

11/01676/FUL: CONSTRUCTION OF THREE AFFORDABLE DWELLINGS FOR RENT INCLUDING ASSOCIATED EXTERNAL WORKS, PARKING AND ACCESS IMPROVEMENTS AT GARAGES TO REAR OF 287 WELLAND ROAD, DOGSTHORPE

VALID: 22ND NOVEMBER 2011

APPLICANT: CROSS KEYS HOMES

AGENT: THE DESIGN PARTNERSHIP (ELY) LTD

REFERRED BY: CLLR MINERS

REASON: LOCAL OBJECTION

DEPARTURE: NO

CASE OFFICER: MATT THOMSON

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Policy context and the principle of development;
- Design and visual amenity;
- Impact to neighbouring residents
- Amenity of future occupiers
- Highway Implications

The Head of Planning, Transport and Engineering 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.

Peterborough Core Strategy DPD (2011)

CS2 Spatial Strategy for the Location of Residential Development: The spatial strategy makes provision for housing growth at a wide variety of places across the local authority area, but with a distinct emphasis on locations within and adjoining the urban area of the city. These are generally the most sustainable and help to maximise the use of previously developed land. The spatial strategy proposes that approximately 4,400 additional dwellings (including 1,634 dwellings already committed) will be provided from the existing built-up area of the city of Peterborough, outside the city and district centres. The figure is based on evidence from capacity work, in particular the Peterborough Strategic Housing Land Availability Assessment. Dwellings will be delivered from mixed-use schemes as well as wholly residential developments. In order to make the most efficient use of land, net residential densities will be expected to average approximately 50 dwellings per hectare, but the Council will seek a range of densities and dwelling types and sizes, in accordance with policy CS8.

CS8 Meeting Housing Needs: The strategy will be to secure a wide choice of high quality new homes that meet the needs of all members of the community, widening the range of property sizes available in response to future needs and demand, providing houses that will help to encourage employees to live locally rather than commute into Peterborough from elsewhere, and supporting the economic development strategy of this Core Strategy. Developers will be encouraged to bring forward proposals for housing which will provide a mix of housing types and size that will meet the identified need for Peterborough in order to secure mixed communities.

CS10 Environmental Capital: All development proposals of one dwelling or more, and other non-dwelling proposals concerning 100 square metres or more, should explicitly demonstrate what contribution the development will make to the Environment Capital agenda over and above that which would be required by the Building Regulations in force at the time, other development plan policies or any other consents as required through regional and national legislation.

CS13 Developer Contributions to Infrastructure Provision: Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge. Subject to arrangements as set out in a separate Planning Obligations Implementation Scheme SPD, contributions received via this standard charge may be assembled into pools at an authority-wide level and to the relevant Neighbourhood Management Area (as described in policy CS6).

CS14 Highways: New development in Peterborough will be required to ensure that appropriate provision is made and does not result in a Highway Safety Hazard

CS16 Urban Design and the Public Realm: new development should respond appropriately to the particular character of the site and its surroundings, using innovative design solutions where appropriate; make the most efficient use of land; enhance local distinctiveness through the size and arrangement of development plots, the position, orientation, proportion, scale and massing of buildings and the arrangement of spaces between them; and make use of appropriate materials and architectural features.

Peterborough Local Plan (First Replacement)(2005)

H7 Housing Development on Unallocated Sites: Within the Urban Area residential development on any site not allocated, including by infilling, redevelopment, and change of use of existing buildings, will be permitted where the site is not allocated for any other purpose, is not within a defined Employment Area, is, or will be, well related to existing or proposed services and facilities necessary to meet residential needs, including public transport. Further, development should make efficient use of the site or building in terms of density and layout, it should respect the character of the surrounding area, provide good quality living conditions for residents, be acceptable in terms of highway safety and traffic flow, should not unacceptably constrain development of adjoining land for an allocated or permitted use and should not result in loss of open space of recreational or amenity value or potential.

H16 Residential Design and Amenity: Planning permission will only be granted for residential development if a basic standard of amenity can be secured.

T10 Car and Motorcycle Parking Requirements: Planning Permission will only be granted for car and motorcycle parking outside the city centre if it is in accordance with standards set out in Appendix V.

DA11 Security: Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.

LNE9 Landscaping implications of Development Proposals: Planning permission will not be granted for development unless it makes adequate provision as far as is reasonably practicable commensurate with the development proposed, for the retention and protection of trees and other natural features that make a positive contribution to the quality of the local environment, and it makes adequate provision for landscaping of the site as an integral part of the development.

National Policy

Planning Policy Statement (PPS) 1: Delivering Sustainable Development

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

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

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

It states: 'Community involvement is vitally important to planning and the achievement of sustainable development. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

Planning Policy Statement (PPS) 3: Housing

Paragraph 41 of PPS3 (2010) states 'there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed' Paragraphs 16 and 49 of PPS3 (2010) go on to state 'development should be well integrated with, and complement, neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Careful attention to design is particularly important where [a proposal] involves intensification of the existing urban fabric. More intensive development is not always appropriate'.

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

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

In addition Circular 05/2005 states the following principles:

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

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

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

Associated with the POIS is the Peterborough Integrated Development Programme (IDP). Its purpose is to provide a single delivery programme for strategic capital-led infrastructure which will allow for

appropriately phased growth and development in the period to 2031. This document builds on the previous version of the IDP completed in April 2008. The purpose of the IDP is to:

- Summarise key strategies and plans for Peterborough, highlight their individual roles and importantly show how they complement one another.
- Set out what infrastructure and support Peterborough needs for the next 15 years or so, why we need it, who will deliver it, and what it might cost. For a variety of audiences, it shows, and gives confidence to them, that we have a coordinated plan of action on infrastructure provision.
- Form the basis for bidding for funding, whether that be from: Government; Government Agencies; lottery and other grants; charities; private sector investment; and developer contributions (s106 and potentially CIL).

In this context, the IDP is the fundamental bedrock to support the City Council's policies: the Core Strategy (CS) and the Planning Obligations Implementation Scheme (POIS). The IDP identifies key strategy priorities and infrastructure items which will enable the delivery of the city's growth targets for both jobs and housing identified in the Regional Spatial Strategy (RSS) (commonly known as the East of England Plan) and the Core Strategy. The investment packages that are identified – and within them, the projects that are proposed as priorities for funding – are not unstructured 'wish-lists', instead they are well evidenced investment priorities that will contribute in an unambiguous manner to enhancing the area's economic performance, accommodating physical growth and providing a basis for prosperous and sustainable communities.

The IDP is holistic. It is founded on a database for infrastructure provision that reflects delivery by the private sector, the City Council and a range of agencies and utilities. The late 2009 review adds to the programme for Peterborough; and all partners are committed to developing the IDP's breadth further through engagement with a broader range of stakeholders, including those from the private sector.

The document has been prepared by Peterborough City Council (PCC) and Opportunity Peterborough (OP), with the assistance from the East of England Development Agency (EEDA) and other local strategic partners within Peterborough. It shows a "snap shot" in time and some elements will need to be reviewed in the context of activity on the growth agenda such as the emerging City Centre Area Action Plan (CCAAP), and the Long Term Transport Strategy (LTTS) plus other strategic and economic strategies and plans that are also identifying key growth requirements. As such, it is intended that this IDP will continue to be refreshed to remain fit-for-purpose and meet the overall purposes of an IDP as set out above.

3 DESCRIPTION OF PROPOSAL

The Applicant seeks consent to demolish the existing 17 garages in a parking court and erect three two-storey terraced affordable dwellings for rent with associated parking. Also, part of the proposal includes the formation of a rear access to No.8 Furze Ride and the removal of an existing access from the garage court to the East-West footpath that runs along the North of the site. A new 1.8m metal railing fence would be installed along the Northern boundary.

The dwellings stand at 4.8m to eaves and 7.5m to ridge. Each dwelling would have its own dedicated rear garden space, two off street parking spaces, garden shed and bin store.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is a garage court consisting of 17 flat roof garages with metal doors, accessed from the South-East and is surrounded by residential gardens to the East, South and West, with a non-adopted footpath running East-West to the immediate North. The site is covered in hard standing; there are no trees within the site however a number surround the site. The site boundary is formed by a combination of a 2m high brick walling or the rear wall of the garages themselves.

5 PLANNING HISTORY

None relevant

INTERNAL

Landscape Officer – No Objection – The tree assessment concludes that there should be no adverse affect on trees.

Building Control Surveyor – No Objection

Section 106 Officer – No Objection - Recognising the current national funding constraints in relation to the delivery of Affordable Housing and the commitment by Peterborough City Council to deliver Affordable Housing in the adopted Core Strategy, in addition to acknowledging that each proposal is in receipt of between £4,440 - £5,000 Social Housing Grant per person, I recommend that, given the circumstances outlined in the viability submissions, the Council accept that the delivery of the three dwellings will be constrained by viability issues. Accordingly, given the circumstances outlined above I recommend that on this occasion the offer by Cross Keys Homes to make a POIS contribution of £1,000 per dwelling is accepted.

Highways – No Objection – Whilst the access is substandard, it is an existing access that serves 17 garages, therefore recommends conditions with respect to provision and retention of parking, temporary facilities for contractors, Wheel Wash and associated informatives.

Archaeology Services – No objection - The proposed development is unlikely to impact on important archaeological remains.

Police Architectural Liaison Officer - No objection - I would support this application as the potential for future crime on garage sites such as these is high. Supports the omission of the cut through.

Housing Services – No Objections - Policy CS8 of the Peterborough Core Strategy seeks the provision of 30% affordable housing on all development sites on which 15 or more dwellings are proposed. Although this application is below this threshold, the applicant is a Housing Association and will provide all units as affordable homes.

The Applicant has proposed the tenure of the affordable homes to be rented. Although it has not been specified whether the units will be social rent or affordable rent, they will meet the housing needs of applicants on the Peterborough Housing Register.

The mix of affordable house types which has been proposed (3 x 2 bed houses) is acceptable and does meet housing need as evidenced by the Peterborough Strategic Housing Market Assessment (update 2010).

The applicant has proposed that the units will all meet Lifetime Homes standard, in line with the council's ambition to increase the supply of lifetime homes.

The applicant has proposed that all units will meet the Homes & Communities Agency's quality and design standards and Level 3 of the Code for Sustainable Homes which is acceptable.

EXTERNAL**NEIGHBOURS**

Three letters of objection have been received from neighbours raising the following points;

- Poor access
- Loss of existing local facility
- Parking problems
- Extra traffic
- Trees
- No bin collection point
- Proximity to property

- Overlooks/loss of privacy
- Overshadow/loss of light
- Loss of outlook

The letters of representation were submitted on behalf of the objectors by Cllr Miners and MP Stewart Jackson.

7 REASONING

a) Policy context and the principle of development

The site of application is within the urban area of the city, therefore the principle of development can be considered.

b) Design and Layout

Welland Road and Furze Ride are characterised by semi-detached and terraced dwellings in a linear format set back from the road. The proposal would replicate this layout orientated North-South at an obscure angle to properties on Furze Ride to the East.

Materials proposed are red facing bricks and black interlocking tiles with recessed UPVC windows and bespoke porches; the area is characterised by red brick and brown ridge tiles therefore a condition requesting material samples should be attached.

Solar panels and meter boxes are referred to on the submitted drawings however are not indicated on the submitted plans; a condition requesting details of any external details not indicated on the submitted drawing should also be attached.

There would be limited views of the proposal from Welland Road and Furze Ride; however the proposal would be visible from the footpath to the North. It is considered the scheme would be of an appropriate form, scale and layout consistent with the prevailing context of the area, and is not considered to detract from the character or appearance of the street scene. The proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), PPS1 (2005) and PPS3 (2010).

c) Impact to neighbouring Amenity

The distance between the nearest proposed dwelling and properties on Furze Ride is 18m. A distance of 21 metres is a generally accepted distance in planning between directly facing primary windows. Given that the proposed scheme is set at an angle to Furze Ride the principle windows would not be directly facing, therefore a distance of 18 metres at the proposed angle is accepted. A letter of objection raises issue with overlooking into bathroom windows; as these are not primary windows and given the distances aforementioned the relationship between the proposal and existing properties is accepted.

Letters of objection have raised issue with the proximity of the side elevation of Plot 1 to neighbouring properties in terms of visual amenity and impact of outlook. The distance between Plot 1 and No's 285 and 287 Welland Road would be 14 metres. Whilst it is recognised there will be a loss of view from these properties, a distance of 14 metres is a distance which is widely accepted in planning between primary windows and side elevations with no facing, primary windows. As the first floor side facing window to plot 1 is shown as 'to be obscured', serving a landing, a condition shall be attached ensuring the level of obscurity. It is considered the proposal would not result in a loss of outlook which would demonstrably harm the living conditions of existing occupiers and is accepted.

As the area is already used for the parking of vehicles, noises associated with vehicle movements, such as the starting of engines, doors opening and closing and road noise from traffic movements are not considered to materially harm neighbour amenity. It is considered the proposal would in fact reduce any noise associated from traffic movements by reducing the number of parking spaces from 17 garages to 6 car parking spaces. It should also be noted that the proposal is for a residential development in a residential area to the proposal is a compatible land use.

The proposal is not considered to result in a demonstrable loss of light, privacy or outlook to neighbour occupiers and is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

d) Amenity of future occupiers

Each dwelling will have a dedicated rear amenity space and garden shed, and the dwellings have been designed to accord to Lifetime Homes Standards and Code for Sustainable Homes Level 3, for example this includes the adaptability to install a lift at a later date and minimum room sizes.

Plot 1 will have a garden depth of only 6m at the narrowest point to 9m at its widest. However the garden is 11m wide and is west facing. The Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson) highlights that the trees which surround the site, even at a fully matured height, would not result in a level of overshadowing which would demonstrably harm the living conditions of future occupiers. Further, as the proposed properties are located within a short walking distance to a playing field with a dedicated play area, located due East, the awkward shaped garden to Plot 1 is not considered to adversely impact the amenity of future occupiers.

The proposal is considered to accord with Policy CS8 of the Peterborough Core Strategy DPD (2011) and Policy H16 of the Peterborough Local Plan (First Replacement) (2005).

e) Highway Safety

Highways have responded with no objections subject to the provision of conditions. The scheme provides 2 off street parking spaces per dwelling with a depth of 6 metres between the edge of parking space and rear wall to No's 289, 291, 293 and 295 Welland Road which would allow safe and sufficient manoeuvrability to allow vehicles to enter and leave the site in a forward gear.

A letter of objection has raised issue with movements of refuse collection and delivery lorries. Any delivery lorries could reasonably reverse into the site given the width of the junction between No. 287 and 289 and it is not a highway requirement to provide turning areas for commercial vehicles in small private drive developments. In the event that Furze Ride turnaround is blocked, the refuse vehicles could turn in the access in the same way it currently does.

A Parking Survey was undertaken Tuesday 27th, Wednesday 28th and Thursday 29th September 2011 at 18:00hrs, 18:30hrs and 14:00hrs respectively. This survey was to establish the intensity of use of the parking court; from the information submitted only 6 garages are rented from Numbers 2, 3, 4, 5, 6 and 7 Furze Ride, 11 others are vacant. It can be argued that the site is underused and appropriate parking could be accommodated on plot to the front of properties on Furze Ride; as some of these properties are owned by Cross Keys Homes, Cross Keys Homes will be responsible for providing alternative parking. There is opportunity for on street parking for existing users without causing a highway safety hazard; Highways have not objected.

A letter of comments from No. 293 Welland Road advises they use a garage. Cross Keys Homes confirmed this is correct and have commented stating 'anyone renting these garages will be notified by means of a notice to Quit, allowing them 7 days to bring the keys back, this is stated in the each garage tenancy'.

The proposed scheme would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies T8, T9 and T10 of the Peterborough Local Plan (First Replacement) (2005).

f) Crime

The Police Architectural Liaison Officer (PALO) has responded with comments, raising concern with the site boundary to Plot 3 advising the step between the 1.2m high railings to 1.8m high close board fence should be angled at 45 degrees to avoid the lower railings being used as a foot hold to jump over the higher fence. Drawing CK-538-PO1 Rev B has been submitted to illustrate this.

The PALO advised the Applicant to close the informal access between the garage court and East-West footpath. This has been incorporated into the scheme and a 1.8m metal railing fence is proposed along the Northern Boundary. By replacing the existing brick wall with railings this will reduce a feeling of enclosure for users on the footpath; the railings provide a sense of depth and openness, and will also increase surveillance of the footpath. Also, by replacing the existing wall with railings reduces potential for graffiti.

A lighting column has been shown as to be incorporated into the scheme. It is considered lighting is required given its secluded location and distance from Welland road; however details shall be conditioned to be agreed with the PALO and Environmental Health Officer to ensure it does not become a nuisance to neighbouring properties.

The scheme is considered to address vulnerability to crime; it will provide improved natural surveillance to public areas and entry points to private property and proposes appropriate landscape design, such as planting in front of ground floor, front windows. The scheme is in accordance with Policy DA11 of the Peterborough Local Plan (First Replacement) (2005).

g) **Trees**

The Landscape Officer has raised no objections based on the submitted Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson)

The Arboricultural Survey identifies that an Oak adjacent to the East-West footpath is the only tree with a good condition; all other trees surrounding the site (Eucalyptus, Ash, Sycamore, Apple & Goat Willow) are either of a reasonable or poor condition due to overzealous maintenance or inappropriate location. The access would be within the Root Protection area (RPA) of an Ash and Sycamore, which are located within the rear gardens of No. 289 and 291, however this is an existing relationship. Plot 3 is located outside the RPA of the Oak (identified as a good specimen) but the new access to No. 8 and railings would be located within less than 1 metre of the trunk of the Oak. The proposed railings are to be erected in the exact same position as the existing garages and their foundations, therefore the development would not demonstrably harm the tree.

A scheme for the protection of trees and mitigation/removal where appropriate forms part of the Arboricultural Survey, therefore as agreed and advised by the Landscape Officer a condition should be attached reflecting the advice in the method statement form part of the pre-commencement works on site.

Letters of objection have raised issue of the foundations with respect to trees, or trees which attach to existing boundary walls; as these trees have not been identified as worthy of protection by a tree preservation order any issues relating to trees would be a civil matter between the Owner and undertaker.

The scheme is considered to accord with Policy LNE9 of the Peterborough Local Plan (First Replacement) (2005).

h) **S106**

The S106 contribution required by the Planning Obligations and Implementations Scheme (POIS) has been agreed by the Applicants. Subject to the granting of Planning Permission a S106 contribution of £3,000 will be sought and a 2% Monitoring Fee of £60 also applies.

A section 106 obligation has been submitted to the Council.

i) **Other Issues**

Crime Figures – Comments received queried why the crime figures did not accompany the submitted application. To confirm the Police Architectural Liaison Officer (PALO) reviews National and Local crime figures which are publicly available as part of the initial research into any such application. The figures do not form the basis of comments received, however provide a recent history of crime in the area.

Joining Existing infrastructure – It is unlikely that the development will cause any significant disruption to utility supplies during construction.

Flood Risk – Reviewing the Environment Agency website the Application site does not fall within a Flood Risk Zone; any drainage system and surface run off will need to accord with percolation tests covered by building regulations at the Building Control process.

Construction Noise and Traffic – As the site is within a residential area a standard condition should be attached outlining hours of construction. Any health and safety aspects would be the responsibility of the undertaker/site foreman.

Boundary Fences – This is a civil matter between the owner and any third party. A note to applicant shall be attached reflecting this.

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 the development on the site is considered acceptable in accordance with Planning Policy Statement 3 and Policy H7 of the Adopted Peterborough Local Plan (First Replacement).
- The development would provide 3 affordable dwellings which will contribute towards the provision and range of housing available to meet housing needs in accordance with Policy CS8 of the Adopted Peterborough Core Strategy DPD.
- The proposed layout would afford the future occupiers with an appropriate level of residential amenity in accordance with Policy H16 of the Adopted Peterborough Local Plan (First Replacement) (2005).
- The development by reason of its design, layout, scale and height would not result in a sufficiently detrimental impact on the residential character of the area or the amenities of the occupiers of existing neighbouring dwellings.
- Sufficient access, parking and turning provision will be provided within the development in accordance with Policy CS14 of the Adopted Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) (2005).

9 RECOMMENDATION

The Head of Planning, Engineering and Transport 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 (as amended) for a financial contribution to meet the neighbourhood infrastructure needs of the area, the Head of Planning, Transport and Engineering Services be authorised to grant planning permission subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 Notwithstanding the submitted information, prior to the commencement of the development of the buildings hereby approved above foundation level, the following shall be submitted to and approved in writing by the Local Planning Authority:

- 1) Samples of the materials to be used in the construction of the external surfaces of the building (including the finish, colours, specification for windows, canopies, rain water goods etc).**
- 2) Details of the design, location and type of solar panels, air source heat pumps and garden sheds (as indicated on the submitted plans).**

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall thereafter be carried out in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C3** The hard landscaping as shown on drawing number CK-0545-P01 Rev B shall be implemented in accordance with the approved details prior to the first occupation of the dwellings.

Reason: To ensure a satisfactory finish to the development in the interests of visual amenity in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C4** Notwithstanding the submitted information, and within one month of the commencement of development, a scheme of soft landscaping for the site (excluding rear gardens) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the timetable contained within the approved implementation programme.

The scheme shall include the following details:

- Planting plans including retained trees, species, numbers, size and density of planting;
- An implementation programme;
- A landscape management plan including the long term design objectives, management responsibilities and maintenance schedules.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) (2005) and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C5** 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, become diseased or unfit for purpose [in the opinion of the LPA] within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced unless otherwise agreed in writing by the Local Planning Authority. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) (2005) and policy CS21 of the adopted Peterborough Core Strategy DPD.

- C6** Notwithstanding the submitted information, and within one month from the commencement of the development all external lighting details including the design of the lighting columns, their locations and LUX levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out on site in accordance with the approved details prior to the first occupation of the part of the site to which they relate.

Reason: In the interests of residential amenity, highway and community safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

- C7** Notwithstanding the submitted information the development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives

for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved details.

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

- C8** Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with PPS23.

- C9** On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards in accordance with PPS23.

- C10** If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with PPS23 Planning and Pollution Control.

- C11** Prior to the occupation of any dwelling the parking and turning area serving that dwelling, as shown on the approved plan (Site Layout Proposals CK-538-P01 B) shall be laid out and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the residential use of the dwellings.

Reason: In the interest of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD

- C12** Prior to the occupation of the dwellings hereby approved the access road/driveway to the development shall be constructed in accordance with the approved plan ref: CK-538-P01 B and subsequently be retained as such in perpetuity.

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

- C13** Prior to the commencement of the development hereby approved a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details unless otherwise approved in writing with the Local Planning Authority:

1. Wheel washing facilities capable of cleaning the wheels, body and underside of vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
2. A scheme of working hours for construction and delivery;
3. A noise management plan including a scheme for the monitoring of construction noise;
4. A scheme for the control of dust arising from building and site works;
5. Details of the proposed boundary treatments to be erected to the northern, southern and western site boundaries following the demolition of the garage blocks. These boundaries shall be flanked with a treatment that provides appropriate security and privacy to neighbouring occupiers for the duration of the construction period and prior to the erection of the permanent boundary treatments approved under condition 3 of this planning permission.

The measures agreed and contained within the CMP shall be implemented throughout the construction period.

Reason: In the interests of the amenity of the area and highway safety in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD.

- C14** The three dwellings hereby approved shall be Affordable Units in accordance with the definition set out in Annex B of PPS 3.

Reason: In order to secure satisfactory development and in accordance with policy CS8 of the Adopted Peterborough Core Strategy DPD and because if the dwellings were open market units, the viability of the scheme would be such that it could possibly be able to afford a greater S106 contribution in accordance with Policy CS13 of the adopted Peterborough Core Strategy DPD.

- C15** On completion of the dwellings hereby approved but prior to its first use, a final statement, based upon the details in the Design and Access statement submitted in support of this application, confirming how the dwellings achieves an overall energy efficiency of 10% above the Building Regulation Standards against which it has been assessed, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to demonstrate an energy saving in accordance with the requirements of Policy CS10 of the adopted Peterborough Core Strategy DPD.

- C16** 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), planning permission will be required for extensions, outbuildings and dormer windows.

Reason: In order to protect the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C 17** Prior to commencement of development details of a small wheel wash system (i.e. portable pressure washer) to clean the wheels and chassis of construction vehicles

entering and existing the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with those details.

Reason: In the interests of Highway Safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

C 18 The vehicular access to Welland Road hereby approved shall be un gated.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

C 19 Notwithstanding approved plan CK-538-PO1 Rev B hereby approved the first floor side (South) window serving landing to Plot 1 shall be glazed with obscure glass (of not less than level 5 obscurity), and shall be top opening only. A revised plan illustrating the top opening window shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the obscure glazing and windows shall be implemented in accordance with these details and retained in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011)

C 20 Tree protection methods and proposed landscaping works shall be implemented and undertaken in accordance with the submitted Arboricultural Survey (Ref: 1962.AIA. Furze TDP (4th November 2011) - Andrew Belson).

Reason: To be in accordance with Policy LNE9 of the Peterborough Local Plan (First Replacement) (2005).

Notes to applicant 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.
- 2 This permission should be read in conjunction with the Planning Obligation under Section 106 of the Town and Country Planning Act 1990 in the form of a unilateral undertaking by Cross Keys Homes Ltd in favour of the City Council of Peterborough dated (TBC) 2012.
- 3 The Council's Environmental & Public Protection Service has powers to control noise and disturbance during building works. Normal and reasonable working hours for building sites are considered to be from 8.00 a.m. to 6.00 p.m. Monday to Friday, from 8.00 a.m. to 1.00 p.m. on Saturday and not at all on Sunday. If any activities take place on the site beyond these times, which give rise to noise audible outside the site, the Council is likely to take action requiring these activities to cease. For further information contact the Environmental and Public Protection Services Division on 01733 453571 or email eppsadmin@peterborough.gov.uk.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 6 If your proposal requires an address, it is imperative that you contact the Highway Infrastructure Group who are the Naming and Numbering Authority for the Peterborough Area. This includes 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.

Please contact the Technical Support Team Manager, Highway Infrastructure Group on 01733 453461 for details of the procedure or email highwayssection@peterborough.gov.uk.

If the S106 has not been completed within 2 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

R1 A request has been made by the Local Planning Authority to secure a contribution towards infrastructure implications of the proposal however, no S106 Obligation has been completed and the proposal is therefore considered to be contrary to Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) which state:

Policy CS12

New development should be supported by, and have good access to, infrastructure.

Planning permission will only be granted if it can be demonstrated that there is or will be sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development and mitigate the impact of that development on existing community interests within environmental limits. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle.

Policy CS13

Where a planning obligation is required in order to meet the principles of policy CS12 'Infrastructure' then this may be negotiated on a site-by-site basis. However, to speed up and add certainty to the process, the City Council will encourage developers to enter into a planning obligation for contributions based on the payment of a standard charge.

Copy to Councillors A J Miners, C M Saltmarsh, C D Ash