

**Application Ref:** 13/01471/OUT

**Proposal:** Construction of up to 25 dwellings

**Site:** Land To The South Of, Northam Close, Eye Green, Peterborough  
**Applicant:** Mrs J And Mr N Herbert

**Agent:** Henry H Bletsoe And Son

**Referred by:** **Director of Growth and Regeneration**  
**Reason:** Application is in the wider public interest

**Site visit:** 19.11.2013

**Case officer:** Mr S Falco  
**Telephone No.** 01733 454408  
**E-Mail:** sam.falco@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

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

### Site Description:

The site is broadly rectangular in shape and covers a gross site area of approximately 0.89 of a hectare.

The site lies within the village of Eye Green approximately 4 miles north east of Peterborough City Centre. More specifically the land in question is located to the east side of the village, with Verde Close to the South and Northam Close to the North. The site is currently an agricultural field used for arable farming.

The site is bounded to the north by the rear gardens of dwellings on Northam Close, to the west by the rear gardens of dwellings fronting Crowland Road, to the south by the flats on Verde Close and to the east by an expanse of agricultural land.

The access to the site is from what is currently a farm track from Crowland Road between nos. 102A and 104 Crowland Road.

The site is identified in the Peterborough Site Allocations DPD 2012 as SA5.6 with an indicative 25 no. dwellings and is located within the Eye Green Settlement Boundary.

### Proposal:

Outline planning permission is sought for a residential development comprising 25 dwellings with 30% for affordable housing. It is proposed to provide 450sqm of the site area to be designated for public open space. The average density of the proposed development is approximately 22no. dwellings per hectare. The indicative master plan indicates that the majority of the buildings are 1.5, 2 and 2.5 stories. Vehicular, cycle and pedestrian access is proposed from Crowland Road between properties 102A and 104 Crowland Road.

As this application is for outline permission, matters relating to the design of the buildings, scale, layout, access to the site and landscaping are not for consideration as part of this application and these will be dealt with by way of a reserved matters application if outline planning permission is granted.

## **2 Planning History**

The site is allocated in the adopted Peterborough Site Allocations Development Plan Document for residential development. Its current use is as an agricultural field used for arable farming

## **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 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 8 - Social, Cultural and Recreational Facilities**

Developments should plan for the provision and use of shared space, community services and other local services; guard against the unnecessary loss of valued services/facilities; allow established shops, facilities and services to develop/modernise; and ensure an integrated approach to the location of housing, economic uses and communities facilities and services.

#### **Section 8 - Open Space**

Existing open space, sports and recreational buildings/land (including playing fields) should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements; the open space would be replaced by an equivalent or better provision; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

#### **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 - 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 - Development on Agricultural Land**

Where deemed necessary, areas of poorer quality land should be used in preference to that of a higher quality.

### **Peterborough Core Strategy DPD (2011)**

#### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

#### **CS02 - Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 25 500 dwellings from April 2009 to March 2026 in strategic areas/allocations.

#### **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.

#### **CS11 - Renewable Energy**

Opportunities to deliver on site or decentralised renewable or low carbon energy systems will be supported on appropriate sites where there are no unacceptable impacts.

#### **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.

#### **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.

#### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

#### **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 Site Allocations DPD (2012)**

### **SA04 - Village Envelopes**

These are identified on the proposals map. Land outside of the village envelop is defined as open countryside.

### **SA05 - Key Service Centres**

Identifies the sites within the Key Service Centres which are allocated primarily for residential use.

## **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, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

### **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.

### **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.

### **PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

## **Community Infrastructure Levy (CIL) Regulations 2010**

### **Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:**

Requests for planning obligations whether CIL is in place or not, are only 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**

##### **PCC Archaeological Officer (20.11.13) – No Objection**

The Archaeological Officer has asked that a programme of archaeological fieldwork is secured by the following condition:

AR01: programme of archaeological work. This will consist of:

- Desk-based assessment
- Magnetic survey
- Evaluation by trial trenching to target areas of magnetic anomalies

##### **PCC Building Control Surveyor - No Objection**

The Building Control Officer advises that there is no mention of lifetime homes

##### **PCC Drainage Team (07.11.13) – No Objection**

The Drainage team would expect to see Sustainable Drainage System (SuDS) methods used for managing surface water. It has been identified that infiltration is available on site as such the drainage officers would expect all surface water to be managed in the site boundary where conditions allow.

As a part of the drainage and flood risk management the drainage team would expect the following:

- 1) Full and up to date design details of the proposed drainage systems for this development should be forwarded for approval
- 2) Detailed specifications of any drainage elements including the proposed attenuation and infiltration system should be provided
- 3) Details of ownership/ maintenance for the lifetime of the development including any information relating to asset adoption
- 4) Overland flood flow routes in the event of exceedence

##### **PCC Education & Children's Dept - Planning & Development – No Objection**

There is a pressure for school places in Eye. The Education and Children's Department have asked for a S106 contribution towards primary and secondary education.

##### **PCC Transport & Engineering Services - No Objection**

Further to discussions regarding relocation of the bus stop and traffic calming measures, the Local Highways Authority (LHA) are now satisfied that this can be achieved. Subject to the requirement for revised traffic calming and bus stop location being included within a Section 106 Agreement, the LHA would raise no objections to this proposal.

##### **PCC Pollution Team – No Objection**

The site is adjacent to a former road haulage site for which there has been contamination of the

ground identified across the site – arsenic, cadmium, chromium, lead, nickel and benzo(a)pyrene, together with hydrocarbon contamination from the below ground diesel storage tanks.

Given the proposed sensitive end use the pollution control team recommends conditions for the following:

1. Site Characterisation
2. Submission of Remediation Scheme
3. Implementation of Approved Remediation Scheme
4. Reporting of Unexpected Contamination

**PCC Senior Recreation Officer (23.01.14) Objection**

The Senior Recreation Officer (SRO) is concerned that this and other new developments in Eye Green do not have sufficient open space to support new and young families. The SRO acknowledges that the local nature reserve (LNR) can offset some of the need for accessible open space however, if new developments are designed to be affordable and attract young families, the SNR advises that the LNR is not a suitable venue for young children.

There are two areas of POS across the A47 bypass that are candidates for off-site POS contributions and the recreation officer asks that for there to be an off-site contribution towards POS. The SRO argues that this will not however, alleviate the need for good local POS in Eye Green

**PCC Wildlife Officer (03.12.13) No Objection**

The proposed site layout drawing (ref: LLC938-97-B) appears broadly acceptable with the inclusion of a 10m wide buffer planting area. The Wildlife Officer would welcome opportunities to enhance the site for biodiversity, for example by the creation of wild-flower meadow habitats, wetland features with native marginal wetland planting and use of a range of native tree, shrub and hedgerow species. This detail may be provided at the detailed/ reserved matters stage.

The Wildlife officer has no objection to the granting of outline planning permission subject to an adequate financial contribution being secured towards the management of Eye Green Gravel Pit LNR, CWS & SSSI along with the provision of further details at the relevant planning stage as set out above. Further the officer recommends that a number of bird nesting and bat roosting features are provided to enhance the development for biodiversity.

Subject to the above the approved scheme the development will result in a net gain in biodiversity.

**Police Architectural Liaison Officer (12.11.13) No Objection**

In principal, Police Architectural Liaison Officer (PALO) I has no objection to such a development in this manner. Notwithstanding the PALO ask that if the LPA is minded to grant Outline Planning permission, they would request early consultation in respect to any future Reserved Matters submission, in order to ensure that Crime and Community Safety Issues can be addressed at the appropriate time, prior to the final Layout being established.

**Environment Agency (20.11.13) – No Objection**

The Environment Agency support the comments of the PCC Drainage Team The North Level (2005) Internal Drainage Board should be consulted on the proposed discharge into their network (tel: 01733 270333)

We wish to draw to your attention discrepancies in defining the site area. The application form states 1.1ha, the FRA 0.912ha and the design and access statement 0.9ha.

**Anglian Water Services Ltd (17.12.14) No Objection**

There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The sewerage system at present has available capacity for these flows. Anglia Water advises that if the developer wishes to connect to their sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

**The Wildlife Trusts (Cambridgeshire)**

No comments received

**Natural England - Consultation Service (26.11.13) No Objection**

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified. Natural England advises that the SSSIs do not represent a constraint in determining this application.

**Eye Parish Council (01.12.13) No Objection**

**Councillor D Harrington**

No comments received

**Councillor D McKeen and Councillor D Sanders - Objection**

Cllr McKeen and Cllr Sanders objects to the Outline Planning for the following reasons:

This application should be deferred until the schooling and Infrastructure Issues are resolved that is, until at least 2017/18 school entry year given item 2 predictions below

1 - Given that Eye School has a PAN of 60 at entry year and has recently been extended with 3 new class rooms and even now has a waiting list of 5 for yr. 2 (Source Jonathan Lewis Assistant Director Education as at 20/11/13)

Year	Rec	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6
Vacancies	7	5	-5	11	8	10	20

2 – The future predictions for Eye Primary School is there will be a short fall of 19 places in its entry year in the Academic Year 2014/15 and its at or near or over full for all entry years through to year 2016/17

Current demography for Eye School Reception Year starts is as follows against a maximum of 60 (Source Jonathan Lewis Assistant Director Education Rural Scrutiny Meeting 19/11/13)

Reception Start Year	2012/13	2013/14	2014/15	2015/16	2016/17
Qty (Max PAN is 60)	58	57	79	60	62

3 - Eye School Governors / Church of England have stated they are not prepared to increase their PAN entry level from 60 to 90 due to the significant increase needed in school size, staffing and facilities. Jonathan Lewis Assistant Director Education 19/8/13 'also recommends..... not to extend given current numbers being so low above the PAN of 60

4 – In addition with the Site Allocations Independent Inspectors report that City request the Local Planning Authority make conditions and/ or legal agreement(s) which will ensure the delivery of necessary and appropriate infrastructure' That a condition be made for the type of houses so as not to generate an increase level of primary school age children, that is to commute any affordable/ social housing to another area outside of Eye and In addition having bungalows as part of the housing mix given the shortage of them and the ageing population

**Relevant Council Policy that allows for the above to be undertaken**

The Cllrs state that due to the significant number of objections from Eye residents to any further growth during the site allocations planning process and consultation

The Council proposed an amendment to site allocations which the Inspector accepted and full

Council approved, this allows planning officers to add additional conditions for the Growth in Eye, quoting from the amendment DPD Submission Page 34 Para 5.9 after Para 3.21

'It is likely there will be a need for the pooling of financial contributions, potentially the phasing of development and potentially the provision of other conditions and/ or legal agreement(s) which will ensure the delivery of necessary and appropriate infrastructure'

There are many other Issues related to the Growth in Eye Village which are Impacted by this application including the following all being full or over capacity (not an exhaustive listing)

- Pre School, before /after School Club, Junior Youth Club.
- The Doctors is full and no room to expand for patients and visiting health professionals
- The Rat Run traffic and traffic volumes mean pedestrian safety Issues past the Primary School on Eyebury Rd

### **Local Residents/Interested Parties**

Initial consultations: 62

Total number of responses: 9

Total number of objections: 6

Total number in support: 0

Six neighbour letters received raising the following issues: (please bullet the key issues below rather than by representation)

- Plot 1 and 2 would block sunlight and result in loss of privacy to the bottom of our Garden. We propose that the planned estate / farm access road runs along the bottom of our garden rather than the dwelling, which would maintain privacy and sunlight, reduce potential highway hazard with farm vehicles.
- Loss of privacy
- Loss of existing views
- Overlooking and overshadowing
- Increased noise and disturbance
- Particularly object to Plots 1 and 2 which adjoin my rear garden.
- Fail to understand the re-routing of the farm access which will cause a highway hazard.
- Why does the proposed planned boundary not include the north of the site\_
- Please ensure that the buildings do not obstruct the light to my north facing ground floor lounge at Verde Close. I would support a bungalow in this location.
- Is there going to be a fence or a wall erected between the houses in Crowland Road and this shrubbed area?
- Concern for type of shrubs
- Concern of security to rear of houses on Crowland Road
- We paid a premium for our house as it has views of open countryside
- Increased problems with sewers will ensue
- Properties on Crowland Road are lower resulting in increased risk of flooding
- Why is there no planting proposed on the northern boundary?
- The proposed entry to the new estate is directly beside a Bus Stop.

## **5 Assessment of the planning issues**

Main Considerations:

- The main considerations are:
- Principle of development
- Transport
- Open Space
- Residential Amenity - future occupiers of the site.



- Residential Amenity
- Impact on existing neighbours.
- Landscaping and ecology
- Flood Risk and Drainage
- Archaeology
- S106 Developer Contributions

**a) Principle of Development:**

This application is in outline and seeks to establish the principle of development for the land for up to 25 residential dwellings together with vehicular access between 102A and 104 Crowland Road. All matters relating to the design of the buildings, scale, layout, access to the site and landscaping are to be considered in the submission of a reserved matters application.

In accordance with current government guidance in respect of outline applications the Design and Access Statement has included a schematic layout together with details of a possible scale and form of development that could be accommodated within the site constraints. However, it should be emphasised that these drawings are indicative only and as such should not carry any weight in the determination of this application and would not constitute part of any planning permission.

The Peterborough Site Allocations DPD was adopted in April 2012. Policy SA5.6 of that document allocates 1.13 ha of land off Crowland Road for residential development (c. 25 dwellings). As that document has been adopted, use of the allocated housing site for housing is in principle acceptable. Further the proposal would result in the efficient and effective use of land on a site which is located close to services and facilities to meet residential needs, would provide housing to support the City Council's growth agenda and deliver affordable housing.

The proposal therefore accords with policy CS2 of the Adopted Peterborough Core Strategy DPD, policy PP1 of the Adopted Peterborough Planning Policies DPD and the National Planning Policy Framework.

**b) Transport:**

The transport assessment that has been conducted, it has been concluded that Crowland Road has adequate capacity to accommodate the new trips that are likely to result from the development.

The Local Highways Authority are content with the principle of the proposal subject to the following conditions requiring vehicle to vehicle visibility splays of 2.4 x 43m, - submission of a construction management plan and that prior to occupation of any dwelling, the roads and footways linking the dwelling to the existing public highway be completed to base course level.

Subject to the above conditions the proposal therefore accords with policy CS14 of the Adopted Peterborough Core Strategy DPD 2011, and policy PP12 of the Adopted Peterborough Planning Policies DPD 2012.

**c) Open Space:**

The Recreation Department originally commented that they were concerned that there was no provision for onsite Public Open Space. During the application process the applicant has agreed to the Local Authority's request to provide not less than 450sq metres of useable open space on site. Officers consider this to be appropriate for the size of site and thus conforms to Policy CS19 of the Core Strategy.

**d) Residential Amenity (future occupiers of the site):**

The proposal is for 25 dwellings which is the indicative number of dwellings as detailed for this particular site in the Peterborough Site Allocations DPD 2012 submission. A detailed assessment at the reserved matters stage will demonstrate that this number could be provided whilst maintaining acceptable levels of public open space and residential amenity for future occupiers.

**e) Residential Amenity (Impact on existing neighbours):**

As previously stated this application is in outline only and as such the form, layout and design of the option provided as part of the application package are indicative only and identifies one of a number of possible options for the development of the site. The indicative scheme introduces buildings that are a mix of 1.5, 2 and 2.5 storeys providing a total of 25 units. The final layout and its impact on the existing neighbours will be considered fully at reserved matters stage. However the LPA are content that the principle of the development on neighbouring occupiers could be considered acceptable with appropriate layout, design and landscaping.

**f) Landscaping and ecology:**

Landscaping:

The southern, western and northern boundaries of the site are flanked by residential properties. The north of the site is flanked by another agricultural field. The Landscaping around the site is limited with mainly small self-set shrubs against neighbouring residential fences of varying heights. The indicative plan has shown landscaping proposed to all boundaries of the site with less to the eastern and northern boundary. Neighbours have objected to the limited boundary treatment to the northern boundary and the potential security issue of the heavy planting to the western boundary. As stated above, this application is an indicative outline only and a comprehensive landscaping design will be required to accompany a reserved matters application, where a full assessment will be given to the issues raised.

Ecology:

The site is currently agricultural land. It is noted by both the Case Officer and Wildlife Officer that the site is located in relatively close proximity to Eye Green Gravel Pit Wildlife Site, Local Nature Reserve and SSSI. Whilst the development is deemed unlikely to cause significant detriment to the above sites, there is concern that the new development will result in increased visitor numbers to the sites resulting in more pressure of the habitats. The Wildlife Officer has requested a financial contribution towards management of the nature reserve, however it is deemed by the Case Officer that the revised plans showing a willingness for provision of on-site public open space is acceptable and financial contributions for wildlife and ecology enhancements could be delivered through POIS.

The Wildlife Officer is satisfied that the proposal is unlikely to impact on any protected species or priority habitats within the boundaries of the development site.

Natural England and the Wildlife Trust raise no objections to the proposals

**g) Flood Risk and Drainage:**

The site is not located within a designated flood zone. The Environment Agency have responded to their consultation with no objections and support the comments of the Local Authorities Drainage Team.

The drainage team have commented that they would expect to see Sustainable Drainage System (SuDS) methods used for managing surface water. It has been identified that infiltration is available on site as such we would expect all surface water to be managed in the site boundary where conditions allow.

Subject to a drainage condition the proposal therefore accords with policy CS22 of the Adopted Peterborough Core Strategy DPD.

**h) Archaeology:**

The available archaeological and historic evidence from a 500m radius suggests that the proposed development site may contain remains dating from the prehistoric to the Roman period and, possibly, beyond. Cartographic evidence.

For the above reasons, the City Council Archaeology Officer has requested that a condition be appended that a programme of archaeological work should be submitted to include a desk based assessment, magnetic survey and Evaluation by Trial Trenching to target areas of magnetic anomalies.

On the proviso that the above condition is appended and adhered to there are no archaeological

objections to the proposal in accordance with CS17 of the Peterborough Core Strategy DPD 2011 and PP17 of the Peterborough Planning Policies DPD 2012.

**i) Education:**

The Local Ward Cllrs are concerned that the proposal will increase pressure on school places within the Eye and Eye Green area and ask for the applications to be deferred until extra provision is made. It is the opinion of the LPA that this application is in relation to an allocated site within the Peterborough Site Allocations DPD 2012 and therefore the principle of development in this location is acceptable. Further, the developer of the above site has entered into a S106 agreement, which will be completed prior to any permission being granted. The City Council Education Officer has commented that there is a need for extra provision and that they request S106 contributions for primary and secondary education.

The POIS contributions raised from such developments will enable extra provision to be made.

The figures below were provided by the City Council's S106 Officer, which show the contributions education and neighbourhoods should expect if the associated developments are implemented: In addition to the above the following applications are in the pipeline:

Land South of Thorney Road, Eye PAMAJ/13/00113 will require a POIS contribution of £266,000 which translates to £53,200 Strategic and £53,200 Neighbourhood Education and Learning POIS

Former Northam Works, Eye Green, will require a POIS contribution of £186,000 which translates to £37,200 Strategic and £37,200 Neighbourhood Education and Learning POIS

The Croft Walsingham Way Eye 13/01165/FUL requires a POIS contribution of £109,000 which translates to £21,800 Strategic and £21,800 Neighbourhood Education and Learning POIS

Land off Thorney Road, Eye, 13/00649/FUL requires a POIS contribution of £347,000 which translates to £69,400 Strategic and £69,400 Neighbourhood Education and Learning POIS

**j) S106 Developer Contributions:**

Under the Council's Planning Obligation Implementation Scheme SPD (POIS) the development will give rise to the requirement for the following contributions.

<u>Unit type</u>	<u>Cost per unit</u>
1 bed dwelling	£3,000
2 bed dwelling	£4,000
3 bed dwelling	£6,000
4 bed dwelling	£8,000

In addition to the above the following are also proposed for inclusion in the Section 106 Obligation.

- 30% Affordable Housing
- Relocation of the existing bus stop on Crowland Road at the entrance of the application site, to include a new bus shelter, RTPI, bus boarder, raised kerbs and associated works
- Relation of existing speed cushions on Crowland Road in the vicinity of the site entrance and making good of the existing road surface following their removal.

**j) Representations:**

*The development backs directly onto my garden and would block sunlight from our garden and result in a loss of privacy.*

Officer response: The application is for outline permission on an allocated site. The site plan submitted is indicative only and is likely to be subject to change at Reserved Matters stage.

*The farm access road should remain in its current location as it will form a highway safety hazard.*

Officer response: The application is for outline permission on an allocated site. The site plan

submitted is indicative only and is likely to be subject to change at Reserved Matters stage.

*Concern about the landscaped area around the perimeter of the site, in terms of shrub types, security to rear of houses of Crowland Road and why is there no planting to the rear of the gardens on Northam Close.*

Officer response: The application is for outline permission on an allocated site. The site plan submitted is indicative only and is likely to be subject to change at Reserved Matters stage.

*The proposed entry to the site is directly beside a bus stop*

Officer response: This issue was flagged up by the Local Highways Authority. The proposal is to relocate bus stop at the expense of the developer through a S106 agreement.

*We paid a premium for our house as it has views of open countryside*

Officer response: This is not a material planning consideration.

*Increased problems with sewers and potential flooding will ensue*

Officer response: The Environment Agency and the Council's drainage section raise no objection subject to conditions.

## **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 site is allocated for housing and will provide housing to support the City Council's growth agenda
- the development would not have any significant adverse impact upon highway safety and safe access from the adopted Highway can be provided
- the development can be accommodated within the site without any significant adverse impact upon the amenities of the neighbouring properties
- the development can be accommodated without any significant adverse impact upon existing landscaping
- the impact of the proposed development upon wildlife and ecology of the site is considered to be acceptable
- the development will allow for the provision of 450sqm Public Open Space
- the proposal is conditioned to mitigate against impact on archaeology
- the site can be adequately drained
- The proposal makes satisfactory provision for affordable housing within the site; and
- The proposal makes a contribution towards the social and physical infrastructure demands that it will place on the area.

The proposal is therefore in accordance with Policy CS1, CS2, CS8, CS10, CS11, CS13, CS14, CS16, CS17, CS19, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies SA4 and SA5 of Peterborough Site Allocations DPD (2012), policies PP01, PP02, PP03, PP12, PP13, PP14, PP16, PP17 and PP19 of the Peterborough Planning Policies DPD (2012) and Sections 4, 6, 10 and 11 of the National Planning Policy Framework (2012)

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions and a S106 Agreement:-

- C 1 Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the access, appearance, landscaping, layout and scale, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.

- C 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 5 Prior to commencement of any development hereby approved details of the proposed site access including vehicle-vehicle visibility splays of 2.4m x 43m shall be submitted to and approved by the Local Planning Authority. The access shall be implemented in accordance with the approved plans prior to the occupation of any development.

Reasons: In the interests of highway safety in accordance with Policy PP12 of the adopted Peterborough Planning Policies DPD 2012.

- C 6 No development shall take place until a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The programme of work shall include a Desk Based Assessment, magnetic survey and a programme of evaluation by trial trenching to target areas of magnetic anomalies. The Scheme shall thereafter be implemented as agreed.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD.

C 7 Prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- a) A scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;
- b) A scheme of working hours for construction and other site works;
- c) Haul routes to and from the site
- d) A scheme for parking, turning and loading/unloading areas for all contractor vehicles;
- e) a scheme for access and deliveries including hours;
- f) Location of Site welfare facilities and storage compounds;

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policies CS14 of the Adopted Peterborough Core Strategy DPD and PP12 of the Adopted Peterborough Planning Policies DPD.

C 8 No development shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details:

- walling and roofing materials
- doors, windows and rainwater goods including garage doors
- boundary treatments and road/path surfaces
- details of any renewable energy or similar features to be included.

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

C 9 Prior to the commencement of development a scheme of surface water drainage, based on sustainable drainage principles shall be submitted and approved in writing by the Local Planning Authority. The drainage strategy should include:

- a) Full and up to date design details of the proposed drainage systems for this development should be forwarded for approval
- b) Detailed specifications of any drainage elements including the proposed attenuation and infiltration system should be provided
- c) Details of ownership/ maintenance for the lifetime of the development including any information relating to asset adoption
- d) Overland flood flow routes in the event of exceedence

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)

C10 Prior to the commencement of development a scheme 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)

- C11 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 prior to first occupation of the dwellings.

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

- C12 Prior to the commencement of development, the following shall be submitted to and approved in writing by the Authority:
- a) a programme for the implementation of a scheme of hard and soft landscaping within the site
  - b) a (five year) maintenance schedules for all landscape areas;
  - c) details of the planting plans (noting species, plant sizes, proposed numbers/densities and an implementation programme);
  - d) a written specification (including cultivation and other operations associated with tree, shrub, hedge of grass establishment);
  - e) all hard surfacing material and signage;
  - f) details of fencing, gates and other means of enclosure and boundary treatment;

The development shall be carried out in accordance with the approved proposals and implementation plan unless otherwise agreed in writing with the Local Planning Authority.

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 If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

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 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 highway safety, in accordance with Policies CS14 and CS16 of the Adopted Peterborough Core Strategy DPD and Policy PP12 of the Adopted Peterborough Planning Policies DPD.

- C15 Notwithstanding the details hereby approved there shall be not less than 450 sq. metres of onsite open space provided as a single area.

Reason: To ensure the provision of open space on site in the interests of the amenities of the area, in accordance with Policy CS19 of the Core Strategy.

- C16 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 2011.

- C17 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- a) human health,
- b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- c) adjoining land,
- d) groundwaters and surface waters,
- e) ecological systems,
- f) archaeological sites and ancient monuments;

Reason: In order to protect and safeguard the amenity of the area in accordance with the provisions of the National Planning Policy Framework, in particular paragraphs 121 and 123.

- C18 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to protect and safeguard the amenity of the area in accordance with the provisions of the National Planning Policy Framework, in particular paragraphs 121 and 123.

- C19 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority.

Reason: In order to protect and safeguard the amenity of the area in accordance with the provisions of the National Planning Policy Framework, in particular paragraphs 121 and 123.



C20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 3 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2. .

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

C21 The details submitted under Condition 1 above shall demonstrate how the development will contribute towards the City Council's Environment Capital aspirations. If no such information is submitted, or if the information is not acceptable, then the development shall be constructed so that it achieves at least a 10% improvement on the Target Emission Rates set by the Building Regulations at the time of Building Regulations being approved for the development.

Reason: To accord with Policy CS10 of the adopted Peterborough Core Strategy DPD 2011.

**If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Transport and Engineering 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 S106 Obligation however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy CS12 of the Peterborough Core Strategy Development Plan Document.**

Copies to Councillors: David Harrington.

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