

11/01752/FUL: DEMOLITION OF FOUR BLOCKS OF GARAGES AND CONSTRUCTION OF FOUR AFFORDABLE DWELLINGS FOR RENT INCLUDING ASSOCIATED EXTERNAL WORKS, PARKING AND ACCESS IMPROVEMENTS AT GARAGES TO THE REAR OF 90 HALLFIELDS LANE, GUNTHORPE.

VALID: 22 NOVEMBER 2011

APPLICANT: CROSS KEYS HOMES

AGENT: THE DESIGN PARTNERSHIP (ELY) Ltd.

REFERRED BY: COUCILLOR SIMONS AND COUNCILLOR DAY

REASON: IMPACT OF THE DEVELOPMENT ON NEIGHBOUR AMENITY, INCREASED CONGESTION AND INADEQUATE ACCESS TO ACCOMMODATE FIRE AND RESCUE SERVICES

DEPARTURE: NO

CASE OFFICER: MISS AMANDA McSHERRY

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Principle of the development
- Design and impact of the development on the character of the area
- Residential amenity
- Impact of the development on neighbour amenity
- Highway implications
- Other issues

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.

Development Plan Policies

Peterborough Core Strategy DPD (2011)

CS2- Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 25 000 dwellings from April 2009 to March 2026 in strategic areas/allocations.

CS8- Meeting Housing Needs

Promotes a mix of houses types including the provision of 30% affordable dwellings of which 70% should be social rented and 30% intermediate housing.

CS10 Environment Capital: Development proposals should make a clear contribution to Peterborough's aspirations to become Environment Capital.

CS12 Infrastructure

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development.

CS13 Development Contributions to Infrastructure Provision

Contributions should be secured in accordance with its Planning Obligations Implementation Scheme SPD (POIS).

CS14 Transport: New development should reduce the need to travel and support sustainable transport modes.

CS16 Urban Design and the Public Realm: New development should respond appropriately to the character of the site and its surroundings.

CS21 Biodiversity and Geological Conservation: Development should seek to conserve, enhance and promote the biodiversity and geological interest of the area.

CS22 Flood Risk: Development should employ sustainable drainage systems (SUDS) to manage surface water run-off where technically feasible and appropriate.

Peterborough Local Plan (First Replacement) (2005)

H7 Housing Development on Unallocated Sites

Residential development on unallocated site will be permitted provided the specified criteria can be met.

H16 Residential Design and Amenity

Permission will only be granted for residential development (including change of use) where adequate amenity for the residential is provided for.

DA6 Tandem, Backland and Piecemeal Development

Permission only if development of an appropriate scale/density, is accessible, would not harm the character of the area, neighbour amenity, would not prejudice wider development.

T9 Cycle Parking Requirements: Development should accord with Local Plan standards.

T10 Car and Motorcycle Parking Requirements: Development should accord with Local Plan standards.

T11 Motorists with Mobility Difficulties: Development should make appropriate provision for motorists with mobility difficulties.

LNE9 Landscaping Implications of Development Proposals: Adequate provision should be made for the retention and protection of trees/other natural features and make provision for new landscaping.

Peterborough Planning Obligations Implementation Scheme SPD (2010)

National Planning Policy

National Planning Policy Framework (NPPF) Consultation Draft (2011)

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development (2005)

Planning Policy Statement 3 (PPS3) Housing (2010)

3 DESCRIPTION OF PROPOSAL

Permission is sought to demolish the existing four blocks of 22 garages located on the site and construct four two storey dwellings. It is proposed that the dwellings are constructed as one pair of two bedroom semi detached dwellings and one pair of three bedroom semi detached dwellings. The dwellings are offered for affordable rent by Cross key Homes.

It is proposed that the dwellings are constructed of brick and tile with a gable roof occupying a footprint of approximately 10.5 m (w) x 8m (l) and rising to a height of approximately 7.9m. Two tandem style on

plot parking spaces are proposed to serve each dwelling. Each dwelling will be provided with an enclosed area of rear amenity space. A bin collection point to serve all four dwellings will be provided adjacent to the north side of the access road.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is presently occupied by four blocks of 22 garages. The site is hard surfaced and level. Existing vehicular access is off Hallfields Lane.

The character to the north, south and west of the site is residential comprising two storey semi detached development of a uniform pattern and scale. Gunthorpe Primary School and associated playing fields are located to the north east of the site.

There is an existing tree located to the south east corner of the site.

5 PLANNING HISTORY

No planning history.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objection to the principle of the development. The site is currently occupied by 22 garages and it is recognised that the proposal for 4 dwellings would not result in the intensification of the use of the site, hence the existing access arrangement is accepted.

It is noted that Enterprise Peterborough has confirmed that on refuse collection days they will enter the site to collect refuse. Due to the lack of on site turning provision the refuse truck will not be able to turn and leave the site in forward gear which will result in the truck reversing back onto the public highway, to the detriment on highway safety. The Local Highway Authority therefore considers that the development is contrary to Policy CS14 of the Adopted Peterborough Core Strategy DPD.

Landscape Officer – No objection. There are no trees on the site or adjacent to the site worthy of Tree Preservation Order.

Archaeology - No objection. The development is unlikely to impact on any archaeological remains of importance.

Pollution Control Team – No objection. Given the previous use of the site recommend conditions requiring further contamination investigation and a proposed remediation scheme (if required).

EXTERNAL

Senior Architectural Liaison Officer – No objection. Crime on this site has been low compared to other similar garage sites however it is recognised that the potential for crime on the site is reasonably high. The proposals address the site's vulnerability to crime.

Waste management – No objection. Provided that the access is a minimum of 3.1 m wide, an indemnity agreement is signed by the applicant and no trees or shrubs are allowed to overhang the access Enterprise will collect waste directly from the site.

Cambridgeshire Fire and Rescue –No objection. Provided that the access is a minimum of 3.1m wide and kept free from obstruction a fire appliance can access the site.

NEIGHBOURS

Letters of objection have been received from 3 local residents raising the following issues:

- Loss of privacy/overlooking of gardens and into bedroom windows.

- Creation of a cramped development located too close to existing dwellings.
- Reduction of light into existing properties.
- Consider that the site would be more suitable for a development of bungalows.
- Increased noise and disturbance from the new residents and during the construction of the development.
- Impact of the development on the security of existing neighbouring dwellings both during and post construction.
- Loss of outlook.
- Poor design of development.

COUNCILLORS

Cllr Simons has objected to the development on the following grounds:

- Impact on the amenities of neighbouring dwellings in terms of overlooking and loss of privacy.
- The impact of extra vehicles to the area would result in increased congestion which is already of concern.
- The extra buildings and vehicles would present Cambridgeshire Fire and Rescue Service with problems as the existing access is inadequate.

Cllr Sue Day has advised that she supports the above concerns.

MEMBERS OF PARLIAMENT

Stewart Jackson MP has objected to the development on the following grounds:

- The development would result in an over intensive use of the site.
- Impact on the amenities of the occupiers of neighbouring dwellings in terms of overlooking and loss of privacy.
- Difficult access/egress into the site, particularly given its location on the bend of a busy residential street.
- The access is inadequate to cater for fire appliances.

7 REASONING

a) Principle of the development

The application site constitutes unallocated brownfield land located within the Urban Area. The proposal is for 4 affordable dwellings (affordable rent) which is in accordance with Policy CS8 of the Adopted Peterborough Core Strategy and will contribute towards the range of properties available to meet housing needs. The development would also bring the site back into productive use and less vulnerable to anti social behaviour and crime.

It is therefore considered that in principle residential development could be supported on the site in accordance with PPS3 and Policy H7 of the Adopted Peterborough Local Plan (First Replacement) 2005 subject to the applicant demonstrating that a suitable design, layout, access and parking provision can be achieved.

b) Design, layout and impact of the development on the character of the area

The application site is located within a residential area, primarily characterised by two storey semi detached properties of a similar design, scale and appearance. It is considered that the design of the proposed dwellings in terms of appearance, scale and height is consistent with the character of the built form within the site vicinity. The development can be accommodated within the site, allowing for sufficient circulation space and separation between the proposed dwellings and existing neighbouring development.

The application site is set approximately 32 metres back from Hallfields Lane. Taking account of the proposed location of the dwellings and the length and width of the access into the site the dwellings would not be visible when viewed from Hallfields Lane. It is not therefore considered that the

development would be out of keeping with the existing built form within the site vicinity or result in a significantly detrimental impact on the character of the area.

It is recommended that a condition requiring the submission of samples for agreement with the Local Planning Authority is imposed on the decision to ensure that a suitable finish to the development is secured.

It is therefore considered that the development is in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD and Policy DA6 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The Police Architectural Liaison Officer has not objected to the development. The proposed internal layout of the properties and the positioning of the dwellings in relation to each other provides a degree of natural surveillance to the proposed car parking areas. The proposed boundary treatments are considered appropriate. It is recommended that a condition is imposed on the decision requiring the submission of a lighting scheme for agreement with the Local Planning Authority. It is therefore considered that the layout proposed has made adequate consideration towards vulnerability to crime and is in therefore in accordance with Policy CS16 of the Adopted Peterborough Core Strategy DPD.

The applicant has advised that the dwellings will be constructed to meet the Code for Sustainable Homes Level 3. Solar panels and air source heat pumps have been indicated for provision on the submitted plans, the details of which are recommended for agreement via condition. It is also recommended that a condition is imposed on the decision that requires the applicant to demonstrate post construction how the dwellings achieve an overall energy efficiency of 10% above the Building Regulations against which it is being assessed. It is therefore considered that the application has demonstrated due regard to the requirements of Policy CS10 of the Adopted Peterborough Core Strategy.

c) Residential amenity

The proposed dwellings will be provided with rear gardens ranging in depth from approximately 10.8m to 14.5m. Although Plot 4's garden is irregular in shape it is considered that each dwelling will be provided with a sufficient and usable area of rear amenity space.

Sufficient circulation space across the site and separation space between the two pairs of proposed dwellings, and between the existing neighbouring dwellings, has been provided.

It is therefore considered that the layout would provide the future occupiers with an acceptable level of residential amenity in accordance with Policy H16 of the Adopted Peterborough Local Plan (First Replacement) 2005.

d) Impact of the development on neighbour amenity

It is noted that the occupiers of 3 neighbouring dwellings have objected to the development. One of the principle concerns raised is that the dwellings will result in the loss of privacy/overlooking of existing dwellings. Although not adopted Policy the Local Planning Authority usually seeks a direct back to back separation distance of approximately 21m between new development and existing properties.

Approximately 22m separation distance will be provided between the back of plot 1 and the first floor windows contained within the rear elevation of number 6 Cleveland Court and approximately 22.6m between the back of plot 2 and the first floor windows contained within the rear elevation of number 8 Cleveland Court. Given this level of separation it is not considered that the proposed dwellings would result in an unacceptable loss of privacy or overlooking into these windows. It is noted that number 6 Cleveland Court has been extended at ground floor level so the separation distance here has been reduced. However, given that this is single storey development the position of the roof will obscure direct views into any rear windows when viewed from the proposed dwellings and will be further screened by the proposed 2.1m high boundary treatment.

The separation distances between the side of the proposed dwellings and neighbouring dwellings to the west ranges from approximately 16m (between plots 3 and 4 and 88 and 90 Hallfields Lane) to 18.2m (between plots 1 and 2 and numbers 92 and 94 Hallfields Lane). Plots 3 and 4 do not have any first floor

side windows hence will not give rise to any overlooking or loss of privacy. Plot 1 has a first floor landing window. However given that this is not a habitable room the proposed separation distances are acceptable.

The separation distance to the rear of plots 3 and 4 exceeds 28m hence the proposed dwellings will not cause any loss of privacy/overlooking to the existing dwellings to the rear.

The proposed dwellings are well set back from the common boundaries with the existing neighbouring developments and taking account of separation distances will not result in an unacceptable impact on neighbour amenity in terms of overbearing/overshadow or loss of outlook.

It is therefore considered that the development would not result in a significantly detrimental impact on the amenity of the occupiers of existing neighbouring properties. The proposal is therefore in accordance with Policy CS16 of the Adopted Peterborough Local Plan (First Replacement) 2005.

e) Highway Implications

The Local Highways Authority (LHA) has not objected to the development on the grounds of the access, parking or turning provision proposed. The site is presently occupied by 22 garages and it is recognised that the trips data generated by the authorised use is greater than that, that will be generated by the proposed 4 dwellings. The existing access ranges from approximately 3m at the junction with Hallfields Lane to 3.4m at the head of the development site. It is proposed that the access at the head of the junction is widened so that a minimum of 3.1m is provided to ensure that access can be gained by refuse vehicles and fire appliances (see section f below). Therefore whilst the existing access is narrower than would usually be required to serve a new development of this nature the LHA is unable to require this standard given that the development will use the existing access which has been constructed to cater for higher traffic movements.

Two parking spaces and turning areas have been provided to serve each dwelling. It is recognised that the Adopted Peterborough Local Plan Parking Standards only require the provision of one car parking space to serve two bedroom dwellings, however, given the context of the site it is considered that the provision of an extra space to plots 3 and 4 is acceptable as it will prevent the future occupiers from parking on the street.

The applicant has submitted a car parking survey with the application that demonstrates that the site is not presently being used for car parking. Of the 22 garages only 2 are currently rented and it is unclear whether this is for use as a car parking space or general storage. It appears that many of the properties that neighbour the site have either converted their front garden to an on plot parking space or are parking on street. As the garages are not presently being used for car parking it is not considered that the loss of the garages would result in a proliferation of cars being displaced to parking on street in unsafe locations. It is noted that the LHA has not reported problems with on street parking in this location (other than at school drop off/pick up times) or objected to the development on the loss of the existing car parking provision.

The development will not therefore result in any adverse impact on the adjacent highway network and is in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD and Policy T10 of the Adopted Peterborough Local Plan (First Replacement) 2005.

The LHA has objected to the proposal as no on site turning area has been provided for refuse vehicles to turn when collecting waste from the development. However, Enterprise Peterborough (the City Council's waste contractor) has indicated that it would reverse up the access from the highway provided that the access is of a minimum width of 3.1 m. The LHA consider that this manoeuvre is dangerous. The Council's Adopted Waste Policy indicates that bin collection points can be located within the site by a distance of up to 25m from the highway (this being the maximum drag distance allowed). If a bin collection point was provided at 25m distance from the dwellings it would result in the provision of a collection point within the access road. This would not be acceptable as it would reduce the width of the access and result in an obstruction (albeit temporary) in the event that access was required by a fire appliance for example. In addition the waste collection crew have indicated that the store would be set further back within the site then they would be willing to collect on foot, given the number of bins for collection (8 on dual collection days). The only alternative remaining, that would avoid the need for

access into the site by the refuse truck, would be for residents to present their bins direct to the highway on collection days. However, this would result in residents having to pull their bins much further than 25m for collection which is contrary to the Council's Adopted Waste Policy and the Building Regulation requirements. The LHA has also indicated that they would object to the additional bins being placed in the footway on collection days as this would obstruct the footway and in their view result in pedestrians being forced into the highway, to the detriment of highway safety.

There is a clear need for compromise. It is considered that the best solution for the future residents and the waste collection team is if waste is collected directly from the site thereby avoiding any requirement for either the future residents or the collection team to drag the bins further than necessary on collection days. This will also prevent the proliferation of bins being left in unsuitable locations or any subsequent waste management issues. This will however require the refuse vehicle to reverse off the highway in to the access.

f) Other Issues

Waste Collection

A bin collection point has been provided within the application site. Enterprise has confirmed that as the access road will be a minimum of 3.1m wide at the narrowest point they will collect refuse from the site. This is on the basis that the applicant, Cross Key Homes, have agreed to sign a vehicle disclaimer, indemnifying Enterprise from any damage caused as a result of accessing the site to collect refuse. The properties to either side of the access are within Cross Keys Homes ownership and they have also confirmed that they will ensure that no trees or shrubs overhang the access.

Access for Fire Appliances

It is noted that concerns have been raised about the narrow access into the site and whether a fire appliance could access the development if required. Cambridgeshire Fire and Rescue has confirmed that they do not object to the development. Provided that the access is a minimum of 3.1 m wide and with no obstruction they will be able to access the site in an emergency.

S106 Obligation

In accordance with the Planning Obligations Implementation Scheme a S106 Contribution of £4,000 plus monitoring fee towards the neighbourhood infrastructure associated with the development has been agreed with the applicant. The amount has been reduced in light of the economic viability information submitted by the applicant. The applicant has indicated a willingness to complete a Unilateral Undertaking for the sum sought and a draft has been prepared in conjunction with this planning application.

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.

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) 2005.
- The development will provide 4 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 will 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 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 neighbourhood infrastructure needs of the area, the Head of Planning 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 and air source heat pumps (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-545-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-545-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.

- C 14 The "approach" to the principal entrance to the buildings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C15 The four 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.

- C16 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.

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 D C Day, G Simons, S Day