

Planning and EP Committee 2 September 2014

Item Number 5.2

Application Ref:	14/00206/FUL
Proposal:	Residential development comprising 42 dwellings, access, associated works and landscaping
Site:	Land to the West Of Williams Close, Newborough, Peterborough
Applicant:	David Wilson Homes (South Midlands)
Agent:	Brian Barber Associates
Referred by:	Director of Growth and Regeneration
Reason:	Level of interest in the application
Site visit:	24 th February 2014
Case officer:	Miss V Hurrell
Telephone No.	01733 453480
E-Mail:	Victoria.hurrell@peterborough.gov.uk
Recommendation:	GRANT subject to the signing of a legal agreement and relevant conditions

1 Introduction

This application was reported to members of the Planning and Environmental Protection Committee on 22 July 2014 with an Officer recommendation of approval (subject to conditions and satisfactory completion of a S106 Agreement).

Members resolved to defer the application on the following grounds:-

1. To resolve concerns about overlooking/loss of amenity from plots 14 and 20 to the neighbouring properties on Williams Close;
2. To resolve highway concerns about the impact of the development on Soke Road;
3. To enable a review the viability appraisal.

Following the Committee Resolution the applicant has submitted an amended layout plan. This includes the following changes:-

- a. The relocation of plot 14 further away from the boundary with Williams Close, so that it is off set from it by 4.5 metres increasing the separation distance to No 4 Williams Close to 15 metres
- b. The relocation of plot 20 away from the boundary with Williams Close so that it is off set by 5 metres thereby increasing the separation distance to No 2 Williams Close by 17 metres. In addition the house has been handed to reduce the scale of the two storey element along this boundary.
- c. The creation of a single access onto Soke Road and the relocation of this access closer to the eastern edge of the site.
- d. Creation of a separate pedestrian access opposite to plot 23 onto Soke Road for bin collection purposes.

This report deals solely with the reasons for which the application was deferred as these are the only outstanding matters. The viability appraisal is confidential and is appended separately to this report.

2. Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site which is some 1.8 hectares in size comprises an area of land on the western edge of Newborough within the village boundary. The site is bordered to the north, south and west by Thorney Road, Soke Road and St Martins Road respectively. To the east lies existing open space and residential properties along Williams Close. Beyond Thorney Road and St Martins Road to the north and west is open countryside and agricultural fields. The site is flat with no particular landscape features other than boundary hedging and intermittent trees.

The application site forms part of an allocation within the Adopted Site Allocations Development Plan Document (2012) as site SA6.11, with an indicative figure of 62 dwellings.

The site is predominantly within Flood Zone 1, with a small proportion of the North West corner being located in Flood Zone 2.

Proposal

Planning permission is sought for erection of 42 dwellings with associated access points onto Thorney Road and Soke Road. The entrance onto Thorney Road would be the principal point of access, serving 35 of the dwellings. A private drive serving 7 dwellings is proposed from Soke Road

15 of the proposed dwellings are 3 bedroom, 5 are 3/4 bedroom and 22 are 4 bedroom. The dwellings would be predominantly two-storey. Three include accommodation in the roof space.

1.16 acres of open space is proposed in the north-west corner of the site, which incorporates the extent of the flood plain.

None of the dwellings would be affordable.

The applicant has confirmed the ground works will be required to build the site up because of the ground conditions. Soil will be imported on site and left to settle. Some of this depth will then be removed.

3 Planning History

Reference	Proposal	Decision	Date
13/00001/SCREEN	Screening opinion	Comments	06/02/2013

4 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 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.

Peterborough Core Strategy DPD (2011)

CS13 - Development Contributions to Infrastructure Provision

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

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.

Peterborough Planning Policies DPD (2012)

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.

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.

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.

5 Consultations/Representations

Only the consultations which are relevant to the deferred matters are reported below.

Internal

Bereavement Services – No objections. A S106 contribution towards the provision of a new cemetery should be made as existing facilities are nearing exhaustion.

Education & Children's Dept - Planning & Development – No objections. A S106 contribution is not required in this instance.

Transport & Engineering Services – No objections to the amended layout. Will need to look at how the footpath crosses the access to the private drive but this can be done at the detailed design stage.

Section 106 Major Group – No objections. A reduced S106 contribution of £115,000 has been agreed with the applicant on viability grounds. A £2000 monitoring fee also applies.

Strategic Housing Officer – No objections. Notes that the Design & Access Statement states that "Consultations on the viability of the site took place during 2013. In November 2013, it was agreed with the Council that a reduced S106 contribution with no affordable housing was appropriate."

External

A reconsultation letter has been sent to the Parish Council in relation to the amended layout plan. Any further comments received from it will be tabled to members in the Update Report. The comments below are those made in relation to the original application.

Newborough & Borough Fen Parish Council – Objects to the application as there are concerns the sewerage system could not cope with extra houses and the entrance into Thorney Road is dangerous.

Local Residents/Interested Parties

A reconsultation letter has been sent to Councillor Harrington in relation to the amended layout plan. Any further comments received from him will be tabled to members in the Update Report. The comments below are those made in relation to the original application.

Cllr Harrington – Broadly supports the application but has reservations about the access onto the main B1040, foul sewerage and flooding. Has no issues with the layout or type of dwellings proposed. Considers that the developer has done well in coming up with a suitable mix for the site which will complement the existing surroundings.

Reconsultation letters have been sent to residents on Williamson Close and Soke Road. Any further comments received will be tabled to members in the Update Report. The original neighbour comments relating to Soke Road and relationships with Williamson Close are included below for reference. Those relating to other matters are not reported again as the application was not deferred on these grounds.

Twenty four neighbour letters were received in relation to the original application. A further four letters were received prior to Planning and Environmental Protection Committee on 22 July and tabled to members in the Update Report. These raised the following objections to the planning application. The other objection is from the Parish Council and has been reported above.

Traffic and Access

- The location has very narrow roads where only one car at a time may use it and therefore we feel that this will be a safety issues to drivers and especially to children/pedestrians but

also horse riders – specifically pedestrians have to stand on the grass near the ditch to allow cars to pass.

- Soke Road is very busy and should have a 20mph speed restriction and a weight restriction as many vehicles including heavy lorries speed along this road

Layout

- The plans show the relocation of plot 20. A relatively small reposition but with serious consequences if you happen to live in one of the small bungalows (1, 2, 3 Williams Close, especially No 2). The flank wall of the building is now within three quarters of a metre (30 inches) of the boundary and spans the full width of No 2's garden.
- For someone living in a small bungalow with a small back garden and who has paid a premium on their house to have views over open countryside they will now have a 10 metre high brick wall. Who will compensate them for loss of value but more importantly loss of quality of life.
- The proposal will have a negative and drastic effect on properties adjoining the site. Williams Close has a number of bungalows and the building of houses backing onto them is an invasion of privacy.
- The distance between dwelling No 20 and the boundaries of the properties on Williams Close is unacceptable. How are we supposed to maintain our hedges etc?
- The pedestrian link appears to go along the wall of No 1 Williams Close. We are unhappy about this.
- Surely it would be possible for bungalows instead of two storey properties to be built at the back of the bungalows in Williams Close. What has happened to the law that prohibited the building of higher properties overlooking one storey dwellings.
- We noticed that the dwellings backing onto St Martin's Road have a greater distance from the hedge than the properties overlooking Williams Close.
- Notice that plot 20 has increased in size from the original drawing. Why is this necessary?
- The proposal would have an unacceptable impact on Nos 2 and 4 Williams Close.
- Plot 20 and plots 14/15 should be reserved for single storey bungalows, a solution that would at least be less unacceptable. Better still, they should not be built on at all.
- I understand that it has been a long standing convention that where proposed houses threaten to totally degrade the view from existing bungalows then only bungalows can be built close by. Even if this is not the case it would appear to be an obvious solution in this case.
- There will be two windows looking directly into our living area.
- 4 Williams Close will have a semi-detached house erected next to the rear back garden fence – this will block out sky line views from main living area.
- A little consideration for all home owners would have been appreciated having garden backing onto gardens would have at least been acceptable.

To date 1 further letter of representation has been received in relation to the amended layout plan. This raises the following matters:-

- The amended scheme results in three junctions with 20 yards, not possible for the amount of cars that already use this road especially as most homes have two cars. The accesses should be kept as per the original plan and the developer made to pay to widen the road.

6 Assessment of the planning issues

The main considerations are:-

- * Impact of Plots 14 and 20 on Williams Close
- * Impact on Soke Road
- * S106/ Viability

1. Impact of Plots 14 and 20 on Williams Close

As set out above members deferred the application on 22 July on the grounds of concerns about overlooking/loss of amenity to the neighbouring properties on Williams Close.

Following this an amended layout plan has been submitted. As indicated under section 1 above plot 14 is now sited 4.5 metres off the boundary increasing the separation distance with No 4 Williams Close to 15 metres (it was originally 13 metres).

This increase in separation distance is considered by Officers to be sufficient to prevent any overbearing impact arising even with the change in ground levels proposed. Neither is it considered that any unacceptable overshadowing would result. Plot 14 would have a side facing bathroom window. A condition requiring that this window be fitted with obscure glazing and top opening only is recommended. This is considered to be sufficient to prevent any undue overlooking.

Plot 20 has been relocated 5 metres away from the boundary thereby increasing the separation distance with No 2 Williams Close to 17 metres (it was originally 13.5 metres). In addition the house type has been handed so the shorter side elevation is now positioned adjacent to the boundary. As with plot 14 this increase in separation distance is considered by Officers to be sufficient to prevent any overbearing impact arising even with the proposed change in ground levels. Neither is it considered that any unacceptable overshadowing would result. With the handing of this house type there would be no side facing windows adjacent to the boundary so no undue overlooking would result.

This amended scheme is considered to accord with policy PP3 of the adopted Planning Policies DPD.

Neighbour Representations

The following neighbour representations were made in respect of the original application (including the responses received in respect of the update report) in relation to the impact on Williams Close. As indicated if any further representations are received these will be tabled to members in the update report.

- *The revised plans show the relation of plot 20. A relatively small reposition but with serious consequences if you happen to live in one of the small bungalows (1, 2, 3 Williams Close, especially No 2). The flank wall of the building is now within three quarters of a metre (30 inches) of the boundary and spans the full width of No 2's garden.*
As set out above with the increase in separation distances the proposal is considered to be acceptable. In addition the house on plot 20 has been handed to reduce the extent of the built element close to the boundary.
- *For someone living in a small bungalow with a small back garden and who has paid a premium on their house to have views over open countryside will now have a 10 metre high brick wall. Who will compensate them for loss of value but more importantly loss of quality of life.*
The separation distances now proposed are considered to be acceptable to prevent unacceptable harm to the amenity of the officers of the Williams Close especially numbers 2 and 4. It should be noted that loss of property value is not a material planning consideration. Neither in planning terms is there a right to a view.
- *The proposal will have a negative and drastic effect on properties adjoining the site. Williams Close has a number of bungalows and the building of houses backing onto them is an invasion of privacy.*
For the reasons set out the separation distances are now considered to be acceptable.
- *The distance between dwelling No 20 and the boundaries of the properties on Williams Close is unacceptable. How are we supposed to maintain our hedges etc?*
For the reasons set out the separation distances are now considered to be acceptable.
- *The pedestrian link appears to go along the wall of No 1 Williams Close. We are unhappy*

about this.

The amended plan moves the path away from the boundary so that it is no longer directly next to the rear garden of No 1 Williams Close.

- *Surely it would be possible for bungalows instead of two storey properties to be built at the back of the bungalows in Williams Close. What has happened to the law that prohibited the building of higher properties overlooking one storey dwellings.*

There is no law which prohibits higher buildings overlooking smaller ones. Each proposal has to be considered on its own merits and for the reasons set out above the separation distances are now considered to be acceptable. The developer has advised that it would not be feasible to build bungalows on plots 14 and 20 without losing further value from the site which would further impact upon the viability and therefore deliverability of the scheme. In addition from an urban design perspective a bungalow on plot 20 would not be desirable as it would not sit comfortably with the adjacent plots.

- *We noticed that the dwellings backing onto St Martin's Road have a greater distance from the hedge than the properties overlooking Williams Close.*

This is purely as a result of the site layout. For the reasons set out above the relationships with Williams Close are now considered to be acceptable.

- *Notice that plot 20 has increased in size from the original drawing. Why is this necessary?*

This was as a result of a change in house type. For the reasons set out above the relationship with the properties on Williams Close is now considered to be acceptable.

- *The proposal would have an unacceptable impact on Nos 2 and 4 Williams Close.*

For the reasons set out above the relationship with the properties on Williams Close is now considered to be acceptable.

- *Plot 20 and plots 14/15 should be reserved for single storey bungalows, a solution that would at least be less unacceptable. Better still, they should not be built on at all.*

The developer has advised that it would not be feasible to build bungalows on plots 14 and 20 or to remove these dwellings without losing further value from the site which would impact upon the viability and therefore deliverability of the scheme. In addition from an urban design perspective a bungalow on plot 20 would not be desirable as it would not sit comfortably with the adjacent plots. For the reasons set out above the relationship with the properties on Williams Close is now considered to be acceptable.

- *I understand that it has been a long standing convention that where proposed houses threaten to totally degrade the view from existing bungalows then only bungalows can be built close by. Even if this is not the case it would appear to be an obvious solution in this case.*

There is no law which prohibits higher buildings overlooking smaller ones. Each proposal has to be considered on its own merits and for the reasons set out above the separation distances are now considered to be acceptable. The developer has advised that it would not be feasible to build bungalows on plots 14 and 20 without losing further value from the site. In addition from an urban design perspective a bungalow on plot 20 would not be desirable as it would not sit comfortably with the adjacent plots.

The proposal will have a negative and drastic effect on properties adjoining the site - Williams Close has a number of bungalows and the building of houses backing onto them is an invasion of privacy. For the reasons set out above the relationship with the existing properties on Williams Close is considered to be acceptable.

- *There will be two windows looking directly into our living area.*

For the reasons set out above the relationship with the existing properties on Williams Close is considered to be acceptable.

- *4 Williams Close will have a semi-detached house erected next to the rear back garden fence – this will block out sky line views from main living area.*
For the reasons set out above the relationship with the existing properties on Williams Close is considered to be acceptable.
- *A little consideration for all home owners would have been appreciated having garden backing onto gardens would have at least been acceptable.*
For the reasons set out above the relationship with the existing properties on Williams Close is considered to be acceptable.

2. Impact on Soke Road

As indicated under Section 1 members deferred this application on the grounds of the impact of the development on Soke Road. The Local Highway Authority had raised concerns about highway safety in view of the creation of the new accesses and recommended refusal of the application.

Following the deferral of the application the Local highway Authority advised the applicant on alterations to address its concerns. An amended layout plan has been submitted on this basis. The amended plan serves the 7 dwellings via a single access point (two accesses were previously proposed) and this access point has been positioned as close to the eastern edge of the site as possible, whilst still allowing for sufficient visibility splays. The pedestrian link within the site has been relocated to run parallel with the back of the ditch and then to connect with the existing footway. A separate pedestrian access has been created opposite plot 23 in order to facilitate refuse collection and to minimise bin pulling distances for the future occupiers.

The Local Highway Authority has confirmed that this amended scheme is acceptable to it and it therefore now raises no objection to the scheme. The way which the footpath crosses the access into the private drive will need to be considered further but this is a point of detail which can be dealt with via a condition.

As such the amended proposal is considered to comply with policy PP12 of the adopted Planning Policies DPD.

Neighbour Representations

The following neighbour representations relating to Soke Road were set out in the original report and are included here again for reference along with the Officer response.

- *The location has very narrow roads where only one car at a time may use it and therefore we feel that this will be a safety issues to drivers and especially to children/pedestrians but also horse riders – specifically pedestrians have to stand on the grass near the ditch to allow cars to pass.* The amended layout is considered by the Local Highway Authority to be acceptable and addresses its previous highway safety concerns. A new footpath would be created and pedestrians will be able to walk through the private drives off the road.
- *Soke Road is very busy and should have a 20mph speed restriction and a weight restriction as many vehicles including heavy lorries speed along this road.* This is not considered necessary for this application and the Local Highway Authority has not requested any such restrictions. These would therefore need to be pursued with the Local Highway Authority direct, outside the planning process.
- *The amended scheme results in three junctions with 20 yards, not possible for the amount of cars that already use this road especially as most homes have two cars. The accesses should be kept as per the original plan and the developer made to pay to widen the road.*
The arrangement shown on the amended drawing follows discussion with the Local Highway Authority which considers it to be an acceptable and workable arrangement which addresses their previous concerns in respect of highway safety. Given this, there is no justification for requiring the road to be widened.

3. S106/Viability

As set out under section 1 above members resolved to defer the above application in order to review the viability appraisal which has been submitted and agreed by Officers. A viability report will be tabled separately to members as this is a confidential document.

In summary a viability assessment has been submitted with the application as a result of which a reduced Section 106 payment of £115 000 has been agreed (full POIS would have been £306 000). This will be split as follows:-

- £45 688.40 towards off site affordable housing provision (this was originally reported as £54 688.40 which was typographic error).
- £11 811.60 towards Bereavement Services
- £57 500 towards the provisions of Community Facilities
- Provision of Householder Information Packs

The proposal is therefore considered to comply with policy CS13 of the adopted Core Strategy.

7 **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 its development will help meet housing need
- safe access into the site can be provided from Thorney Road and Soke Road and a new footpath link created.
- the development can be accommodated within the site without any unacceptable 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 ecology of the site is considered to be acceptable
- the development will allow an acceptable level of amenity for the new residents including the provision of Public Open Space
- subject to further archaeological assessment the proposal not adversely affected any buried remains
- the site can be adequately drained

The proposal is therefore in accordance with Policy CS1, CS2, CS8, CS13, CS14, CS16, CS17, and CS22 of the Peterborough Core Strategy DPD (2011), policy SA6 of Peterborough Site Allocations DPD (2012), policies PP01, PP02, PP03, PP04, PP12, PP13, PP14, PP16, PP17 and PP19 of the Peterborough Planning Policies DPD (2012) and Sections 1, 4, 6, 7, 8, 10 and 11 of the National Planning Policy Framework (2012)

8 **Recommendation**

The Director of Growth and Regeneration recommends that planning permission is GRANTED subject to conditions and the completion of 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 hereby approved shall be carried out in accordance with the following approved details:-
- S212-110 Site Location Plan
 - S212-100 M Site Plan

- H405---5 Rev G Irving
- H404---5 Rev F Irving
- H408---5 Rev E Drummond
- H408---5 Rev H Drummond
- H414---5 Rev G Bradbury
- H414---5 Rev H Bradbury
- H451---5 Rev H Hurst
- H456---5 Rev C Avondale
- H456---5 Rev D Avondale
- H486---5 Hollinwood
- H486---5 Hollinwood
- P341—D5 Rev G Hadley
- P341—D5 Rev K Hadley
- P341-WD5 Rev F Hadley
- P341-WD5 Rev F Hadley
- P382-EB5 Rev K Archford
- T307-E-5 Rev J Nugent
- T307-I-5 Nugent
- Garage type G201
- Garage type G102
- Arboricultural Assessment dated February 2013
- Transport Statement February 2014
- Desk Study and Ground Investigation February 2013
- Flood Risk Assessment January 2014
- Ecological Appraisal January 2014
- Specification for an Archaeological Trial Trench Evaluation March 2013
- Geophysical Survey Report January 2013
- Heritage Statement January 2013

Reason: In order to ensure that the development reflects that which has been applied for.

- C 3 No development including ground/enabling works 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 programme of evaluation by trial trenching
 - systematic manual auger survey for palae-environmental analysis
 - watching brief of other groundwork associated with road construction, excavation of utility trenches and landscaping

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.

- C4 Prior to the commencement of any ground/enabling works a Construction Management Plan to address the scope of these works shall be submitted to and approved in writing by the Local Planning Authority. This plan should include but not be limited to the following:-
- Details of the number of vehicle movements to and from the site including haul routes.
 - Details of a temporary access into the site from Thorney Road. There shall be no vehicle access from Soke Road or St Martin's Road.
 - Hours of working
 - Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles
 - Site compounds/storage areas

- 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
- Details of remedial measures to be taken if complaints arise during the construction period.
- Details of any temporary lighting during the construction period
- An Environmental Management Plan
- Details of tree protection measures for retained trees.

The ground/enabling works shall thereafter take place in accordance with the approved Construction Management Plan.

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

- C5 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, a 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: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 6 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: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 7 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 7 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 5, 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 6.

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.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C8 The development permitted by this permission shall be carried out in accordance with the approved Flood Risk Assessment prepared by MEC 20545/01 14/3336, dated January 2014 and the following mitigation measures detailed therein:-
1. All built development (houses) will be located within flood zone 1.

The mitigation measures shall be fully implemented prior to the first occupation of the dwelling to which they relate.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy CS22 of the adopted Core Strategy.

- C9 Prior to the commencement of any development other than ground/enabling works, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The works/scheme shall thereafter be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. The following also needs to be submitted as part of any approved works/scheme:

- Full and up to date design details of the whole proposed drainage system for this development including detailed specifications of any drainage elements.
- Clear details of the ownership and responsibility of maintenance of all drainage elements for the lifetime of the development.
- Approval from North Level Internal Drainage Board for discharge water into its drainage system.
- A copy of the calculations for estimating the attenuation requirements

Reason: To prevent the increased risk of flooding, both on and off site in accordance with policy CS22 of the adopted Core Strategy.

- C10 Prior to the commencement of development other than ground/enabling works 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)

- C11 Notwithstanding the details hereby approved T1 as indicated in the Ecological Appraisal dated January 2014 shall be felled by utilising a soft felling technique unless immediately prior to works a repeat aerial survey is undertaken that concludes the area is free of bats. The conclusions of any such updated survey should be submitted to and approved in writing by the Local Planning Authority before any tree felling takes place.

Reason: To protect features of nature conservation importance, in accordance with Policy PP16 of the adopted Planning Policies DPD.

- C 12 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 PP!6 of the adopted Planning Policies DPD.

- C13 No development other than ground/enabling works 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 any roof lights (details);
 - Cills and lintels(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.

- C14 Notwithstanding the submitted information and prior to the commencement of any development except ground/enabling works a timetable for the laying out of the Public Open Space shall be submitted to and approved in writing by the Local Planning Authority. The Public Open Space 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.

- C 15 Notwithstanding the submitted information, within two months of the commencement of development a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include 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.

- C16 No development other than ground/enabling works shall take place until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-
- Planting plans including retained trees, species, numbers, size and density of planting
 - Details of the attenuation feature
 - Ground levels around retained trees
 - An Implementation programme

The development shall thereafter be carried out in accordance with the approved details no later than the first planting season following occupation of the dwelling to which it relates or in the 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

C 17 Notwithstanding the submitted information no development other than ground/enabling works 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
- 3) Details of boundary walls and fencing
- 4) An amendment to the alignment of the pedestrian link to allow for defensive planting either side of its.

The hard landscaping work shall be undertaken in accordance with the approved details prior to first occupation of the dwelling to which they relate.

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.

C 18 Prior to the commencement of any site infrastructure including ground/enabling works 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, their associated gardens and parking area. 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.

C 19 Notwithstanding the submitted information prior to the commencement of any ground/enabling works an Arboricultural Method Statement in respect of any changes in levels within the root protection areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority. The ground/enabling works shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure the protection of retained trees in accordance with policy PP16 of the adopted Planning Policies DPD.

C20 The development hereby approved shall be carried out in accordance with the approved Arboricultural Method Statement dated February 2013 including the tree protection measures identified within. The tree protection measures should be installed prior to the commencement of development and thereafter retained until the works within the vicinity of them are complete.

Reason: In order to ensure the protection of retained trees in accordance with policy PP16 of the adopted Planning Policies DPD.

C21 Prior to the commencement of any development other than enabling/ground works which are covered by a separation condition, a 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 any temporary lighting during the construction period
- Environmental Management Plan

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

Reason: In the interests of the amenity of the area and highway 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 including the lighting of private areas 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 in accordance with policy CS16 of the Peterborough Core Strategy DPD (2011).

- C23 Prior to the first occupation of any dwelling pedestrian visibility splays of 2.0m by 2.0m shall be provided at the junction of all shared and single private accesses with the highway. 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.

- C24 Prior to the first occupation of any dwelling served by them, the accesses to Thorney Road and Soke Road along with their associated visibility splays and off site highway works to Thorney Road shown on drawing numbers 212_100M and 20545_03_003 shall be implemented. The visibility splays shall thereafter be kept free of any obstruction over 600mm in height in perpetuity.

Reason: In the interests of the safety of all users of the public highway in accordance with Policy PP12 of the adopted Peterborough Planning Polices.

- C26 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 S212-100 M 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 PP12 of the adopted Peterborough Planning Polices.

- C27 Prior to the construction of the new access from Soke Road and the associated footpath details of how the footpath crosses the new access along with details of any retaining structures to the ditch 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 the interests of highway safety in accordance with policy PP12 of the adopted Planning Policies DPD.

- C28 Notwithstanding the submitted information before the development hereby permitted is first occupied, the proposed first floor window to the side elevations of plot 14 shall be obscurely glazed to a minimum of Level 3 obscurity, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. This window shall thereafter be retained as such in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

Informatives.

1. This permission should be read in conjunction with, and the development is subject to, the Planning Obligation under Section 106 of the Town and Country Planning Act 1990 and associated legislation between ^IN; and Peterborough City Council dated ^IN;.
2. 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.
3. 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.
4. 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.
5. 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.
6. It is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. Trees, scrub and/or structures likely to contain nesting birds between 1st March and 31st August are present on the application site. You should assume that they contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Planning consent for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged even when planning permission is granted. For further information on surveys contact Peterborough City Council's Wildlife Officer (wildlife@peterborough.gov.uk)

Copy to Councillor D N Harrington