

Application Ref: 14/01780/FUL

Proposal: Proposed new cottage style dwelling with detached double garage

Site: 55 Wisbech Road, Thorney, Peterborough, PE6 0SA

Applicant: Mr Marcus Butcher

Agent: Mr Tony Fitzjohn, T F Designs

Referred by: Councillor D Sanders and Thorney Parish Council

Reason: Harm to the character and built form of the surrounding area, loss of trees and concerns regarding surface water flooding

Site visit: 06.11.2014

Case officer: Miss Louise Lovegrove

Telephone No. 01733 454439

E-Mail: louise.lovegrove@peterborough.gov.uk

Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions

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

Site and Surroundings

The application site lies to the south of Wisbech Road and comprises the side garden area to an existing single storey residential dwelling (No.55). The curtilage of the host dwellinghouse is of substantial area, with mature trees and hedging forming the front boundary along the public highway. The existing bungalow is of 1950s design with a detached garage set forward of the principal elevation. Parking is provided within the curtilage of the site within this garage and on a substantive area of gravelled driveway.

To the east of the application site is No.55A Wisbech Road, itself a modern residential dwelling located on land which formerly comprised the garden of No.55. This dwelling was constructed under application reference 99/00835/FUL and comprises a two storey detached dwelling with detached double garage to the front. To the rear of the site is a large detached residential dwelling known as Pond Acre.

The surrounding area is characterised by large dwellings set within large plots of substantial curtilage, set back from the public highway. On the opposite side of Wisbech Road are a terrace of Duke of Bedford Cottages, the density and design of which are in complete contrast to the character of the southern side of Wisbech Road. Whilst the application site is not in itself part of the identified Thorney Conservation Area, it does lie immediately adjacent.

Proposal

The application seeks planning permission for the construction of a new two storey residential dwelling with detached double garage to the front. The proposal also includes the creation of a new vehicular access from Wisbech Road.

The scheme has been revised following refusal of planning application references 13/01207/FUL and 14/00214/FUL which sought planning permission for the construction of a single storey residential dwelling on the site.

2 Planning History

Reference	Proposal	Decision	Date
99/00835/FUL	Erection of house and garage (currently No.55A)	Permitted	15/09/1999
13/01207/FUL	Erection of a bungalow	Refused	10/10/2013
14/00214/FUL	Construction of bungalow	Refused	04/04/2014

3 Planning Policy

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

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

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 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 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

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.

CS10 - Environment Capital

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

CS12 - Infrastructure

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

CS13 - Development Contributions to Infrastructure Provision

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

CS14 - Transport

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

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS22 - Flood Risk

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

Peterborough Planning Policies DPD (2012)

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.

PP13 - Parking Standards

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

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.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

Peterborough Design and Development in Selected Villages SPD (2011)

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

Archaeological Officer (14.10.14)

No objections – Evaluation undertaken in 2003 at No.53 Wisbech Road did not produce any evidence of past activity and the site lies outside the historic core of the settlement. As such, the site has low archaeological potential and the proposal entails limited ground impact. On this basis, there is no need to secure a programme of archaeological work.

Education & Childrens Dept - Planning & Development

No comments received.

Transport & Engineering Services (28.10.14)

No objections - The access to the proposed dwelling should meet the carriageway at a perpendicular angle and comprise a simple dropped kerb crossing of a width of at least 3.5 metres. Vehicle-to-vehicle visibility from the access is acceptable however 2 metre x 2 metre vehicle-to-pedestrian splays shall be required and this will involve relocation of the access eastwards. The dimensions of the proposed garage do not meet our minimum internal dimensions however there is sufficient space within the site to accommodate two parking spaces with adequate turning.

Section 106 Minor Group (10.10.14)

A S106 contribution of £6,000 is sought for the proposed new dwelling plus a 2% monitoring fee of £120.

Cambridgeshire Fire & Rescue Service

No comments received.

Thorney Parish Council (17.10.14)

Objection - Regardless of the redesign, the new dwelling is still being 'shoehorned' into the site and

this cramped siting would be out of keeping with the immediate area which is characterised by detached dwellings within spacious curtilages. With the recent reconfiguration of the access to the adjacent property to the west, we are now concerned about any further entrances being permitted. We do not understand how Thorney being a Key Service Centre has any impact on the validity of this application. We are not opposed to development in the village but this project fails to respect its immediate context. We note that the plot is subject to waterlogging and there is evidence within the vicinity. There is no explanation of how this will be addressed. As the proposed building is of greater height than the previous applications, we are concerned that it will be even more intrusive as viewed from Wisbech Road. We do not feel that this scheme has overcome previous reasons for refusal and are of the opinion that this plot is not suitable for further residential development.

Landscape Officer (30.10.14)

No objections – Whilst the tree survey does not appear to be completely accurate, assessment can be made of the proposal in terms of impact upon existing trees. The proposal will result in the loss of three trees to the rear of the site (despite only two being shown on the submitted plans) however, subject to a condition, protection measures can be secured in respect of the trees/hedge to the front of the site which is within the Conservation Area. There are no objections in principle to the loss of the trees to the rear of the site.

Conservation Officer (12.11.14)

No objections - The landscape frontage lies within the Conservation Area and was included owing to the positive contribution made. The landscape impact is complimented by mature trees opposite the site on the bend of the road. It is noted that no trees are proposed for removal within the frontage landscape and those trees which would be removed are outside the Conservation Area. The proposed access would involve the loss of a section of hedge which is regretted, however it would be close to the existing access of No.55 and as such, there will remain a continuous section of hedge to the east. The access to Wisbech Road will be noticeable however the hedge in its entirety is not controlled and could be removed without permission. The revised design of the building will have limited visual impact on views from Wisbech Road and the Conservation Area and as such, the proposed work would not have an adverse impact on the character and appearance of the heritage asset.

North Level District Internal Drainage Board (22.10.14)

No objections - The Board has assisted in the construction of a land drain to take the surface water from the garden of No.55 at the time of construction of No.55A. This pipeline must be found and retained and the pipeline should be extended to reach the near boundary to serve both No.55 and the proposed new plot.

Waste Management

No comments received.

Local Residents/Interested Parties

Initial consultations: 8

Total number of responses: 3

Total number of objections: 2

Total number in support: 0

One objection has been received from the owner/occupant of No.55A Wisbech Road on the following grounds:

- At present, the surrounding properties are well-spaced on large plots. The proposal would be only 970mm from my boundary and this will seriously impact on the character of the area and the lifestyle and privacy that I currently enjoy. The size of the proposed development is not in keeping with the present character of this part of Thorney.
- The submitted accompanying 'Planning, Heritage, Design and Access Statement' argues that infilling has already taken place within the village. The level and closeness of the referenced properties cannot be compared to the application site.

- The position of the proposed building is directly on an area prone to historic flooding. We have taken significant measures to reduce the risk of flooding on our site by construction a new culvert and outlet, piped in part of the drain. New lengths of pipe were also put in to assist the drainage of No.55 to solve a recurring problem of flooding. I am very surprised that no mention was given to this in the original application. Why are these known problems not being advised in the application process? Perhaps the plot has been sold subject to planning permission and highlighting the issue of flooding would put off potential purchasers? I can only alert you to these issues however I will vigorously pursue financial compensation should any flood damage occur to my property.
- It is very difficult to assess the impact of the proposed on the mature trees as the submitted Tree location plan does not show the current proposed layout. I request that the Landscape Officer be advised of this error and that due consideration is given to the location of the Oak tree (T1). The protection line is now within the layout of the proposed building and this would also directly conflict with the canopy.
- I also request that due consideration be given to the effect that any removal of mature trees would have on the foul drainage system (septic tank) of my property.
- The removal of mature trees along my boundary will significantly change the character of the surrounding area and views from my home. Their removal will significantly reduce my wife's enjoyment of her garden. Overlooking will also result and the attached sketches (Appendix A) demonstrate this.
- What impact will the removal of the trees have on the wildlife of the area?
- The new proposal would diminish the outlook and daylight to/from the neighbouring property (No.55) even further than the original applications. Given the orientation of the sun and the two storey height, I fail to see why the applicant can consider this a satisfactory solution.
- The applicant has been systematically reducing the hedgerow and tree line in anticipation of this application. The permitted, individually applied for, notices 13/01571/CTR and 14/00007/CTR refer to the removal of trees on or about the road frontage. We have taken great care to preserve and enhance our own laurel hedge and I would urge your department to consider the planning control of future access points to help protect the character of this historic village.

5 Assessment of the planning issues

The main considerations are:

- Design and impact upon the character and appearance of the surrounding area
- Landscape implications and the impact upon Thorney Conservation Area
- Neighbour amenity
- Amenity provision for future occupants
- Parking, access and highway implications
- Flood risk
- Developer contributions

a) Design and impact upon the character and appearance of the surrounding area

The previous proposals under application references 13/01207/FUL and 14/00214/FUL sought the construction of a single storey dwelling which was of a design which occupied a large footprint and filled the width of the application site. These two proposals were refused by officers on the basis of cramped form of development within the plot which failed to respect and reflect the established character and built form of the locality, appearing unduly incongruous elements within the streetscene.

The revised proposal has sought to overcome this concern by reducing the footprint of the proposal and increase its height to 1 1/2 storeys. The proposal would now be sited 4 metres from the shared boundary with No.55 Wisbech Road and almost 2 metres from the boundary with No.55A, with the principal building line mirroring that of No.55A. Further, the height of the proposed dwelling would create a stepped appearance to the ridges within the streetscene, stepped from single storey at No.55 to two storeys at No.55A. It is considered that, whilst the

proposal still represents infill between the two neighbouring dwellings, the spacing of the development is more appropriate and would not appear cramped or overdeveloped.

It is noted that the objections received from Thorney Parish Council and the owner/occupant of No.55A Wisbech Road include concerns with regards to infilling of the plot and the relationship of this to the established character of the area. Whilst it is acknowledged that the general character in this locality is of large detached dwellings within large spacious plots, it is felt that the proposal would not appear an incongruous or alien element. The reduced footprint of the proposal combined with the separation proposed would respect the built form of the locality to an adequate level so as to not result in unacceptable harm.

On this basis, it is considered that the proposal would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and the Peterborough Design and Development in Selected Villages SPD (2011)

b) Landscape implications and the impact upon Thorney Conservation Area

The proposed scheme would result in the introduction of a new vehicular access from Wisbech Road, within a stretch of existing hedging and mature trees which is identified in Policy PP17 of the Peterborough Planning Policies DPD (2012) as a protected tree/hedged frontage. This vehicular access itself would not result in the loss of any trees however some of the hedging would be lost. The City Council's Conservation Officer has not raised any objections to this however it did form a reason for refusal of the previous two planning applications on the site. Whilst it is accepted that puncturing this hedgerow would disrupt a verdant frontage to the site and result in some level of harm to the setting of the Conservation Area, it is considered that the harm that would result would be less than substantial. Furthermore, it is considered that the proposal would at least preserve the character of the heritage asset, as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly and on balance, owing to the acceptability of the proposal in all other respects, it is felt that this is not a reason for refusal which is of sufficient weight to be sustained if the decision were appealed.

With regards to other trees within the site, the proposal seeks the loss of two trees to the rear - an early mature Oak and mature Willow. The City Council's Landscape Officer has considered these and concluded that they offer little by way of amenity value in terms of the public realm and accordingly, their loss would not have an unacceptable impact upon the character or appearance of the surrounding area. With regards to the third tree within the site (a mature Oak), this is proposed to be retained. However, there are discrepancies between its siting on the submitted plans and it is likely that this tree would also be lost as a result of the proposed development. Whilst this tree is a good quality specimen, the Landscape Officer has previously advised that all three of the trees offer low levels of amenity value owing to their limited views from the public realm. It is noted that the adjacent neighbour to the east (No.55A Wisbech Road) has objected in terms of the loss of these trees however it should be noted that as they are not protected, they could be removed at any time. Further, it has previously been advised that these trees are not of sufficient amenity value to meet the requirement for tree preservation. Accordingly, it is not considered that the loss of these trees is unacceptable.

It is proposed to ensure that the trees to the front of the site, which are sited within the Conservation Area, are protected through the development construction period. Such protection can be secured through an appropriately worded condition.

c) Neighbour amenity

Turning first to No.55 Wisbech Road, this dwelling has a number of windows serving primary habitable rooms within the east facing elevation, fronting on to the application site. The proposed dwelling would be sited 4 metres from the shared boundary with the host dwelling.

Whilst the orientation of the proposed dwelling (to the east) and its 1 1/2 storey height would have some level of overbearing impact to these primary habitable rooms, it is considered that the separation distance of 6 metres is adequate so as to prevent an unacceptable level of impact to the occupants of this neighbouring dwelling.

With regards to the neighbouring dwelling to the east, No.55A Wisbech Road, the principal elevation of the proposed dwelling would be sited in line with this neighbouring dwelling. As such, the proposal would not result in any unacceptable impact upon the primary habitable windows to the front of No.55A. To the rear, the proposal would introduce a single storey projecting element which would extend approximately 2.6 metres beyond the rear elevation of the neighbouring property. This element would be sited approximately 2 metres from the shared boundary and it is not considered that this would result in any unduly dominant or overbearing impact. However, the proposal would introduce first floor primary habitable windows to the area immediately adjacent to No.55A. These windows would permit views into the garden area of the neighbouring dwelling. However, the two closest first floor windows would serve secondary habitable rooms (both bathrooms) and therefore, these may readily be conditioned to be obscurely glazed and non-opening (below a height of 1.7 metres from floor level i.e. top hung fan lights). In terms of the remaining first floor window, this would be sited 10 metres from the shared boundary. Only acute angled views would be possible to the immediately private (decked) garden area of No.55A and the single storey rear element of the proposal would be sited between limiting views even further. With regards to the decked area used by the neighbouring occupant set further into their garden, this would be approximately 16 metres from the proposed bedroom window and it is considered that this level of separation is adequate so as to not result in an unacceptable level of overlooking.

On this basis, it is considered that the proposal would not result in unacceptable harm to the amenities of neighbouring occupants at both No.55 and No.55A Wisbech Road. The proposal is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

d) Amenity provision for future occupants

It is considered that the revised proposal has been designed so as to afford an acceptable level of amenity for future occupants. The proposed outdoor amenity space is of an adequate size to serve the dwelling proposed and all primary habitable windows would offer an acceptable outlook for occupants. On this basis, the proposal is in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

e) Parking, access and highway implications

The Local Highway Authority (LHA) has not raised any objections to the proposal but has requested the provision of revised information in respect of the proposed vehicular access both in terms of its width, and the provision of necessary vehicle-to-vehicle and vehicle-to-pedestrian visibility splays. This request is noted however the site can readily accommodate these requirements and as such, these could be secured by suitably worded conditions.

With regards to the level of parking provision on site, it is noted that the LHA has identified that the proposed garage is of insufficient dimensions to accord with adopted parking standards. Whilst this is noted, there is more than adequate space within the site to accommodate the requisite two parking spaces whilst also allowing for the turning and manoeuvring within the curtilage to ensure vehicles can exit in a forward gear.

On the basis of the above, the proposal would not result in any unacceptable danger to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

f) Flood risk

Whilst the application site does not lie within an area at greatest risk from flooding, it is noted that objections from the Parish Council and owner/occupant of No.55A Wisbech Road have

raised concerns regard surface water flooding of the site. The North Level District Internal Drainage Board has not raised any objections to the proposed dwelling but has commented regarding the need to find an existing surface water drainage pipeline serving No.55A and retain it, with the possibility of needing to extend this pipe to serve the original dwellinghouse (No.55). The concerns are noted and measures to manage surface water drainage from the application site could reasonably be secured by condition. On this basis, it is considered that the proposal would not result in any undue risk of surface water flooding, in accordance with paragraph 103 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

g) Developer contributions

In accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution towards the infrastructure demands it generates. The proposed dwelling, in accordance with the contributions set out within the Peterborough Planning Obligations Implementation Scheme SPD (2010), requires a financial contribution of £6,000 plus a 2% monitoring fee of £120. The Applicant has agreed to enter in to a legal agreement to secure this financial contribution and this will be finalised prior to the granting of planning permission.

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 proposal would not result in any unacceptable impact upon the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and the Peterborough Design and Development in Selected Villages SPD (2011);
- whilst some harm would result to the character and setting of the Conservation Area as a result of the loss of a small section of the existing treed/hedged frontage, it is considered that on balance this harm is not of sufficient weight to be sustained as a reason for refusal and that the character of the heritage asset would be preserved, as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- the proposal would not result in the loss of any trees which are of significant heritage/visual amenity value, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in an unacceptable level of impact to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012);
- the proposal would afford future occupants an acceptable level of amenity and living standards, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- acceptable vehicular access can be gained to the site and adequate parking provided on-site so as to not represent a danger to highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal development would not be at unacceptable risk from or result in increased surface water flood risk elsewhere, in accordance with paragraph 103 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the development has secured a financial contribution to meet the infrastructure demands generated, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the following conditions:

- 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 No development other than groundworks and foundations shall take place until details of the following materials have been submitted to and approved in writing by the Local Planning Authority:

- Walling
- Roofing
- Windows and doors
- Lintels and cills
- Rainwater goods

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.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 3 Notwithstanding the drawings hereby permitted and prior to the commencement of development, full details of a revised vehicular access from Wisbech Road shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a simple dropped kerb crossing design, access width of no less than 3.5 metres and vehicle-to-pedestrian visibility splays measuring 2 metres x 2 metres (measured from and along the back edge of the public highway) to either side of the access. The access shall be constructed in accordance with the approved details and prior to first occupation of the dwelling. The visibility splays shall be provided prior to first use of the access and shall thereafter be kept free of any obstruction above a height of 600mm in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 4 Any gates to the vehicular access hereby permitted shall be set back no less than 5 metres from the back edge of the public highway.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 5 No work shall take place on the site (including the stripping of soil, delivery of equipment/materials, creation of site accesses or positioning of site welfare buildings) until an Arboricultural Method Statement and/or Tree Protection Plan to BS5837:12 (Trees in Relation to Design, Demolition and Construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. The Statement/Plan shall include (but not be limited to):

- the location and specification of protective measures and appropriate ground protection measures within the Root Protection Areas of all retained trees;
- details of all Root Protection Area infringements during the demolition, construction and landscaping phases with details of how the impact will be minimised;
- details (including specification of the wearing surface) of 'no dig' constructions including phasing and key timings for arboricultural supervision;
- details of facilitation pruning;
- location for access, material storage, site office, mixing of cement, welfare facilities etc.;
- specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees; and
- details of site meetings to take place between the City Council's Tree Officer and the developer's chosen arboriculturalist, including continued monitoring meetings/visits.

The scheme shall be implemented in accordance with the agreed details/plans and prior to the commencement of any works on the site.

Reason: In order to preserve trees of visual amenity value, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

C 6 Notwithstanding the details hereby approved and prior to the commencement of development, full details of the hard landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include (not exclusively):

- Finished floor slab levels;
- Site levels including the provision of level access;
- All areas of hard surfacing; and
- Boundary treatments.

Development shall be carried out in accordance with the approved details and the level access, hard surfaced areas and boundary treatments shall be installed prior to first occupation of the dwelling.

Reason: In the interests of the visual amenity of the surrounding area and privacy for occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP4 of the Peterborough Planning Policies DPD (2012).

C 7 Prior to the commencement of development, 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 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:

- Details of ownership/ maintenance for the lifetime of the development including any drains within the site boundary that are not currently maintained by the North Level District Internal Drainage Board;
- Details of all elements of the proposed drainage system serving the new hard standing areas; and
- A survey identifying existing surface water drainage pipes and measures to connect to these where necessary.

Reason: To ensure that the development is not at unacceptable risk from and does not result increased surface water flood risk elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C 8 Before the development hereby permitted is first occupied, the proposed first floor bathroom/en-suite windows to the southern elevation shall be obscure 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. Those windows 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).

- C 9 The development hereby approved 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 Peterborough Core Strategy DPD (2011).

- C 10 Notwithstanding the provisions of Part 1 Class A of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions shall be constructed other than those expressly authorised by any future planning permission.

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

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

Should the Community Infrastructure Levy (CIL) Charging Schedule come into force prior to the completion of the Section 106 legal agreement, the development may be wholly liable to the CIL or the S106 legal agreement may be amended to exclude those items that could be funded by the CIL. Items that could be funded by the CIL will be listed on the Council's Regulation 123 List in accordance with Regulation 123 of the CIL Regulations 2010.

A Regulation 123 List will be adopted by the Council on the same day as the Council's CIL Charging Schedule. Currently, a Draft Regulation 123 List can be viewed on the CIL pages of the Council's website.

Copy to Councillors Brown R and Sanders D