side of Church Street at the far eastern edge of the village and lies within the Northborough Conservation Area boundary. The site contains a 17<sup>th</sup> century Grade II listed building fronting Church Street occupied as a residential dwelling. There have been extensions to the property and a recent substantial detached garage to the east of the site. The host dwelling is constructed of coursed stone rubble with steeply pitched thatched main roof with subservient roofs covered in pantile. The site has a substantial curtilage extending approximately 57m rearwards. The site has a particularly verdant character and contains a number of mature trees within the site and is enclosed by mature trees and shrubs to the east and south. Directly to the east of the site is a quiet country lane which serves a dwelling known as Paradise Cottage situated approximately 300m down the Lane. The surrounding area is residential in character comprising an eclectic range of property styles on the south side of Church Street, within the Conservation Area boundary, many of which are listed properties. Directly opposite the site on the northern flank the character changes and there are relatively modern developments comprising single storey dwellings built circa 1970s. The character to the south and east comprises open countryside.

#### **5 PLANNING HISTORY**

Application Number	Description	Date	Decision
98/00928/FUL	Two storey and single storey extensions	15.10.1998	PER
98/00929/LBC	Two storey and single storey extension	16.10.1998	PER
07/01459/CTR	Crown lift Yew tree to 2.5 metres above ground level and laterally reduce from property to provide 1.5m clearance.	15.10.2007	PER

#### **6 CONSULTATIONS/REPRESENTATIONS**

##### **INTERNAL**

**Head of Transport and Engineering** – No objection - The principle is acceptable subject to a condition requiring details of turning to be provided to ensure that vehicles leave the site in forward gear.

**Conservation Officer** – No objection - A proposal for residential development within the curtilage of the listed building is considered principally against the criteria of H10, DA1, DA6, CBE3, CBE7, CBE8 and LNE9 of the Replacement Peterborough Local Plan. Consideration is primarily given to the desirability of preserving the setting and the character of the listed building and to avoiding harm to the character and appearance of the conservation area. The annexation of the parcel of land in itself would not diminish the character or setting of the listed building. There is adequate separation distance to the listed building and together with the intervening trees and shrub planting to the garden of no 54 the construction of the new building would not harm the setting, and character of the listed building. In this case, and given the separate access to Paradise Lane the proposal can be accepted as an exception to policies CBE7 and CBE8. Overall, a strengthened landscaping scheme would integrate the development in the landscape and avoid harming the character and appearance of the conservation area in this location at present or extended in the future. Seek revisions to the form and style of the garage, re-location of the path to the principle entrance (front door), revisions to the landscaping scheme to provide a more native and naturalistic planting with the retention (if aboriculturally justified) of the large tree proposed to be removed to the frontage of the site – and failing this a replanting strategy proposing a suitable forest type species – with double native hedge planting to boundary with no. 54 and to reinforce the southern site boundary and the access to Paradise Lane should have a gravelled finish.

**Landscape Officer** – No objections to the proposal. The tree loss and landscape detail are acceptable and users of Paradise Lane should not find the landscape changing much due to the other trees and hedges that are to be retained.

**Archaeology Officer** – No objections - The application site is located to the west of the Roman canal known as Car Dyke. Recommends a condition requiring a written scheme of investigation.

## **EXTERNAL**

**Welland and Deepings Internal Drainage Board** – No objection - The details show a riparian owned dyke will be crossed by the access to the site. Any works which result in backfilling, blocking or altering the dyke will require the board's consent. The soakaway use should be approved by Building Control

## **NEIGHBOURS**

Letters of objection have been received from 7 local residents raising the following issues:

- The building of a 4 bed dwelling does not meet the criteria of policy CBE3
- The proposal would sub-divide the curtilage of the listed building contrary to policy CBE8
- PPS 3 states that development of Brownfield land should be encouraged with the exception of private residential gardens
- The character of Paradise Lane would change which is a walking route for pedestrians
- Impact on trees
- Additional vehicular traffic on Paradise Lane
- Sewerage is a problem in this area
- Would be a catalyst for additional properties
- Subdivision of the grounds would give short term gain at the cost of the character of the area
- Impact on rural character, particularly Paradise Lane which is used daily by a number of people the character would become much more urban
- Paradise Lane is very narrow with no footpath and frequently used by school children and agricultural vehicles. Construction vehicles and future parking arrangements should be restricted to inside the site due to potential to restrict access
- Will put additional strain on junction of Paradise Lane/Church Street which is already dangerous.
- Does not meet requirements for vision splays due to trees
- Impact on the amenities of nearby properties
- Unsatisfactory access
- Access should not be taken over the old Car Dyke
- Access should be gained off Church Street to the east of the garages to number 54
- Outside the village envelope
- Impact on the character of Church Street/Paradise Lane the jewel in the crown of old Northborough
- Occupiers of Paradise Cottage not consulted
- Owner of land to the east of Paradise Lane not consulted.

## **COUNCILLORS**

Cllr Hiller objects to the proposal on the grounds that the new dwelling would affect the amenity of the occupiers of numbers 52 and 54 Church Street which currently have no development behind them. The back land development would harm the character and appearance of the conservation area and the setting of the listed building. The proposal is therefore contrary to policies CBE3, CBE7, CBE8 and DA6 of the Adopted Peterborough Local Plan (First Replacement).

## **NORTHBOROUGH PARISH COUNCIL**

The Parish Council objects to the proposal and considers the new access and dwelling off Paradise Lane will have a detrimental impact on the character and appearance generally and the conservation area in particular. The development will depart from the village form of long narrow gardens, identified as important to historic context. PPS 3 states garden land is no longer to be included as Brownfield land.

The proposal would have an adverse impact on the character of the area, would not preserve or enhance the character and appearance of the conservation area, particularly Paradise Lane. The proposal would result in the sub-division of a listed building and would completely alter the layout, linear form of development and relationship to the Listed Building. The development would result in the loss of a tree fronting Paradise Lane which contributes to the conservation area. There will also be pressure to remove the hedgerow/trees to expose the frontage of the site. Paradise Lane is a narrow unclassified track and regularly used by pedestrians. The vehicular movements along the lane are restricted to the occupiers of Paradise Cottage and seasonal use by farmers. Additional vehicular movements will cause problems as there is no margin along the lane for vehicles to pass. This will result in encroachment onto verges to the detriment of flora and fauna. Further development on Paradise Lane could lead to pressure to remove trees at the junction with Church Street due to poor visibility. The proposal is contrary to policies CBE3, CBE7, CBE8, DA6, LNE11, LNE12 of the Adopted Peterborough Local Plan (First Replacement).

## **7 REASONING**

### **a) Introduction**

The proposal has been the subject of pre-application discussion between the Case Officer, Conservation Officer, the applicant and agent. The proposal has also been presented at the weekly planning surgery where the principle of the development was generally supported subject to minor alterations and revisions to the style of the garage.

### **b) The Principle of Development**

In considering applications for planning permission for works which affect a listed building the LPA is to have special regard to, amongst other matters, considering the desirability of preserving the setting and the character of the listed building. Policy CBE7 of the Replacement Peterborough Local Plan deals specifically with the setting of listed buildings. The proposal would result in the sub division of the curtilage of a Listed Building and as such is counter to the objectives of policy CBE8 of the Adopted Peterborough Local Plan (First Replacement) and if the application is considered to be acceptable this would be an exception to these policies.

The proposal is essentially backland development, on part of the garden of 54 Church Street. In accordance with recent changes to PPS 3, garden land is no longer included under the definition of 'Brownfield' land. However, the application is assessed in accordance with the criteria as set out in policy DA6 of the Adopted Peterborough Local Plan (First Replacement) where the development must provide an acceptable relationship with nearby occupiers, provide good quality living conditions for the future occupiers of the dwelling, provide a development which is in keeping with the surrounding character and where an adequate vehicular access is achievable. These issues will be considered within this report.

### **c) Impact on the Character and Setting of the Listed Building**

It is acknowledged that the curtilage and setting of listed buildings are an integral and indivisible part of the original design and the subdivision of the curtilage can seriously detract from the architecture or historic character of the listed building and its curtilage. The application states that, in accordance with historical maps, the application site was a separate parcel of land from 54 Church Street and there remains a vestige of a stone wall denoting this separation. The character of the application site has the character of an old orchard with a large flat grassed area with isolated trees and differs from the garden area of the host dwelling which comprises a less open area with and a belt of trees and shrubs which provide a visual barrier between the two parts of the site. Indeed, the Conservation Officer has referred to historic OS maps and the area of land subject to the application appears to be contemporary with the property. The development site would seem unlikely to have been an integral or formal part of the garden of the listed building and is a material consideration in determining the proposed application. The mature trees within the garden of number 54 would form a visual screen to the proposed development site which is less planted and more open. Further planting and a boundary formed by a native hedge would leave an adequate depth garden / curtilage some 26 m length from the end of the rear extension and 40m from the core building. The annexation of the parcel of land in itself would not diminish the character or setting of the listed building. There would be a substantial grounds remaining for the Listed Building and the sub-division would not seriously detract from the architectural and historical character of the Listed Building.

The design of the building, a traditional cottage style of 1½ storey, is appropriate for the context of the site. The building adopts the traditional proportions, detailing and materials of a cottage style property. The ridge of the development is slightly below that of the listed building and is subservient in scale to the listed building. Together with the intervening trees and shrub planting to the garden of no 54 the construction of the new building would not harm the setting, and character of the listed building. The access to the new dwelling would be served from Paradise Lane to the east and the existing access from Church Street would be unaltered maintaining both the existing townscape along Church Street and retaining the intimacy of the Grade II listed property. This situation is unlikely to be repeated elsewhere along Church Street, as access is usually proposed as a shared access with the Listed Building.

Members may be mindful of a recent appeal decision following refusal (12<sup>th</sup> August 2009) of an application for a 5 bed chalet bungalow to the rear of 44 Church Street, known as Clare House, a Grade II listed building (ref. 09/00603/FUL). The appeal was dismissed on 4<sup>th</sup> August 2010. The Inspector opined that this would be a substantial building, having 5 bedrooms and 4 bath/shower rooms on the first floor with dining/family room, living room, kitchen/breakfast room, utility room and study at ground floor; and with numerous dormer windows, 10 in total, that would not be sympathetic to the charming and small scale listed cottage and that the dwelling would be readily visible from Church Street along the access track and would be highly intrusive features in the rural setting of the cottage. Significant to this site is the historic interest in that for about 10 years it was the home of John Clare, an important 19<sup>th</sup> century ruralist poet and that this historic interest would be seriously harmed if the cottage were to be permanently cut off from the countryside behind by the introduction of this new residential curtilage. Furthermore he considered the dwelling would significantly change its character from that of a small cottage in a garden with a rural paddock behind to a site with two separate domestic curtilages and the change would cause serious harm to the rural character of the Conservation Area.

In this case the application differs from the proposed dwelling to the rear of 44 Church Street (09/00603/FUL), aside from the historic interest of that property; the proposed dwelling subject to this application would be screened from the listed building, would have an independent access and would not be visible from the Conservation area. In this case, and given the separate access to Paradise Lane it is considered that the proposal can be accepted as an exception to policies CBE7 and CBE8.

#### **d) Impact of the character and appearance of the Conservation Area**

The Northborough Conservation Area Appraisal and Management Plan is shortly due to be adopted as supplementary planning guidance and is a material consideration in the determination of this application. The current Conservation Area boundary includes a small portion of the ancient Paradise Lane an ancient 'Parish' track – this being the boundary of no. 54 with the lane). The 'special character' of Paradise Lane is noted in the appraisal. This is derived from its appearance as a 'green' rural lane framed by well treed and hedged field boundaries. The lane is also of local historic interest being the former route of the Car Dyke Roman waterway. The revised appraisal recognises the significance of the lane by suggesting that the Lane be included in an extended conservation area. Consideration is therefore given to the extent to which the proposed development would harm the character and appearance of the existing Conservation Area boundary and any further extension to include Paradise Lane.

Paradise Lane in the vicinity of the site makes a positive contribution to the character of the conservation area. This is formed by the very rural character of the single track and strong edge hedge and tree planting which provides a strong sense of enclosure. Views along the lane are very pleasant. The bends in the lane and greenery provide a very pleasing 'end stop' view. Buildings do not intrude in the street scene. The tree and shrub boundary of the application site with Paradise Lane provides a good enclosure to views along the Lane. The development proposes the removal of four trees and would introduce a new access to Paradise Lane. The impact however on trees would be limited due to the density of trees and hedging on the boundary of the site. Concern has been raised by the Conservation Officer regarding the removal of an Ash tree along the Paradise Lane boundary which adds positively to the character of the conservation area. The tree survey states however that this tree is in poor condition and recommends the tree is felled for safety reasons and a suitable replacement tree is planted. A landscape strategy shall be secured with a condition to ensure that the development is located within a strengthened natural setting reinforcing the present rural character. In this way the present character of Paradise Lane can be retained. Views of the building should not detract from the sylvan character of

Paradise Lane. Overall, a strengthened landscaping scheme would integrate the development in the landscape and avoid harming the character and appearance of the conservation area in this location at present or extended in the future.

The proposed dwelling would reflect the form, design and materials of many of the traditional buildings within the village. It is considered therefore that the proposal would serve to preserve the character and appearance of the conservation area and therefore accords with policy CBE3 of the Adopted Peterborough Local Plan (First Replacement).

**e) Design and Amenity**

The property would front Paradise Lane and would be situated approximately 10m into the site. The dwelling would have a narrow plan form to reflect the traditional footprint of buildings within the village, consisting of a main range with two subservient elements to the south side and rear. It is considered the one and a half dwelling would sit comfortably within its surroundings and would integrate well with the nearby residential dwellings. The ridge height to the dwelling would be lower than the host dwelling and given the separation distance from the Grade II listed building the proposed dwelling would be subservient to that of the listed building. A detached garage is proposed to the side/rear of the property. The design of the garage has been revised in accordance with advice provided by the case officer and would be a single barn style building with an outshot roof for additional storage and is considered to be more characteristic of the rural setting and in keeping with the Listed Building.

**f) Residential Amenity**

The proposal would provide a satisfactory level of amenity for the future occupiers of the dwelling. The main living space would overlook an extensive private garden area. The site is of adequate size of accommodate the development and there is adequate separation distance to neighbouring properties to avoid impact on privacy and overlooking. It is considered that the proposal would not harm the residential amenity of the occupiers of neighbouring dwellings. Hence the proposal accords with policies DA2 and H16 of the Adopted Peterborough Local Plan (First Replacement).

**g) Landscaping Implications**

A Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement has been submitted in support of the application. The Landscape Officer has been consulted and is in agreement with the contents of this report. It is considered that the tree loss identified within the report is acceptable to facilitate the development and there would be limited impact on the surrounding character due to the amount of trees and hedges that would be retained. There is concern raised by the Parish Council that the development could result in pressure in the future to remove the boundary trees to expose the dwelling, however, this would be resisted and consent would be required due the site being located within the Conservation Area boundary. It is considered that the proposal makes adequate provision for the retention and protection of trees within the site and therefore accords with policy LNE9 of the Adopted Peterborough Local Plan (First Replacement).

**h) Highway Implications**

The dwelling would have an independent access off Paradise Lane. The highway section has been consulted on the proposal and considers the access arrangements to be acceptable. Concern has been raised by neighbouring properties regarding access on to Paradise Lane and subsequent to the original submission of the application a plan indicating turning provision within the site has been provided. This will ensure that vehicle will be able to leave the site in forward gear. The proposal would not result in any adverse highway implications and therefore accords with policies T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

**i) 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:

- The Local Planning Authority has been informed that the occupiers of Paradise Lane and the owner of the field to the east of Paradise Lane were not consulted on the application. There is a statutory requirement to consult any neighbour who shares a boundary with the application site and this procedure was undertaken. The occupiers of Paradise Cottage do not share a boundary with the application site and there is no residential property registered on the adjacent field. A

site notice was erected for the application and the Local Planning Authority is satisfied it has carried out its statutory duty.

- Sewerage is a problem in this area – adequate connection to the sewerage system will be assured through the building regulations.

## j) S106

The development will give rise to a contribution of £8,000 in accordance with the Planning Obligations 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.

## 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:

A proposal for residential development within the curtilage of the listed building is considered principally against the criteria of policies CBE7 and CBE8 of the Adopted Peterborough Local Plan (First Replacement). The proposal however, benefits by its location on a parcel of land which would not have formed part of the original curtilage of the listed building and where there would be a substantial separation to the Listed Building. The development would have independent access off Paradise Lane and would retain the frontage character to Church Street along with preserving the intimate setting of the Listed Building. The scale, form and design of the dwelling are in keeping with the traditional buildings within the village and the development will not detract from the character and setting of the Listed Building. The site is enclosed by mature trees and hedging which provides a positive contribution to the character and appearance of the Conservation Area. It is considered that the Conservation Area would not be harmed as the landscape character of the site would be substantially retained and the character of Paradise Lane in this location preserved. On balance, the proposal is supported as an exception to policies CBE7 and CBE8 and in all other aspects accords with policies DA1, DA2, DA6, LNE9, T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

## 9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED 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 infrastructural 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 samples of the materials to be used in the construction of the external surfaces of the dwelling and garage 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 3 No development shall take place within the site 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 but are, where appropriate, preserved in situ, in accordance with Planning Policy Statement (PPS) 5 (Planning of the Historic Environment), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- C 4 The dwelling shall not be occupied until space has been laid out within the site to enable vehicles to turn so that they may enter and leave the site in forward gear in accordance with the approved plans ref. hereby approved. That area shall not thereafter be used for any purpose other than the turning of vehicles.**

Reason: In the interest of Highway safety and in accordance with policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- C 5 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, etc., indicating lines, manholes, supports, etc.); retained historic landscape features and proposals for restoration, where relevant].**

Reason: In order to improve the visual amenity of the areas, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C 6 No works to any trees shall be carried out until the Local Planning Authority has approved in writing the full details (including location, species and size at planting) of every tree, shrub and hedge to be planted by way of replacement for those to be felled under the terms of this consent, including its proposed location, its species, its size at the date of planting, and the approximate date when it is to be planted.**

Reason: To ensure continuity of tree cover in the interest of visual amenity, in accordance with the Policy 39 Peterborough Tree and Woodlands Strategy 1998.

- C 7 In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [twelve months] from [the date of the occupation of the building for its permitted use].**

**(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);**

**(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;**

**(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.**  
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C 9 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).
- C10 The development shall not commence until details of all boundary walls and fences have been approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, and thereafter such fencing shall be maintained to the satisfaction of the Local Planning Authority.**  
Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C11 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).
- C12 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).

#### Notes Relating to this Decision

- 1 Building Regulation approval is required for this development. For further information contact the Building Control Section on 01733 453422 or email [buildingcontrol@peterborough.gov.uk](mailto:buildingcontrol@peterborough.gov.uk).
- 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 453578.
- 3 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.
- 4 Any works to the dyke adjacent to the site which results in backfilling, blocking or altering will require the consent of the Welland and Deepings Internal Drainage Board.

- 5 The landscaping scheme shall provide a more native and naturalistic planting and a suitable replacement forest type tree species is planted along the Paradise Lane boundary along with additional hedge and shrub planning. A double native hedge planting to boundary with no. 54 and to reinforce the southern site boundary

Copy to Councillor Hiller

This page is intentionally left blank