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| Application Ref: | 12/01556/FUL |
| Proposal: | Demolition of existing buildings and construction of 90 new dwellings (comprising 62 x 2 bed, 26 x 3 bed, 2 x 4 bed) including new access, car parking and public open space |
| Site: | Rathbones Of Peterborough, Midland Road, West Town, Peterborough |
| Applicant: | Westleigh Developments Limited, L&H Homes & Ashwell |
| Agent: | Mr Robert Woolston rg+p |
| Referred by: | Head of Planning, Transport and Engineering Service |
| Reason for Referral: | Application of wider interest as part of the Station Quarter redevelopment area |
| Site visit: | 31.10.2012 |
| Case officer: | Miss V Hurrell |
| Telephone No. | 01733 453480 |
| E-Mail: | victoria.hurrell@peterborough.gov.uk |
| Recommendation: | Grant subject to conditions and the completion of a S106 Agreement |

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

The Site and Surroundings

The application site is approximately 1.72 ha in size and comprises a number of former industrial buildings which are mainly brick built, including a former dairy, bakery and depot. These are now vacant and in a poor state of repair. It appears that part of the bakery building has been demolished. Hoarding has been erected along the front of the site with Midland Road largely covering the original 1.80 meter high brick wall. There is an existing sub station in the north west corner adjacent to Midland Road.

The site is located about half way along Midland Road on the eastern side. This side of the road is generally characterised by industrial and commercial uses although it is not a designated employment area. In contrast, the western side of the road is characterised by residential development and a couple of small local shops.

To the south west is the former Peterborough Hospital site which it is proposed to redevelop (policy CC13 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

A 1.80 metre high wall runs along the southern boundary of the site with the adjacent car park. The car park extends to the south east of the site, separating it from the East Coast Mainline Railway. This rear area is currently being used for the storage of machinery and equipment being used for works to the railway. The north east boundary directly adjoins railway land. This eastern (rear) boundary with the site is largely overgrown. To the north of the site is a depot containing more industrial buildings.

The application site is located within the Railway Station Opportunity Area (policy CC12 of the Adopted Peterborough Local Plan (First Replacement) (2005) refers).

The Proposal

This application seeks permission for the demolition of the existing industrial buildings and the

construction of 90 new dwellings comprising 62 two bed properties, 26 three bed properties and 2 four bed properties in a mix of houses and flats (the flats would be located adjacent to the railway line). 30% of the houses would be affordable.

The development would be served by a new access off Midland Road (the existing accesses to the site would be closed).

Also included with the development is a new area of public open space (1250 square metres) where it is intended to install play equipment.

2 Planning History

| Reference | Proposal | Decision | Date |
|------------------|-------------------|-----------------|-------------|
| 12/00014/SCREEN | Screening opinion | Comments | 09/10/2012 |

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 - Economic Growth

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

Section 4 - Assessment of Transport Implications

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

Section 6 - Presumption in Favour of Sustainable Development

Housing applications should be considered in this context. Policies for the supply of housing should not be considered up-to-date if a 5 year supply of sites cannot be demonstrated.

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Section 8 - Safe and Accessible Environments

Development should aim to promote mixed use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

Section 10 - Development and Flood Risk

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

Section 11 - Re-use of Previously Developed Land

Should be encouraged provided that it is not of high environmental value.

Section 11 - Biodiversity

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

Section 11- Noise

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

Section 11 - Contamination

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Peterborough Core Strategy DPD (2011)

CS08 - Meeting Housing Needs

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

CS10 - Environment Capital

Development should make a clear contribution towards the Council's aspiration to become Environment Capital of the UK.

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS19 - Open Space and Green Infrastructure

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

CS21 - Biodiversity and Geological Conservation

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

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)

PP01 - Presumption in Favour of Sustainable Development

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

PP02 - Design Quality

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

PP03 - Impacts of New Development

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

PP04 - Amenity Provision in New Residential Development

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

PP12 - The Transport Implications of Development

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

PP13 - Parking Standards

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

PP14 - Open Space Standards

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

PP16 - The Landscaping and Biodiversity Implications of Development

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

PP20 - Development on Land affected by Contamination

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

Peterborough Local Plan (First Replacement) (2005)

CC12 - Railway Station Opportunity Area

Permission will be granted for comprehensive redevelopment. Redevelopment must improve pedestrian and cycle accessibility

Community Infrastructure Levy (CIL) Regulations 2010

/ Planning Obligations

Requests for planning obligations whether CIL is in place or not can only be lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Anglian Water Services Ltd

No comments received

Network Rail - Eastern (23.11.12)

No objections in principle. Has made a number of detailed standard comments covering matters such as construction management, drainage, boundary treatment, landscaping and lighting.

Environment Agency

No objections subject to conditions in respect of foul and surface water drainage and contamination.

Police Architectural Liaison Officer (24.10.12)

No objections.

The Wildlife Trusts (Cambridgeshire)

No comments received

Natural England - Consultation Service (24.10.12)

No objections- refers to standing advice.

Drainage Team (05.11.12)

Recommends a condition in respect of surface water drainage. Have concerns over the level of discharge from the site as there is the potential for down stream flooding

Senior Recreation Officer (25.10.12)

No objections. Play equipment is suitable.

Landscape Officer (25.10.12)

No objections subject to conditions.

Archaeological Officer (06.11.12)

No objections subject to a condition requiring further archaeological assessment.

Building Control Surveyor (02.11.12)

No objections to revised plans in respect of lifetime homes and wheelchair housing.

Education Department

No comments received

Transport and Engineering Services (12.12.12)

No objections subject to securing a Travel Plan and conditions.

Travel Choice

No comments received

Waste Management

No objections

Strategic Housing (09.11.12)

No objections to the amount/mix of affordable housing.

Childcare Market Facilitation Manager (T Laws)

No comments received

Pollution Team (19.11.12)

No objections subject to conditions in respect of contamination and the implementation of noise protection measures in relation to the railway. The conclusions of the lighting report are accepted.

Comments in respect of the additional noise information supplied in respect of BP Oils will be tabled to members in the update report.

Wildlife Officer (06.11.12)

No objections subject to a condition regarding bat mitigation measures. The potential for Black Redstart to nest on the site should be drawn to the applicant's attention.

Councillor M J Dalton

No comments received

Councillor Y Maqbool

No comments received

Councillor N Arculus

No comments received

Local Residents/Interested Parties

Initial consultations: 538

Total number of responses: 7

Total number of objections: 7

Total number in support: 0

6 letters have been received from neighbours in respect of the proposals. These raise the following concerns/issues:-

- The proposal is for another high density development that will increase traffic and the surrounding population;
- Housing is aimed at the lower end of the market;
- Concerned about the creation of a new access into the site opposite property (where there is currently no access) as this will have a detrimental impact on neighbour amenity. Also some residents paid more for properties without an access opposite;
- If Midland Road is made slower and narrower it will become a bottle neck which will make it impossible to park outside houses as there will be traffic from a number of directions;
- Loss of existing on street parking bays opposite 47-53 Midland Road. This parking is essential between 6pm and 8am;
- The traffic survey does not accurately reflect the speed of traffic along Midland Road;
- Increase traffic along Midland Road;
- Safety measures are needed to protect residents of the area from traffic particularly children crossing to the new open space;
- Parking should be for residents only; traffic wardens need to visit the area more;
- The conclusions in the Traffic Assessment about preferred routes in and out of Midland Road are incorrect. Local residents use the Queensgate roundabout rather than Mayors Walk;
- There are a number of illegal movements into and out of Midland Road;
- Drainage. Proposal will utilise the existing sewer which backs up. Residents often have to get their drains unblocked after heavy rains;
- More housing will increase social problems in the area;
- Overall there has been a decrease in the quality of the housing stock within the area;
- Question the impact upon education provision/places;
- Has any consideration been given to the impact on residential amenity during the construction phase;
- The species indicated for the open space are not native to East Anglia. A local species should be used.
- The children's play area is well located within the site. However, there is no provision for elder children.
- The houses opposite are not just Victorian and Inter-War as stated. There are also a number of Edwardian houses.
- Hope the Council works hard to improve the area and housing stock to reduce the exodus to the surrounding villages.
- Welcome the removal of this derelict site but have some concerns with the proposal.

A letter of objection has also been received from HOW Planning on behalf of GB Oils Ltd the free holder of the parcel of land to the north of the application site. It objects to the development on the following grounds:-

- The proposal is in conflict the NPPF and Local Plan policies which seek to protect the amenity of future occupiers
- Consider that residential development in such close proximity to their site would have an adverse impact upon their amenity
- Current use is likely to a significant noise nuisance. The operational hours are unrestricted.
- If the development is permitted BG Oils is likely to receive a number if complaints from residents (plots 10-20 in particular)
- The application submissions does not appropriately examine and address the relationship of the proposed dwellings to GB Oils
- There are no restrictions on vehicle movements in terms of the amount of vehicles or times of day
- Adjacent properties are likely to be adversely affected by illumination from the site. No mitigation measures are proposed.
- The proposal will undermine the operation of the business. The NPPF places great emphasis on enabling businesses to grow and operate without restrictions to facilitate economic growth. Accordingly, planning permission should be refused.

5 Assessment of the planning issues

The main considerations are:-

- * The Principle of Development
- * Transport
- * Layout
- * Impact on Neighbour Amenities
- * Landscaping and Ecology
- * Flood Risk and Drainage
- * S106

1. The Principle of Development

The application site is located within the Railway Station Opportunity Area (policy CC12 of the adopted Peterborough Local Plan (First Replacement) (2005) refers). The opportunity area covers land on the eastern and western sides of the railway. On the western side the opportunity area stretches from Thorpe Road to Mayors Walk covering all the land adjacent to the railway on the eastern side of Midland Road. Policy CC12 seeks to secure the comprehensive redevelopment of this area. There is an emphasis upon railway operational requirements and other land uses including hotel, leisure and housing.

In 2008 a more detailed Development Brief was prepared. Although this is not a Supplementary Planning Document (SPD) and therefore not part of the Development Plan, it is adopted guidance. This sets out an overall vision for the opportunity area which it call the 'Station Quarter', promoting a new commercial and mixed use quarter, a high quality gateway, improved connections to the city centre and the creation of new public realm. It envisages new housing on the eastern side of Midland Road between 2-4 storeys in height.

A new City Centre Plan is currently being prepared. This will set out the strategic vision for the different areas of the city centre to 2026. Public consultation on the document is due to commence in early 2013.

The City Centre Plan includes the Railway Station area. Policy CC4 seeks to support high quality mixed use development, with the area to the west of the railway being developed primarily for residential use (it gives 200-300 as an indicative number of dwellings), community use, incorporating or enhancing the railway station sheds and the safeguarding of land for a new footbridge/cycleway over the railway line.

Since the original allocation of this opportunity area increasing emphasis has been placed upon residential development to the west of the railway line which this application would accord with.

Approval of this application would mean that the western part of the Railway Station opportunity area does not come forward as a comprehensive redevelopment. Although it is acknowledged that this is not ideal, part redevelopment of the western opportunity area is considered to be acceptable in this instance as the site is large enough to accommodate a planned housing layout and its delivery would not prevent or have an adverse impact upon the redevelopment of the surrounding area. Neither would the development affect the railway sheds or prejudice the delivery of a new cycleway link as referred to in the Railway Station policy guidance including the new City Centre Plan. Furthermore redevelopment of this site would help to kick start the regeneration of the western Railway Station opportunity area, particularly in these difficult economic circumstances, providing new housing in accordance with the objectives of the Core Strategy and it would remove a derelict site where there are now a number of problems with anti social behaviour.

A letter of objection has been received from HOW Planning on behalf of GB Oils the company located to the north of the application site. This makes a number of detailed comments which will be discussed in the sections below. It concludes by objecting to the principle of residential development on this site on the grounds that it would be contrary to the National Planning Policy

Framework (NPPF) which places emphasis upon enabling businesses to grow and operate without restrictions to facilitate economic growth.

It is acknowledged that the NPPF does place emphasis upon economic growth. However, as indicated under section 1 above this site is not within an allocated employment area. The western side of Midland Road is residential in character and as such unchecked industrial growth in this location would not be appropriate regardless of the redevelopment of the current application site. Furthermore both the application site and the GB Oils site are located within the Railway Station Opportunity Area where there is strong policy support for redevelopment, which will be further strengthened by the forthcoming City Centre Plan. The Council's objectives for this area have been adopted policy and in the public domain for a number of years. The development of this area is not a new proposal coming forward into the public domain for this first time. In light of the long term objective to regenerate this whole area and to transform its character, which in itself would bring another form of economic growth and be sustainable development the delivery of which is the key objective of the NPPF, it is considered that the principle of housing on the application site is acceptable at this time and not outweighed by emphasis within the NPPF on allowing existing businesses to grow without restriction. As set out above, the redevelopment of this site would also have a big benefit in that it would remove several derelict buildings which are the subject to anti social behaviour.

2. Transport

The Local Highway Authority (LHA) has not raised any objections of the development of this site for housing subject to conditions. Some concerns have been raised by local residents about additional traffic but the LHA is of the view that there is capacity within the local road network to accommodate the development. The development would also be supported by a Travel Plan which would be secured as part of the S106 Agreement. The comments from local residents about illegal traffic movements and the preferred routes in and out of Midland Road referred to in the Transport Assessment are noted by the LHA but do not change their advice.

As set out above, the whole of the area from Thorpe Road to Mayor's Walk on the western side of Midland Road forms part of the Railway Station Opportunity Area. The hospital site to the south west is also to be redeveloped. Given this, the character of this area is going to change substantially. The area will become predominately residential (the Hospital Brief indicates that there will be between 350-500 houses over three sites). As such it is appropriate to change the nature of Midland Road and slow vehicle speeds. The developer could not be asked to deliver a scheme for the length of Midland Road as part of this development so the application focuses on the section adjacent to the site. The application includes a number of on street parking bays, a pair of build outs at the southern end and a new build out at the northern end. These measures will help reduce vehicle speeds along this section of the road thereby improving highway safety and are supported by the LHA notwithstanding the comments from residents about difficulty in parking. The delivery of the scheme can be secured via a condition on any planning permission.

The LHA has advised that it does not consider a formal crossing point to be necessary in terms of highway safety. If a crossing were to be accommodated it would also result in the loss of a large number of on street parking bays (both the proposed and existing). The loss of so many on street parking bays is not considered appropriate in light of the advice from the LHA regarding the need for a formal crossing point.

Some concerns have been raised by local residential in respect of the loss of the existing parking bay on the western side of Midland Road which is large enough to accommodate some 5 cars. The application includes new parking bays (sufficient to accommodate some 10 cars) so overall there will be a net gain in provision albeit that the location of the bays will change. Given this, the proposal is considered to be acceptable. It will be for the LHA to put measures in place to control the use of the parking bays i.e. residents parking only controls.

The application results in a slight relocation of the existing bus stop on Midland Road. The LHA has raised no objection to this.

3. Layout and Amenity of New Residents

Affordable Housing and Life Time Homes

The application proposes 30% affordable housing, 20% life time homes and 2% wheel chair housing. The proposal therefore affords with policy CS8 of the adopted Core Strategy.

Some concerns have been raised by local residents regarding the proposed housing which they comment is aimed at the lower end of the market and the wider change in the quality of the housing stock. The redevelopment of site will help meet specific housing needs. It also has to be considered in the wider context of the redevelopment of the rest of the Railway Station Opportunity Area and the hospital site. Across the wider redevelopment it is expected that there will be a mix of housing types from large detached houses to smaller two beds. This site, given its location and the character of the adjacent housing, lends itself to a tighter urban form.

Open Space

The application proposes 1250 square metres of public open space and small play area. The recently adopted Planning Policies DPD introduces new open space standards. However, given that the application was prepared and submitted when the old Local Plan standards were in use (policy LT1 referred) it is considered appropriate in this instance to assess the proposal against this standard.

Under policy LT1 0.20ha of on site open space is required. Whilst the amount of open space proposed would fall below this, the proposed on site provision is considered acceptable. It will be a well located useable area which would be overlooked. The play equipment is also considered to be suitable for this type of open space. There is a lack of open space within the immediate vicinity of the site so in practice it would serve a wider area. It will, therefore, also have a community benefit. Furthermore, it would not be reasonable to seek to secure the full open space provision on site as this would prejudice the delivery of the development. Following assessment of the viability information it is not considered reasonable to ask for a financial off site contribution in lieu of the outstanding open space requirement. A condition requiring the delivery of the open space in accordance with an agreed timetable is recommended.

A comment has been made by a local resident that the amount of open space is not sufficient and that there is no provision for older children. This comment is noted but it is not the responsibility of this development to mitigate an existing shortfall within the area. Nor could the developer reasonably be asked to provide suitable equipment for all age ranges neither does planning policy require this. For the reasons set out above the provision proposed is considered acceptable. Notwithstanding this, new areas of open space will be sought (in accordance with policy) as and when the adjacent development area including the hospital site comes forward for redevelopment.

Amenity of Residents

It is acknowledged that this site is located close to the railway and at present would have other industrial/commercial uses in close proximity to it. It therefore has a distinct character /context.

The Noise Report submitted with the application assesses noise from the railway to the rear of the site. This concludes that the nearest properties, plots (54-81) would be in Noise Exposure Category B. It recommends a suite of measures including 1.80 metre high close boarded fencing along the boundary in order to ensure that these properties have a satisfactory level of amenity. The conclusions of this report are accepted by the Council's Environmental Health Section and the delivery of the recommended measures can be secured via a planning condition on any planning permission.

In light of the concerns which have been raised by BP Oils the applicant has submitted additional noise survey information. This reviews noise from the site during the day time period. Night time monitoring from within the application site has not been undertaken due to issues with site security (as indicated under above the site is subject to anti social behaviour). The assessment concludes that the BP Oils site would not have an unacceptable adverse impact upon the proposed

neighbouring dwellings although additional mitigation measures in the form of glazing and a 2.1 metre high acoustic fence are recommended to plots 10-20 to help mitigate any impacts. This updated information has been submitted to the Council's Environmental Health Section for its consideration. Further comments, including any additional conditions and any further representations from BP Oils will be tabled to members in the Update Report.

BP Oils has also raised concerns about the impact of their lighting. A Lighting Report has been submitted by the applicant in response. This concludes that the existing lighting is below the level whereby it is considered to be an issue. It recommends a new 2.1 metre high fence along the boundary between plots 13-20 which has been incorporated into the design. It is not considered that fencing of this height would be unduly overbearing on the residents. On the basis of the information provided, Environmental Health do not disagree with the conclusions in the report. If BP Oils proposed any new lighting then this would be subject to the usual planning controls.

Notwithstanding the above, whilst it is accepted that the adjacent industrial use is not an ideal neighbour it is not within allocated industrial area and the longer term of objective is the complete redevelopment of this area including the relocation of uses such as BP Oils to more suitable locations elsewhere within the city. As also set out under section 1 there are also a number of other benefits in bring the site forward for redevelopment at this stage. BP Oils has been advised that this assessment has been submitted. Any further representations will be tabled to members in the Update Report.

Plots 42-54 would be located adjacent to an existing car park. Whilst it is acknowledged that vehicle movements may have some impact, the relationship is considered to be acceptable in terms of amenity particularly given the benefits set out under section 1 above of bring this site forward for redevelopment at this time.

All the plots will have adequate usable garden areas with sufficient space for waste storage and collection.

Subject to further advice from the Council's Environmental Health Officers, in review of the site location and benefits which will come from its redevelopment at this time, the degree of amenity for the new residents is considered on balance to be acceptable.

Car & Cycle Parking

As indicated above since the application was submitted the Planning Policies DPD has been adopted. This now sets a minimum standard for car parking of one space per 1 bed properties and 2 spaces for two bed and bigger. It also introduces a requirement for on street parking provision (unallocated). This compares with the old maximum parking standards in the Local Plan (policy T10 referred) which required one space per 1 and 2 beds and two spaces for 3 and 4 beds or bigger) required by the old Local Plan. This Local Plan requirement was the adopted policy in place at the time when the application was prepared and submitted.

The application does not accord strictly with the new parking standards as some of the two bed house types only have one parking space, neither is there visitor parking within the development. However, the parking provision is considered to be acceptable given that the application has been submitted during a time of policy transition and because of its location close to the city centre where there are good public transport links. Given this context the Local Highway Authority has not raised any objections on parking grounds.

The flats will have secure cycle parking to the rear whilst the remaining gardens have scope to accommodate bicycles.

Community Safety

Having reviewed the proposal the Police Architectural Liaison Officer has raised no objections. It is, therefore, considered that sufficient provision will be made in respect of community safety.

Environment Capital

In order to comply with policy CS10 of the adopted Core Strategy a condition requiring that the development achieve an energy efficiency of 10% above the current Building Regulation Standard is recommended.

Elevations

Following some alterations the proposed layout elevations area considered to be acceptable.

It has been commented that the information submitted with the application is incorrect in that it does not refer to the existing Edwardian dwellings in the vicinity of the site. This is noted, however, the elevations proposed remain acceptable.

Summary

Having considered all the above factors the design and layout of the site is considered to be acceptable at this time of policy transition. Whilst it is acknowledged that it does not have ideal neighbours there are wider redevelopment proposals for the area and as such, on balance, it is considered that the level of amenity which can be afforded to future residents is sufficient, subject to no significant concerns being raised by Environmental Health.

4. Impact on Existing Neighbours

The relationship with the adjacent uses to the north and south has been considered under part 3 above. Issues in relation to car parking and traffic on Midland Road have been discussed under parts 2 and 3. These matters are not, therefore, considered further under this section.

The application would result in the creation of a standard street pattern with residential frontages facing towards each other. This relationship and the separation distance are considered acceptable given the location of the site within the urban area close to the city centre.

The scheme would result in the closure of the existing accesses into the site and the creation of a new vehicle access. Concerns have been raised by the residents who live opposite where the new vehicle access would be created that there would be an adverse impact upon their amenity. They have commented that an existing access should be utilised.

These concerns are noted. Given that the nature of the site and the surrounding area will change substantially and the need for a suitable layout it is not considered reasonable to insist on the reuse of the existing accesses. Their location should not dictate the layout. Furthermore, the relationship to be created i.e. a T- junction opposite existing housing is not unusual, particularly in the urban area. It is not, therefore, considered that the impact upon the amenity of the neighbouring residential would be such as to warrant either the refusal of the application or the redesign of the layout. Property values are not a planning consideration.

5. Landscape and Ecology

Landscaping

There is no existing landscaping within the site. There is some vegetation to the rear including one tree which is intended for retention. The application would also result in the removal of a couple of existing street trees. The Landscape Officer has not raised any objections to the application subject to a condition requiring a landscaping scheme and details of the construction method around the retained tree to the rear of the site.

Network Rail has commented that any landscaping once mature should not overland its land which adjoins the site. Given the nature of the site layout this is not considered to be an issue.

One of the representations received comments that the species proposed are not native. The landscaping is not yet finalised and the species remain to be agreed.

Ecology

Given the previous use of the site and the fact that it is largely covered with hard standing it is of little ecological value. However, the existing office building has potential for bat roosting. An Emergence Survey has been carried out which recommends that the tiles be removed by hand. This conclusion is accepted by the Council's Wildlife Officer who has also advised that if the tiles are removed by April 2013 then a further emergence survey will need to be carried out. This can be secured via a condition.

Bird and bat boxes are recommended to support the development. These can be secured by condition. Clearance works should also take place outside of the bird breeding season.

The submitted ecological report also identifies that the site could potentially be used by Black Redstarts, even if construction works have commenced. This has been discussed with the Wildlife Officer who considers the potential to be low. As the applicant has a duty under the Wildlife and Countryside Act 1981 (as amended) not to harm breeding birds it is considered that this provision can be relied upon to deal with the situation should it arise rather than imposing a condition.

The proposal is therefore considered to be acceptable in ecological and landscaping terms.

6. Flood Risk and Drainage

The application site is located in Flood Zone 1. It is proposed to connect into the existing combined sewer which runs along Midland Road. Anglian Water has raised no objection to the principle of the site draining into this sewer (as the site has done historically) although the run off rate will be capped. On site attenuation will, therefore, also be required. Following consideration of the revised Flood Risk Assessment the Environment Agency has not raised any objection to the scheme subject to conditions in respect of foul and surface water drainage. It has also recommended a condition requiring petrol interceptors. If these conditions were not imposed then it would object to the development.

The Council's Drainage Team supports the conditions recommended by the Environment Agency and has requested additional information also via a condition. It has commented that careful consideration needs to be given to the discharge rate to ensure that there is not a risk of flooding downstream.

Network Rail has commented that the site should be drained away from the railway. The drainage plans submitted with the application confirm this (as indicated above it will drain to Midland Road).

A concern has been raised by local residents regarding the drainage of the site. Given that the Environment Agency and Anglian Water have not objected the proposal is considered to be acceptable subject to the conditions referred to.

7. Other Matters

Network Rail

Network Rail has made a number of detailed comments on the scheme which the agent has been made aware of. Amongst other matters it has commented that fencing is required to the rear of the site to prevent trespass onto its land. The plan has been updated to reflect this requirement. Network Rail has also commented that there should be no buildings within 2 metres of the boundary so that no access onto its land is required for construction and maintenance purposes. There are a couple of areas where development would be within 2 metres of Network Rail land, however, the agent has confirmed that construction and maintenance can take place without any encroachment. Network Rail has also been advised of this. Any further comments from Network Rail will be tabled to members in the Update Report.

Contamination

Given the historical use of the site there is contamination within it. A Phase 1 contamination report has been submitted with the application. Subject to conditions requiring further assessment and mitigation prior to the commencement of development the Environment Agency and the Council's Pollution Control Section have raised no objection.

Archaeology

Although largely covered with hard standing the Council's Archaeologist has advised that there is some potential for archaeological remains. A condition requiring further assessment is, therefore, recommended on any permission.

Construction Management

A condition requiring the submission and approval of a Construction Management Plan is recommended to ensure that there is no adverse impact upon neighbouring residents. A number of detailed comments have been made by Network Rail which adjoins land to the rear of the site concerning construction methods/fencing etc. It is considered that there can be addressed as part of the Construction Management Plan.

School Places

A concern has been raised regarding school places and the scope to accommodate additional dwellings. This concern is noted. School place provision is being considered as a whole as part of the wider redevelopment of the area.

8. S106

Under the Council's Planning Obligation Implementation Scheme (POIS) the development gives rise to a requirement for a contribution of £420, 000 and a 2% monitoring fee.

The applicant has submitted a viability appraisal to demonstrate that the development cannot afford this payment. Money from the scheme is being used to fund the affordable housing element as no grant funding is available. Discussions in relation to the level of POIS payable are on going and members will be advised further in the update report.

A Travel Plan will also be secured as part of the S106 obligation.

6 Conclusions

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

The application site is located within the designated Railway Station Opportunity Area. Policy promotes the complete redevelopment of the Railway Station area, with housing being an appropriate land use. Whilst this scheme would not result in the complete redevelopment of the western part of the opportunity area it would not compromise the delivery of other schemes and would kick start the regeneration process. The scheme would also remove derelict buildings where anti social behaviour is taking place. As such the application is considered acceptable in accordance with policy CC12 of the adopted Peterborough Local Plan (First Replacement) (2005).

The scheme includes works to Midland Road which will provide additional on street parking and slow vehicle speeds. It is not, therefore, considered that there would be any adverse impact upon highway safety. Although the parking provision is below the new standards in the Planning Policies DPD the application was prepared and submitted under the old maximum standards. Given that this is a transitional period to the new policy standards the parking provision is considered to be acceptable and it would not result in highway safety concerns. The proposal accords with policy CS14 of the adopted Core Strategy DPD and policy PP12 of the Planning Policies DPD.

Whilst it is acknowledged that the site does not currently have ideal neighbours in terms of land use it is considered that the level of amenity for future occupiers is, on balance, acceptable particularly given the wider benefits which the redevelopment of this site would deliver at the current time. The proposal therefore accords with policy PP4 of the adopted Planning Policies DPD.

The proposal would not have any unacceptable adverse impact upon the amenities of existing neighbouring properties and therefore accordance with policy PP3 of the adopted Planning Policies DPD.

Subject to conditions the site can be adequately drained and mitigation measures secured to deal with ground contamination. The development is therefore accords with policy CS22 of the adopted Core Strategy DPD and the NPPF.

Subject to the imposition of conditions the proposal would make a contribution towards the Council's aspiration to become the Environment Capital of the UK and accord with Policy CS10 of the Peterborough Core Strategy DPD (2011).

Further to the submission of a viability appraisal the developers have demonstrated that the proposal cannot pay the full POIS contribution. In order to deliver the regeneration of this site as part of the Council's growth agenda a reduced contribution is acceptable in this instance. Subject to the level of POIS being finalised and secured via a planning obligation the scheme will accord with policy CS12 and CS13 of the adopted Core Strategy DPD.

7 Recommendation

The case officer recommends that planning permission is **Granted** subject to conditions and a S106 Agreement:-

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 Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 The development shall be carried out in accordance with the following approved details;

7249/079A Location Plan
7249/004 W Site/Roof Plan
7249/080B Landscaping Strategy
7249/078B Boundary Plan
012.1007.001 Public Open Space and Play Area
7249/074A Streetscene
7249/026A Plots 1-4 Elevations
7249/025A Plots 1-4 Plans
7249/027A Plots 5-9 Plans
7249/028A Plots 5-9 Elevations
7249/029A Plots 10-13 Plans
7249/030B Plots 10-13 Elevations
7249/031A Plots 14-16 Plans
7249/032A Plots 14-16 Elevations
7249/033A Plots 17-18 Plans
7249/034 Plots 17-18 Elevations
7249/035A Plots 19-20 Plans
7249/036 Plots 19-20 Elevations
7249/037B Plots 21-24 Plans
7249/038A Plots 21-24 Elevations
7249/039A Plots 25-26 Plans
7249/040 Plots 25-26 Elevations
7249/041A Plots 27-28 Plans
7249/042A Plots 27-28 Elevations
7249/043A Plots 29-30 Plans
7249/044A Plots 29-30 Elevations
7249/045A Plots 31-32 Plans

7249/046A Plots 31-32 Elevations
 7249/047A Plots 33-35 Plans
 7249/048A Plots 33-35 Elevations
 7249/049A Plots 36-38 Plans
 7249/050 Plots 36-38 Elevations
 7249/051A Plots 39-42 Plans
 7249/052 Plots 39-42 Elevations
 7249/053A Plots 43-46 Plans
 7249/054 Plots 43-46 Elevations
 7249/055A Plots 43-46 Plans
 7249/056A Plots 47-49 Elevations
 7249/057A Plots 50-51 Plans
 7249/058A Plots 50-51 Elevations
 7249/059A Plots 52-54 Plans
 7249/060A Plots 52-54 Elevations
 7249/061A Plots 55-57 Plans
 7249/062A Plots 55-57 Elevations
 7249/063A Plots 82-83 Plans
 7249/064 Plots 82-83 Elevations
 7249/065A Plots 84-87 Plans
 7249/066B Plots 84-87 Elevations
 7249/067A Plots 88-90 Plans
 7249/068A Plots 88-90 Elevations
 7249/070 Plots 76-81 Flats
 7249/071A Plots 70-75 Flats
 7249/073A Plots 58-63 Flats
 7249/072 Plots 64-69 Flats
 7249/084 Lifetimes Homes 7249/-83 Refuse Lorry Tracking
 Lighting Assessment
 Noise Assessment dated 22 August 2012 (1365 Midland Road)
 Heritage Assessment dated July 2012
 Flood Risk Assessment Revised 12037 FRA 03
 Combined Phase 1 Desk Study reference 31262 dated 24 May 2012
 Transport Assessment and Appendices dated October 2012 P790
 Report of Ecology and Protected Species Survey dated September 2012 Ref 2012/08/132

For the avoidance of doubt, the trespass proof fencing to the railway shall be erected before any occupations and retained and maintained in perpetuity.

Reason: For the avoidance of any doubt and to ensure that the developed is carried out in accordance with the approved details.

- C 3 No development other than ground works and foundations shall take place until /details samples of the following have been submitted to and approved in writing by the Local Planning Authority;
- Wall, render and roofing materials (samples)
 - Windows and external doors including roof lights (details);
 - Cills lintels and external steps (details);
 - Rainwater goods (details);

The samples and 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 Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Core Strategy DPD.

C4 The development hereby permitted shall not commence until a comprehensive contaminated land investigation, which shall include the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority (LPA).

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. 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 based on 1 above 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 for approval.

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 in relation to contaminated land arising from previous site uses have been fully assessed in accordance with the NPPF (2012), particularly paragraphs 120 and 121.

C 5 Where the studies under C4 identify any unacceptable risk, 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 Local Planning Authority. This shall include any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

.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 Local Planning Authority.

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 the NPPF (2012), particularly paragraphs 120 and 121.

C 6 No dwelling shall be occupied until two copies of a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation have been submitted to and approved in writing by the Local Planning Authority. 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 along with a plan (a 'long term' monitoring and maintenance plan) for the longer term monitoring of pollution linkages, maintenance and arrangements for contingency action as identified in the verification report. The long term monitoring and maintenance plan shall thereafter be implemented as approved.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the NPPF in particular paragraphs 120 and 121.

- C7 If, during development, contamination not previously considered is identified, then the LPA 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 LPA. 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 the NPPF in particular paragraphs 120 and 121.

- C8 The development shall be carried out in accordance with the approved Noise Assessment dated August 2012 as updated in December 2012 and the mitigation measures set out therein. These measures shall be put in place before the dwelling to which they relate is occupied. No occupations shall take place until the 1.80 metre high acoustic fencing along the eastern boundary of the site and the 2.1metre high acoustic fence along the northern boundary of the site have been erected.

Reason: To protect the amenity of future residents, and to accord with policy PP4 of the Planning Policies DPD and NPPF (2012).

- C9 Notwithstanding the submitted information and prior to the commencement of any development a timetable for the laying out of the Public Open Space and associated play equipment shall be submitted to and approved in writing by the Local Planning Authority. The Public Open Space and play equipment shall thereafter be laid out in accordance with the approved timetable and at no time thereafter shall this area be used for the storage of construction vehicles, equipment or portakabins etc.

Reason: In the interest of ensuring future residents have adequate access to Public Open Space and in the interest of the visual amenity of the area, in accordance with Policy CS16 of the adopted Core Strategy DPD.

- C10 Prior to the commencement of development a scheme of surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the betterment to be provided to the site for the surface water run-off generated up to and including the 1.0% annual probability event with the inclusion of climate change. It shall also include the following:-

- A scheme for the installation of oil and petrol separators.
- Details of the ownership and responsibilities of maintenance of all drainage elements for the lifetime of the development. If appropriate, details of adoption of any drainage elements by Anglian Water should be included.
- Details of the overland flood flow routes and subsequent flood risk in the event of a surface water system failure

The scheme shall thereafter be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding on and off site, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012)

- C11 Prior to the commencement of development a scheme, including phasing, for the provision of mains foul water drainage including on and off site connections shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the

works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and NPPF (2012)

- C12 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following details of long terms design objectives, management responsibilities and maintenance schedules. The development shall thereafter take place in accordance with the approved details.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD.

- C13 Notwithstanding the submitted information, no development other than ground works and foundations shall take place until a scheme for the soft landscaping of the site has been submitted to an approved in writing by the Local Planning Authority. The scheme shall include the following details:-

- Ground levels around retained trees
- Planting plans including retained trees, species, numbers, size and density of planting
- An implementation programme (phased developments)

The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier, or in case of the open space the approved timetable.

Any trees, shrubs or hedges forming part of the approved landscaping scheme which would include any landscaping within the Public Open Space (but not 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. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policy PP16 of the adopted Planning Policies DPD

- C14 Notwithstanding the submitted information prior to the commencement of development an Arboricultural Method Statement (to be carried out in accordance with per BS5837-2012) in respect of works proposed with the Root Protection Area of a retained trees including construction, parking or landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to protect retained trees from harm during the development in accordance with policy PP16 of the adopted Planning Policies DPD.

- C15 Notwithstanding the submitted information no development other than ground works and foundations shall take place until details of the hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, the following elements:-

- 1) Hard landscaping finishes including details of car/road markings and pedestrian access and crossing points;

- 2) Details of bin storage areas and enclosure for plots 58-81
- 3) Details of the proposed cycle stores for plots 58-81.
- 4) Details of any additional barriers (amrco safety barriers or similar) to prevent vehicles from being able to drive onto the railway.
- 5) Details of retaining walls and fencing

The hard landscaping work shall be undertaken in accordance with the approved details prior to first occupation of the dwelling to which they relate. For the avoidance of doubt, the fencing to railway including any further safety barriers shall be installed prior to the first occupation of any dwelling and thereafter retained and maintained in perpetuity.

Plots 58- 81 shall not be occupied until the designed bin and cycles stores serving each flat block has been installed. These facilities shall thereafter be retained on site.

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

- C16 Prior to the commencement of any site infrastructure a detailed contoured plan with existing and proposed spot heights and cross sections (including retaining structures) shall be submitted to and approved in writing by the Local Planning Authority. These shall indicate the slab level of the ground floor of all of the dwellings. The development shall thereafter be carried out in accordance with the approved detail.

Reason: In order to protect and safeguard the amenities of the adjoining and future occupiers, in accordance with Policy CS16 of the adopted Core Strategy DPD.

- C17 Prior to the occupation of any dwelling the pedestrian to vehicle and vehicle to vehicle visibility splays associated with that dwelling as shown on drawing number 7249/004 Rev W shall be provided. These splays shall thereafter be maintained free from any obstruction over a height of 600mm.

Reason: In the interests of the safety of all users of the public highway in accordance with policy CS14 of the Core Strategy DPD and policy PP12 of the Planning Policies DPD.

- C18 The roads and footways linking each dwelling with the public highway shall be constructed to a minimum of base course level prior to the occupation of that dwelling. The parking areas showing on drawing number 7249/004W shall also be provided before the first occupation of the dwelling which they would serve.

Reason: In the interests of the safety of all users of the public highway in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

- C19 Notwithstanding the submitted information prior to the commencement of development a detailed scheme of works to Midland Road, based upon the build outs shown on drawing number 7249/004 Rev W, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to the occupation of any dwellings.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

- C20 Notwithstanding the details shown on drawing number 7249/004 W prior to the commencement of development details showing a ramp on the access road into the site set back 2m from the end of the southernmost footway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any dwellings.

Reason: In the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

- C21 Prior to the commencement of any development or demolition a Demolition/Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction Management Plan shall include (but not exclusively the following):-
- Haul Routes to and from the site
 - Hours of working
 - Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles
 - Site compounds/storage areas
 - Temporary Access points
 - Wheel cleansing facilities capable of cleaning the underside of the chassis and wheels of all vehicles entering and leaving the site during the period of construction.
 - A noise management plan including a scheme for the monitoring of construction noise;
 - A scheme for the control of dust arising from building and site works
 - Details of remedial measures to be taken if complaints arise during the construction period.
 - Details of demolition works to ensure that the safe operation of the railway is not endangered.
 - Details of and excavations and earthworks to be carried out near the railway undertakers fence including a method statement.
 - Details of fencing to prevent trespass onto the railway
 - Details of any temporary lighting during the construction period

The development shall thereafter take place in accordance with the approved Demolition/Construction Management Plan.

Reason: In the interests of the amenity of the area and highway and railway safety in accordance with policy CS16 of the adopted Core Strategy DPD and policies PP3 and PP12 of the adopted Planning Policies DPD.

- C22 Within three months of the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the design of the lighting columns, their locations and LUX levels. The lighting scheme shall thereafter be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity and to protect the integrity of the railway in accordance with policy CS16 of the Peterborough Core Strategy DPD (2011).

- C23 The removal of the office roof tiles shall be carried out by hand as recommended by the approved Report of Ecology and Protected Species Survey dated September 2012 Ref 2012/08/132. If the tiles have not been removed by April 2013 then an updated emergence survey will be undertaken. The results of the updated survey shall be submitted to and approved in writing by the Local Planning Authority before any works to the office building commence. Thereafter, any mitigation and or requirements of the updated survey shall be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: In the interest of protecting biodiversity and protected species, in accordance with policy C21 of the Peterborough Core Strategy DPD (2011) and NPPF (2012).

- C24 Prior to the first occupation of any dwelling a scheme of bird and bat boxes including details of their location and design shall be submitted to and approved in writing by the Local

Planning Authority. The development shall therefore be carried out in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with policy CS21 of the adopted Core Strategy and the NPPF.

- C25 The development shall be constructed so that it achieves a Target Emission Rate of at least 10% better than building regulations at the time of building regulation approval being sought.

Reason: To be in accordance with Policy CS10 of the Peterborough Core Strategy DPD (2011)

- C26 Notwithstanding the details hereby approved the "approach" to the principal entrance to the dwellings, 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.

Informatives.

1. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licensed 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-Coordinator on 01733 453578.
2. The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421 or email HighwaysDevelopmentTeam@peterborough.gov.uk.
3. The development involves works to the public highway. Such works must be the subject to an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works adequate time is allowed in the development programme for approval by the Council of the designer, main contractor and sub contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport and Engineering- Development Team on 01733 453421.
4. Public Health Act 1925 S17-18
The development will result in the creation of new street(s) and dwellings. It will be necessary for the Council as Street Naming Authority to allocated 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.

Copied to Councillors Arculus, Dalton and Maqbool